

PLANNING COMMITTEE



16 OCTOBER 2013 - 1.00PM

PRESENT: Councillor A Miscandlon (Chairman), Councillor D W Connor (Vice-Chairman), Councillor M G Bucknor, Councillor M Cornwell, Councillor D Hodgson (to 5.50pm), Councillor B M Keane (to 5.55pm), Councillor Mrs K F Mayor, Councillor P Murphy, Councillor Mrs F S Newell, Councillor D R Patrick, Councillor T E W Quince, Councillor D Stebbing, Councillor W Sutton.

Officers in attendance: G Nourse (Head of Planning), Ms A Callaby (Planning Performance Manager), Ms C Flittner (Area Development Manager), R McKenna (Principal Solicitor - Litigation and Planning), N Reeves (Senior Development Officer), Miss S Smith (Member Services and Governance)

P90/13 MINUTES OF THE MEETINGS OF 3 SEPTEMBER 2013 AND 18 SEPTEMBER 2013

The minutes of the meetings of 3 and 18 September 2013 were confirmed and signed.

Councillor Murphy referred to the number of applications being considered at Planning Committee meetings due to them being those of a serving Councillor, Councillor Broker and asked if there was any progress in the way in which these are going to be considered at future meetings as they are time consuming. Councillor Miscandlon confirmed that a meeting has been set with the Legal Officer, Head of Planning and Monitoring Officer to finalise details to alleviate this problem. The Legal Officer confirmed that proposals are being considered that will speed up the process regarding Councillor Broker's applications and the aim is for this to be in place by the next Planning Committee meeting.

*** FOR INFORMATION OF THE COUNCIL ***

P91/13 F/YR13/0031/F MURROW - LAND NORTH OF 15 – 27 MILL ROAD, ERECTION OF 5 DWELLINGS COMPRISING OF: 1 X 3-STOREY 6-BED DWELLING WITH DETACHED DOUBLE GARAGE, 2 X 2-STOREY 4-BED DWELLINGS WITH DETACHED DOUBLE GARAGES, 1 X 2-STOREY 5-BED DWELLING WITH DETACHED DOUBLE GARAGE AND 1 X 2-STOREY 5-BED DWELLING WITH INTEGRAL GARAGE

Members considered letters of representation from local residents.

Officers informed members that:

- this application was heard at the June 2013 Planning Committee where it was resolved to grant planning permission subject to a S106 contribution towards affordable housing;
- due to a clerical error, residents from the neighbouring properties were not advised of the meeting in June 2013;
- this application returns to the committee to enable appropriate public participation in accordance with relevant protocols;
- officer recommendation remains one of approval as per the outlined conditions.

Members received a presentation, in accordance with the public participation procedure, from Mr

Tandy, an objector to the proposal. Mr Tandy made reference to the photograph shown by officers and commented that the photograph makes the road look like a wide avenue and pointed out that it is not as wide as it appears in the photograph. Mr Tandy stated that this is prime greenbelt land and there are already multiple houses empty and for sale. Mr Tandy stated that his reason for moving to Fenland was for the view across the fields. He informed members that he has spoken to his neighbours and there are some concerns regarding the proposal for a three-storey dwelling as it will tower above the village and a near neighbour has concerns regarding overlooking into his bungalow. Mr Tandy pointed out that he is concerned that this will eventually end up as an estate via access to the rear field. He pointed out that permission has been granted opposite on brownbelt land and this has not been built and this development is not required in the village. Mr Tandy informed members that the village has a pub and a portacabin style shop for groceries and the post office is likely to close.

Councillor Sutton asked Mr Tandy if the pub and the small shop would welcome more customers. Mr Tandy responded that there is a bigger choice in March and the portacabin is tiny and could not accommodate more goods.

Officers commented that they had received an email today from the resident at 15 Mill Road which stated that they were disappointed they had not been kept up to date and referred to electrical work starting which makes it appear that the decision is a foregone conclusion and was not happy about the development. Officers confirmed that no decision notice has been provided to the developers and if work has started prior to permission being granted it is at their own risk.

Members were to have received a presentation from Mr Goy, the applicant, he was not in attendance.

Members made comments, asked questions and received responses as follows:

- Councillor Murphy commented that he had made observations: loss of view is not a planning concern, if builders build and houses remain empty it is the builder who will be at a loss and as this is a linear development he sees no problem with a three-storey dwelling as part of the development;
- Councillor Cornwell made reference to Murrow being a small village where development should be considered on its own merits. He referred to the Core Strategy, Policy CS3 better access to services, not available in Murrow; Policy CS12 doubtful if this scale of development would fit in, having an adverse effect on farm land and on character and appearance and commented that it was doubtful that this development fits into the Core Strategy;
- Councillor Bucknor asked officers to show the aerial view of the site and asked how this fitted in with the development of four units approved on the other side of the road. Councillor Miscandlon commented that this was difficult to assess without a scale rule. Officers responded that the plan is to scale and pointed out that variety in a village environment is to be welcomed. Officers pointed out that the northern side of Mill Road is a looser form of development, with some semi and small detached properties on the south side of the road, confirming that the four units were approved in 2011 and confirmed that officers have given thought to the design aspects of the scheme;
- Councillor Sutton commented on the Core Strategy helping to make businesses remain sustainable and said he believes that a few more houses will help this and said he supported the application;
- Councillor Hodgson commented that he saw no major objection to the development and it can be supported on Flood Zone grounds;
- Councillor Patrick commented that the use of arable land causes him problems but he supported the application;
- Councillor Murphy stated that the Core Strategy Policy CS12 items A-J covers all the grounds to support the application.

Proposed by Councillor Sutton, seconded by Councillor Mrs Newell and decided that the application be:

Granted, subject to the conditions reported.

**P92/13 F/YR13/0145/F
CHATTERIS - UNIT 2 FARM PARK, SHORT NIGHTLAYERS DROVE, CHANGE OF
USE FROM STORAGE TO RETAILING OF MOTORCYCLES AND ASSOCIATED
ACCESSORIES (RETROSPECTIVE)**

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members made comments, asked questions and received responses as follows:

- Councillor Patrick pointed out that the Council is 'Open for Business', it would be difficult to put this type of business in Chatteris town centre and he supports the application;
- Councillor Stebbing suggested that the signage from the main road could be improved and he supports the application;
- Councillor Cornwell commented that there is a neighbouring business unit, the Council is 'Open for Business' and he supports the application but also asked if the restriction of three years temporary consent would have an adverse impact on the business itself;
- Councillor Murphy commented on the lack of signage and suggested a sign on the main road turn off, as it is a narrow turning. Councillor Miscandlon commented that signage is subject to Cambridgeshire County Council (CCC) and suggested that Fenland District Council could work with the applicant to assist with signage if required;
- Councillor Quince commented that he agreed with Councillor Cornwell and the three year consent would curb the business and he would like to see it removed;
- Councillor Keane commented that the business has been in place for 18 months and should carry on;
- Councillor Connor commented that he was worried about granting a three years temporary consent and would like to see this removed and supported the application;
- Officers confirmed that it would be necessary to change Condition 1 and suggested that the premises use be changed back to B2 or B8 from temporary use;
- Councillor Sutton commented that he had a different view, the business is already there and he feels the restriction is valid and supports the application with the three years in full;
- Councillor Miscandlon commented that motor cycle franchises expect more than three years use of lease to operate.

It was proposed by Councillor Sutton, seconded by Councillor Bucknor that the application be Granted, with the three years temporary consent and suitable conditions, which was not supported by a majority on vote by members.

Proposed by Councillor Connor, seconded by Councillor Bucknor and decided that the application be:

Granted, subject to the removal of three year temporary consent and subject to Condition 1 being changed to B2 and B8 use and Conditions 2, 3 and 4 remaining.

(Councillors Murphy and Mrs Newell stated that they are Members of Chatteris Town Council, but take no part in planning matters)

**P93/13 F/YR13/0316/F
PARSON DROVE - LAND SOUTH OF 6 BREWERY CLOSE, ERECTION OF A 3-**

BED SINGLE-STOREY DWELLING WITH DETACHED DOUBLE GARAGE

Members considered a letter of support.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- no response has been received from North Level Internal Drainage Board;
- the Waste Operations Manager has commented:
 - although a private access we currently reverse to near the end of number 7;
 - it would be difficult to change this custom and practice, although in theory the collection point should be at the end of Brewery Close, where it joins Ingham Hall Gardens;
 - on this basis we do not expect to change it, but would not try to turn on what is a gravel surface;
 - therefore there will be the collection point for the new property. It would not need a store, but at least a recognised collection point that they would take the bins to for collection purposes;
- the above will be dealt with under condition 7.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey, the applicant's agent. Mr Humphrey stated that the application is partly in and outside the development area boundary, the plot is currently garden land with residential use already. He stated that the applicants are looking to build a bungalow to retire into, they are village people and want to stay in the village and have family in Brewery Close. He pointed out that the applicants have made concessions and amendments and worked with planning officers to make this an acceptable scheme.

Mr Humphrey commented that the Parish Council recommend approval, the scheme accords with the DWLP and suitable conditions are in place to repair the roadway. He pointed out that it complies with policy and welcomes support from members.

Councillor Quince asked Mr Humphrey what materials are proposed on the bungalow and garage. Mr Humphrey responded that timber cladding is proposed for both buildings. Councillor Quince commented that he was not happy with that.

Councillor Cornwell asked Mr Humphrey if the building would merge in better if it were to be built in brick. Mr Humphrey responded that the applicant would be happy with brick. Councillor Cornwell asked if Mr Humphrey had removed the parking area for number 6 Brewery Close. Mr Humphrey confirmed that the garage and parking is still there for number 6, pointing out that is it near to number 4.

Councillor Murphy asked Mr Humphrey if he thought this is the best possible position for the dwelling and could it be moved to block off the end of the development as a natural end to the countryside, as opposed to a garage that could be taken down. Mr Humphrey responded that members need to determine the application as is and he feels that the proposal is the best solution.

Officers commented that they were sensing a feeling that cladding would be a concern and suggested an additional condition to construct the dwelling in facing brick entirely.

Councillor Stebbing agreed that this is the correct place for this building and fully supported the application, but did not support the use of cladding.

Councillor Mrs Mayor commented that she agreed with Councillor Stebbing, stating that none of the other properties have cladding and this one should not have cladding either, in keeping with other properties.

Officers asked if cladding on the garage was an issue. Mr Humphrey confirmed that cladding on the garage was acceptable as it is an outbuilding.

Proposed by Councillor Connor, seconded by Councillor Mrs Mayor and decided that the application be:

Granted, subject to the conditions reported and an additional condition to construct the dwelling in facing brick and remove cladding, outbuilding only to be faced with cladding.

(All Members present declared a Non-Pecuniary Interest in this application, by virtue of the applicant being known to them as a former Councillor)

(Councillor Quince declared a Non-Pecuniary Interest in this application, by virtue of the applicant being a friend)

**P94/13 F/YR13/0353/F
CHATTERIS - LAND NORTH AND EAST OF 209 NEW ROAD, ERECTION OF 56
DWELLINGS**

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members considered letters of objection from local residents.

Officers informed members that:

- a Viability Appraisal for the site has been submitted. In summary, the report from the agent indicates that the scheme makes a small loss that is exacerbated when all the requested contributions are included. The comments from the Planning Obligations Officer are still awaited;
- Chatteris Town Council has been advised of the revised application and wishes to raise no objection;
- the Arboricultural Officer has no objections to the landscape details other than more small decorative trees could be planted along the west boundary to provide screening to the adjacent properties. It is noted that there is limited space for planting due to the density of the development;
- the Parks and Open Spaces Manager commented that the LEAP must be agreed and be approved in the S106 obligation;
- the applicant's agent has queried some of the pre-commencement condition details within the officers report and have requested these are re-worded or deleted following receipt of further information:
 - Condition 2 Landscaping - to be removed (plan received and agreed);
 - Condition 7 Noise Mitigation - reword to include 'construction works of the dwellings hereby approved...'
 - Condition 9 External Lighting - within 4 months of commencement...
 - Condition 10 Prior to the commencement of the construction of the estate road and private drives...

- All other conditions remain the same.

Members received a presentation, in accordance with the public participation procedure, from Mr Woolston the applicant. Mr Woolston informed members that he is the Director of the proposal, he fully supports the recommendations and stated that the application is shaped around the needs of Roddons who will manage the development on completion. Mr Woolston pointed out that the scheme is the best to meet needs and has worked with officers to make a suitable scheme. Mr Woolston stated that there is a broad mix of houses, originally 59, reduced to 56 dwellings to allow for open space and play areas.

Mr Woolston stated that the scheme cannot pay contributions as this is outweighed by the provision of affordable homes to meet local needs. He pointed out that the housing is traditional, will fit in well, parking has been provided for residents and visitors, landscaping is of a high quality, with features and new trees to be planted. The housing meets affordable housing standards, are energy efficient and protected from flooding and provides community facilities and is a sustainable development.

Members received a presentation, in accordance with the public participation procedure, from Mr Harkness of Circle representing Roddons Housing Association. Mr Harkness stated that Circle has been working with architects for the past 12 months, this is a significant scheme for Roddons and represents 10% of the promises made by Roddons to Fenland District Council. He commented that the mix of housing is right, there are a range of types and flats, creating a balanced stock across the town. He pointed out that 14 of the homes are designated shared ownership.

Members received a presentation, in accordance with the local council participation procedure, from Councillor Chambers, speaking on behalf of Chatteris Town Council. Councillor Chambers stated that the Town Council supports the application, this development will provide homes for those on the waiting list and geographically this is an ideal location. He pointed out that the development is within the Development Area Boundary, is close to a primary school, there is a doctors surgery close by and a recreational play area within 100 yards of the development. Councillor Chambers commented that if this development were to be granted the first phase would be complete by March 2015 meeting Roddons target. Councillor Chambers urged members to approve the application.

Members made comments, asked questions and received responses as follows:

- Councillor Stebbing referred to the training session for members last week and asked if as a result of this members would be able to see the viability study up front. Officers commented that due to the confidential nature of the work of viability, broadbrush headlines can be given in terms of the viability assessment. Officers confirmed that they would look at the internal process and format to see what could be provided to members;
- the Legal Officer confirmed that whilst the viability information is confidential they could still see it and how this could best be provided to members would be considered for future applications;
- Councillor Mrs Newell confirmed that she receives repeated telephone requests for homes in Chatteris and supports the application;
- Councillor Cornwell referred to the introductory paragraph of the report, commenting that this is the access site to the whole area of broad locations for growth and raised concerns that the site seems to be overdeveloped, there are benefits for families however parking is remote from the actual residents and he has concerns that they will try to park in front gardens. He pointed out that this is a gateway site and has a simplistic design on the front;
- Councillor Patrick commented that he understands the problems but raised concerns that this may be creating a future ghetto;

- Councillor Sutton commented that there are 3,500 people on the housing waiting list and admitted that this is a problem and thinks that this may be overdevelopment. He raised concerns regarding Plot 58 which appears to have two parking spaces in front of it for Plot 59 which is unacceptable. Councillor Sutton asked if viability will do away with any S106 agreement? Officers confirmed that viability assessment is subject to sensitivity testing, the policy requires any S106 to provide 25% affordable homes and S106 would fall as the whole site is 100% affordable. Officers confirmed a minor amendment in the locality of Plots 58 and 59, a supplementary plan was received on 14 October which resolves the issues on parking relevant to Plot 58;
- Councillor Mrs Mayor raised concerns regarding siting of bungalows and commented on the density of the site, however she is happy that there are one bed dwellings within the scheme for senior citizens;
- Councillor Connor commented that more affordable housing is required in Fenland, the site inspection showed that this is the best location for this scheme and he supports the application;
- Councillor Cornwell commented that he would support the application if design problems can be negotiated by officers. Officers confirmed that they will consider design problems and look at the best relationship to parking and dwellings.

Proposed by Councillor Mrs Mayor, seconded by Councillor Bucknor and decided that the application be:

Granted, subject to viability agreement being delegated to officers and modification of the conditions reported.

(Councillors Murphy and Mrs Newell stated that they are Members of Chatteris Town Council, but take no part in planning matters)

(Councillor Murphy declared a Non-Pecuniary Interest in this application, by virtue of being a Board Member of Roddons Housing Association, and retired from the meeting for the duration of the discussion and voting thereon)

P95/13

F/YR13/0382/F

LEVERINGTON - LAND SOUTH OF ROCKSWORTH, ROMAN BANK, ERECTION OF A 2-STOREY 4 BED DWELLING WITH INTEGRAL GARAGE

Members considered six letters of support and one letter of objection.

Members received a presentation, in accordance with the public participation procedure, from Mr Edwards, the applicant's agent. Mr Edwards stated that the applicant owns the former industrial units along Roman Bank, he operate a garages and this dwelling will give him the opportunity to live closer to the business and this is the driver for the proposal. Mr Edwards pointed out that this is similar to other recent proposals, highway support has been achieved and the land has not been in agricultural use for 20 years. The dwelling is sited in the centre of the plot and is designed to have minimal impact on other nearby properties.

Mr Edwards stated that this is an executive plot and provides a sustainable way of living, it is in Flood Zone 1 and the proposal should be encouraged. He commented that the location plan is misleading and disagreed that this dwelling would change the open nature of the area, stating that it would enhance the streetscene as the site is already enclosed. He commented that the report states that the site remains in an appropriate location for residential development. Mr Edwards asked members to support the application.

Members made comments, asked questions and received responses as follows:

- Councillor Stebbing asked for clarification regarding the concluding paragraph of the officers report referring to appropriate location of the site. Officers confirmed that the report should say 'site remains in an *inappropriate* location;
- Councillor Cornwell commented that most of the application does not comply with Policy CS12;
- Councillor Sutton commented that four other developments were approved on Roman Bank six months ago. Officers confirmed that these developments were nearer to the settlement of the village;
- Councillor Hodgson commented that there are no objections from the Parish Council and there are six letters of support.

It was proposed by Councillor Hodgson, seconded by Councillor Keane to Grant the application against officers recommendations as the development is in a sustainable location, there are no objections and there are letters of support and highway issues have been satisfied, which was not supported by a majority on vote by members.

Proposed by Councillor Cornwell, seconded by Councillor Mrs Mayor and decided that the application be:

Refused for the following reason:

1. **the proposed development is located in an unsustainable location in the open countryside where residential development is not normally supported unless justified. Development in this location would also harm the distinctive character of the locality as a result of the introduction of another element of built form in what is generally a loose knit collection of buildings in the open countryside, and would thus begin to change the fairly open and fragmented nature of development in the immediate vicinity. The proposal is therefore considered to be contrary to Policies H3, H16 and E8 of the Fenland District Wide Local Plan and Policies CS1, CS12 and CS16 of the draft Fenland Core Strategy (July 2012).**

(Councillor Patrick declared a Non-Pecuniary Interest in this application, by virtue of him knowing the owner of the garage, and retired from the meeting for the duration of the discussion and voting thereon)

Members took a 10 minute refreshment break following determination of this application.

**P96/13 F/YR13/0398/O
WHITTLESEY - LAND SOUTH WEST OF 58 STATION ROAD, ERECTION OF 4
DWELLINGS WITH GARAGES AND BIN STORE**

The committee had regard to its inspection of the site (in accordance with the Site Inspection: Policy and Procedure (minute P19/04)) refers during its deliberations.

Officers informed members that:

- the following information has been received from the Agent:
 - the proposed materials are Hanson Brecken grey for the external walls and Marley Modern slate grey for the roof;
 - the levels on this site have been and retain those agreed at the very start of negotiations and are fully shown on every site plan. At the centre of the main road North West of the site there is an Ordnance Survey spot level of 5.50 which is taken as the datum level for this site;
 - at the site entrance the actual level is 5.30 and is retained. There is a general fall

over the first 25.00m to the side elevation of number 58 of 200mm - to 5.10m. It is proposed to retain the entrance levels to the existing house as they are now;

- immediately to the rear of number 58 the former market garden drops to 4.80m and then falls to 4.60m at the rear boundary of the side facing the Manor Field;
- the proposal is to continue the road fall to 4.90m as shown at the south edge of the road facing the main group of dwellings. Drainage is thus even and a rational fall;
- in all cases the ground finished floor for new properties will be 5.30m and the ground (with adjacent driveways) made up 4.80m and falling to the rear boundary existing level of 4.60m;
- effectively, the sudden change of level at the rear of number 58 is sloped out (making a garden practical for that dwelling that does not exist at this time) and Plot 1 rear garden has to fall away from the Drill Hall boundary having regard to the Eastern Car Park. Plot 2 Eastern wall path side also has to be retained at the car park level;
- the make up material will be compacted garden grade soil except under road and driveways or walkways where compacted and consolidated stone will be required.

Members received a presentation, in accordance with the local council participation procedure, from Councillor Mrs Laws, Whittlesey Town Council. Councillor Mrs Laws stated that she was speaking on behalf of Whittlesey Town Council and Councillor G Swan as the application is in his ward. Councillor Mrs Laws stated the history that a development for 3 x 3-bed dwellings was withdrawn earlier this year on advice from officers as the site is not large enough to accommodate dwellings and this application is for 4 dwellings, garages and bin stores. She referred to the Fenland District Wide Local Plan commenting that this is inappropriate infill settlement, garden grabbing and an unsuitable site, out of character and creates overlooking issues.

Councillor Mrs Laws stated that there is a busy garage with double yellow lines and there are still parking issues and the development is beyond the 30 metre guidance for bin collection and requested consistency to incorporate bin storage within each new dwelling. She commented that Whittlesey Town Council have commented that the bins are an eyesore and will encroach onto the pedestrian highway at the front of the site and if this site were to be approved it will set a precedent for all other properties for garden grabbing. Councillor Mrs Laws asked members to bear in mind their visit to the site and that they support the Town Council by refusing the application.

Members received a presentation, in accordance with the public participation procedure, from Mr Taylor, the applicant's agent. Mr Taylor explained the difference in ground levels, stating that the levels fall from Station Road, the site adjoins Manor Field and falls of 900mm from road to rear are all in one place, this is a golden opportunity to put a driveway in place and limits the number of properties with a fall of 1 in 75 over distance. Mr Taylor confirmed that the road access is a permeable surface so that water is absorbed on the site and tests have been carried out to check the permeability, there is a former well on the site and this remained dry for all of the last winter. Additional hardcore roads at Manor Field end acts as a common design for this type of minor road.

Mr Taylor stated that this is an opportunity to produce something nice, the floor levels of the properties are all 325mm above road level, being made up ground. The development does not overlook any neighbours, is not over intensification of the site, is not garden grabbing, is a brownfield site and makes use of a redundant market garden. He pointed out that the development is in keeping with the character of the area, being a whole series of Close developments that are desirable. He stated that highway safety issues and visibility have been met and visibility is spectacular in both directions. Mr Taylor stated that policies have been complied with and asked members to approve the development.

Members made comments, asked questions and received responses as follows:

- Councillor Mrs Newell made reference to photographs shown of the site and asked for

clarification regarding what appeared to be water on the site. Officers confirmed that this was not water but gravel on the driveway.

It was proposed by Councillor Bucknor, seconded by Councillor Quince that the application be Granted, which was not supported by a majority on vote by members.

Proposed by Councillor Patrick, seconded by Councillor Connor and decided that the application be:

Refused, due to over intensification of the site.

Members do not support officers recommendations to refuse planning permission as they feel that the site would be over intensified.

(Councillors Mrs Mayor and Stebbing stated that they are Members of Whittlesey Town Council, but take no part in planning matters)

(Councillor Miscandlon registered in accordance with Paragraph 15 of the Code of Conduct on Planning Matters, that he is a member of Whittlesey Town Council Planning Committee and stated that he will consider all relevant matters before reaching a decision on this proposal)

(Councillor Miscandlon registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that he had been lobbied on this application)

P97/13

F/YR13/0418/O

**WHITTLESEY - LAND NORTH OF SNOWLEY PARK AND GLENFIELDS,
RESIDENTIAL DEVELOPMENT (150 DWELLINGS MAX) WITH ASSOCIATED
INFRASTRUCTURE**

This application was considered as the first item of the Agenda due to the number of representations and speakers on this application.

Members considered 57 letters of representation and a petition.

The committee had regard to its inspection of the site (in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- discussions have been held with North Level IDB and they are now satisfied with surface water Condition 11, works to the water courses on Northern Leam will be considered at a later stage;
- the Environment Agency objections have been removed;
- the Condition relating to the roads within the 5 metre contour line have been amended;
- amendments have been made to the level of work on bus stops on the A605;
- the site is 5 metres above sea level apart from a small portion in the north east corner which addresses major concerns regarding flood risk;
- Conditions 10 and 11 mitigate flood risk;
- they consider the site can be developed and satisfy drainage concerns and is in Flood Zone 1.

Members received a presentation, in accordance with the local council participation procedure, from Councillor Mrs Laws, Whittlesey Town Councillor and Chairman of the Town Council Planning Committee. Councillor Mrs Laws stated that this is a significant proposed development adjacent to the Whittlesey Washes and should not extend north of the town as this is an emergency flood

zone. She stated that the water is being managed and cannot be managed in the north, water finds its own level and more concrete will place the community at risk. Properties in North Delph and Bassenhally are a potential risk and Fallowfields are at risk of flooding.

Councillor Mrs Laws pointed out that there are changes year on year, and that 20 years ago Yarwells Headland was not near a flood zone, it is now in Flood Zone 3 and water is moving towards the town. She pointed out that waste water treatment issues have not been resolved with Anglian Water. She pointed out the number of dwellings already approved being 750 and the shortfall of 350, all to be built between 2011-2031 and pointed out that Whittlesey will exceed that number. She confirmed that at the present time there are 800 properties for freehold sale, 300 properties available to rent, stating that the application is inappropriate, is not to scale and does not justify housing demand or provision. Councillor Mrs Laws asked members to consider the view of the local community regarding where properties can be built, the implications as requested that they refuse the application.

Members received a presentation, in accordance with the local council participation procedure, from Councillor Curtis, Cambridgeshire County Council. Councillor Curtis referred to the Whittlesey supermarket in January 2013, there was reasonable support for Sainsbury, the debate raised concerns that land to the north of Whittlesey was not suitable for housing due to flooding issues. Councillor Curtis stated that if concrete is put into this site it will disperse the water, will cause further harm to the rest of Whittlesey. He pointed out the highway issues regarding Kings Dyke and roads that feed onto the A605, stating that 460 houses are already planned in the east of Whittlesey and this development will increase traffic and make Crossway Hands worse. Councillor Curtis asked how much thought had gone into the increase in traffic on the A605 and Crossway Hands and what impact the development will have and any action taken. He commented that if means of access is to be approved be sure of the impact on the junction or refuse the application.

Councillor Curtis raised the issue of whether sewerage can cope with the level of water from this development, there are 1,000 houses in the Core Strategy for Whittlesey, can Whittlesey cope with an additional 1,000 houses and asked members to look at the strategic issues. Councillor Curtis referred to bus vouchers and commented that there is not adequate public transport for sustainable travel ie to Peterborough out of hours, stating that vouchers will not support a bus service that does not work. Councillor Curtis stated that Whittlesey is not suitable for this sort of development and asked officers to look at where the 1,000 houses were to come from.

Members received a presentation, in accordance with the public participation procedure, from Councillor Mrs Laws on behalf of the Delph Ward Voluntary Flood Warden Group. Members were informed that:

- the Group was formed at the request of the Fenland District Council Emergency Planning Team and The Environment Agency as a result of their concern over flooding and the effect it would have on the residents of Delph and Bassenhally Wards. They urgently requested the residents to sign up for the Environment Agency's Floodline;
- the Groups primary concerns are:
 - reduction of flood storage capacity as a result of this proposal;
 - increased run off from the buildings and hard landscaping increasing risk of flash flooding;
 - Summer flooding has resulted in water in boundaries of properties in July 2009;
 - Autumn and Winter flooding has also affected the B1040 which was closed for 65 days last winter;
 - risk to agricultural land by raising the South Barrier Bank;
 - as residents we have concerns over increased pressure on infrastructure, schools, doctors, dentists and Whittlesey waste water treatment works;
 - lack of investment from Anglia Water;

- the development creating pollution and increased noise and light pollution;
 - the desire to build on green field site when there are many brown field sites in the area;
- South Barrier Bank works are a four year project to strengthen the South Barrier Bank, this will not change any flooding that happens now but only strengthen the South Barrier Bank to manage the water in the Wash;
 - water will always find its own level and more concrete on this valuable storage land will place even more existing properties at risk of flooding;
 - lands to the north of Whittlesey should be left for what nature intended and retain water storage and flood protection incorporating surrounding lands for residents in Bassenhally and Delph Wards;
 - the Group asked members to consider what impact this development will have in 5-30 years time for all residents in close proximity to the River Nene and adjacent to Whittlesey Washes in relation to the ever moving borders of designated flood zones.

Members received a presentation, in accordance with the public participation procedure, from Mr Wollaston, Snowley Park Residents Action Group. Mr Wollaston thanked members for the opportunity to speak on behalf of the Group. Mr Wollaston informed members that the Group had made the decision not to attend in great numbers but would like to register their strong objections to further development. Mr Wollaston stated that residents have genuine fears and are watching flood surface water moving towards their properties. Mr Wollaston asked members to consider the letters of objection and petition and reminded members that their decision could alter Snowley Park way of life. Mr Wollaston asked members to consider the addition 200-250 vehicles and the potential lorry movements whilst the development is being built. He pointed out that this planning application could be an accident or a disaster waiting to happen and requested that members refuse the application.

Members received a presentation, in accordance with the public participation procedure, from Mr Beamon, the applicant. Mr Beamon recommended that members approve this application based on emerging and national policy framework. Mr Beamon stated that this is a sustainable development, the site isn't an active flood plain and is in Flood Zone 1. He stated that consultation with the IDB and Environment Agency had taken place regarding limiting discharge, Glenfield is unrestricted with the sewer taking water to the washes, it is proposed to restrict what comes off this development. The site is below the 5 meter contour boundary line and this is a fact and Mr Beamon is in agreement with the professional officers regarding this. Mr Beamon stated that in summary the proposals meet the Councils policies and objectives, the development is sustainable and it is endorsed by Cambridgeshire County council. He pointed out that there are no development control issues that cannot be controlled by officers and conditions.

Councillor Cornwell asked Mr Beamon if he was saying that the whole of the site outlined in red is above the 5 metre contour line. Mr Beamon confirmed that the area is in Flood Zone 1 with the north east corner being 12 inches below. He pointed out that the proposed dwellings will be above that area. Mr Beamon commented that he would be happy to build at 5.3 metres, the land floods at 3.7 metres, with the site averaging 5.7-6.0 metres in height. Councillor Cornwell commented that this does not take into account flow or wind conditions. Mr Beamon responded that 200 properties in Whittlesey are built below the 5 metre level and 3.7 metres is sufficient height to hold flood waters.

Councillor Mrs Newell raised concerns regarding the existing surface water pipe outfalls into a riparian drain which may never have been consented under the Land Drainage Act. Mr Beamon referred to the Anglian Water response from 1991 for pipes stating that the pipe would have been approved on the basis that there would be limited discharge and confirmed that the developer would be limiting discharge and holding water back.

Councillor Cornwell asked Mr Beamon where the water was being held back. Mr Beamon confirmed that this is part of the Flood Risk Assessment, plans have been sketched, volumes calculated and part of the detailed design is to satisfy the drainage condition. A large area of green land will remain to ensure that there is sufficient land to address storm events.

Councillor Quince asked Mr Beamon if there was a detailed survey of this land. Mr Beamon confirmed that a full topography survey had been undertaken and informed members that officers have the information on file.

Members made comments, asked questions and received responses as follows:

- Councillor Stebbing reminded members that Whittlesey is on an island, a short distance south of the town is 6 metres below sea level and requested that members be very careful, climate change is happening, weather is unpredictable and over the last 30 years Whittlesey has been close to flooding and future risk of flooding is possible;
- Councillor Mrs Mayor informed members that this development is in her ward and drew members attention to a map from the Environment Agency which is displayed at Whittlesey Town Council which shows flooded areas at risk. This area is not at risk, when she asked the Environment Agency why this particular area was not at risk of flooding they answered it was because there is no development in that area, with concrete it will be in the at risk category. Councillor Mrs Mayor asked if anyone has thought about the water table, there is a 'B' road into Whittlesey that was out of use last year for 60 days due to flooding. She pointed out that her drive had been under water this week but this had never happened until the Fallowfields development was built and asked members if we want another 150 dwellings causing problems before we start. Councillor Mrs Mayor confirmed that the bus service will not be increased for Whittlesey;
- Councillor Mrs Mayor asked officers if CCC Highways had been asked to attend this meeting. Officers confirmed that they had been asked but Highways were unable to send someone due to existing commitments. Councillor Mrs Mayor referred to another site off Stonald Road which is already approved with outline planning permission in 2005, reserved matters in 2008, discharged in 2011 commenting that the homes have still not been built. She pointed out that the condition was the highways works should be carried out on Stonald Road, at the cost of the developer and asked if Cambridgeshire County Council have taken this into account. Councillor Mrs Mayor also referred to the transport company to the west of the site, with all HGVs coming out onto Stonald Road, this is a one way street and asked that members take notice of the objections raised by local people prior to making their decision;
- Councillor Mrs Newell raised concerns regarding the dike and the suggested surface water strategy. Officers confirmed that Conditions 10 and 11 will address these concerns;
- Councillor Hodgson commented that this application is recommended for approval and it will be difficult to refuse as it is in Flood Zone 1 and asked if the area is getting worse or is likely to get worse in the future. Councillor Miscandlon confirmed that members can only consider evidence from the past and that currently before them. Officers reminded members to rely on current advice. Councillor Hodgson asked what Flood Zone the next door development is built on. Officers confirmed that the development to the east is in Flood Zone 3 towards Yarwells Headland;
- Councillor Bucknor commented on local residents who confirm that flooding is encroaching year on year on sites around the Wash area and asked officers if this was true. Councillor Miscandlon confirmed that the Environment Agency South Bank project is designed to protect rural areas and would not protect Whittlesey, and water direction may make things slightly worse;
- Councillor Cornwell referred to the Core Strategy page 54 regarding the proximity of Nene Washes and avoiding development in more riskier parts in the north of Whittlesey. He agreed that there is a shortfall of housing in Whittlesey and believes housing could be achieved in Whittlesey without this site;

- Officers advised that the Core Strategy allocation is 1,350 and reminded members to consider each development on its own merits;
- Councillor Cornwell asked if members have to consider this development when other sites have been identified as suitable. Officers advised members to look at all policies and to consider the site on its own merits as well as others as they arose. Councillor Cornwell commented that there are less at risk sites available;
- Councillor Stebbing referred to flood measures taken in Northampton, where barriers have been reinforced and advised members that water from that area now comes to the Nene Washes and any further development in Northampton will add to that and Fenland has no control over Northamptonshire;
- Councillor Murphy referred to Flood Zones 1, 2 and 3 and asked who can predict where water will go around corners. He commented on Core Strategy CS4 sequential testing, exception testing and asked if this had been done robustly and raised concerns that flood risk management had not been discussed at all and requested a more robust test before the application can be approved. Councillor Murphy commented on flash surface floods and there are 220 properties that could flood so why build more that can flood. He commented that most people would not want to live on a flood plain, the area is good for dog walking and should be used for this purpose and agreed that the potential to flood would be on the heads of the committee should the proposal be accepted;
- Officers confirmed that the site itself is largely Flood Zone 1 with the top north east section being in Flood Zone 3 which will be left as open space. Officers explained that Policy CS14 quoted by Councillor Murphy referring to sequential and exemption testing refers to Flood Zones 2 and 3 and members were reminded to consider this proposal on the basis that it is situated in Flood Zone 1;
- Councillor Connor commented that he agrees with Councillor Murphy and could not support the application and he had noted the traffic problems highlighted by Councillor Curtis in that area;
- Councillor Sutton referred to his recent tour of the Ouse Washes, starting at Brackley to the Ouse Washes. He referred to the Nene starting at Northamptonshire and confirmed that he had asked the Environment Agency what the impact a development upstream would be on the two areas. He confirmed that the Environment Agency comment was that it would not improve the situation and with that in mind he has doubts about this development and said he would not be supporting the application;
- Councillor Patrick asked how much weight does 'Localism' have on planning applications. Officers confirmed that 'Localism' is taken into consideration, balanced against National and Local Planning policies;
- Councillor Cornwell commented that we would be building on land adjacent to flood zones, the water moves much faster through the Nene system, arrives much earlier than before and in larger quantities and he does not want to see anyone placed at risk, as the risk is increasing yearly and with the risk of flooding and highway issues he could not support the application.

Proposed by Councillor Connor, seconded by Quince and decided that the application be:

Refused for the following reasons:

- 1. due to the risk and increased potential of flooding;**
- 2. adverse impact on the highway network, being one access only to the development.**

Members do not support officers recommendations of Grant of planning permission as they feel that there is a high risk of flooding and the development would have an adverse impact on the highway network.

(All Members present registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that they had been lobbied on this application)

(Councillors Mrs Mayor and Stebbing stated that they are Members of Whittlesey Town Council, are not on the planning committee and take no part in planning matters)

(Councillor Miscandlon registered, in accordance with Paragraph 15 of the Code of Conduct on Planning Matters, that he is a Member of the Whittlesey Town Council and will consider all relevant matters before reaching a decision on this proposal)

Members took a 10 minute refreshment break following determination of this application.

P98/13 **F/YR13/0542/F**
PARSON DROVE - LAND SOUTH OF 76 MAIN ROAD, ERECTION OF A SINGLE STOREY 3-BED DWELLING WITH INTEGRAL DOUBLE GARAGE

Members considered one letter of objection.

The committee had regard to its inspection of the site (in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- one further letter has been received from neighbours (to the west of the site) who cannot make the meeting;
- the letter reiterates that previous refusal reasons in May 2013 have not been addressed at all by this re-application and that they still object to this planning application on the grounds of loss of amenity, specifically privacy and increased noise, continuing concern of increased flooding risk and continuing concern of light blocking;
- because the officer recommendation is now to grant the application, and the Parish Council do not object the neighbour asks that if the committee are mindful to grant permission that the following be considered:
 - that a requirement is placed on the application to move the garage to the other side of the building to alleviate the loss of amenity in respect of privacy and increased noise;
 - that a requirement is placed on the application to move the whole dwelling to the other side of the site to alleviate the loss of amenity in relation to light;
 - that a requirement is placed on the application to ensure that the drive is of a permeable material to reduce the risk of flooding to their property;
 - that a requirement is placed on the application to ensure that all hard landscaped areas are laid at the same height or lower than their land to reduce the risk of flooding to their property.

Members made comments, asked questions and received responses as follows:

- Councillor Cornwell referred to the developments close relationship to Newlands Avenue. Officers confirmed that this development is not linear, is a tandem development, Newlands Road borders the site and is not linear frontage development and is not inconsistent in form of character;
- Councillor Murphy clarified that linear development refers to main road development and not to bi and side roads. This development backs onto number 72 and he sees no problem with the proposal;
- Councillor Hodgson raised a concern regarding the narrowness of the driveway.

Proposed by Councillor Sutton, seconded by Councillor Mrs Mayor and decided that the application be:

Granted, subject to the conditions reported.

P99/13

F/YR13/0557/F

BENWICK - LAND NORTH EAST OF 13 DODDINGTON ROAD, ERECTION OF 4 X 2-STOREY DWELLINGS COMPRISING OF: 2 X 2-BED AND 2 X 3-BED DWELLINGS WITH SHEDS INCLUDING 2.1M HIGH FENCING AND 2.05 HIGH WALL

Members considered 12 letters of objection.

The committee had regard to its inspection of the site (in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- three further letters of objection had been received about amended plans raising the following concerns:
 - disagree with moving car parking spaces to Plot 2 to rear;
 - poor design - cannot understand why affordable houses are getting double width driveways when houses opposite don't;
 - car parking in Heron's Way already causes obstruction, very serious problems at evenings and weekends, increased risk on Heron's Way;
 - do not want to look at gable end wall and fence panelling;
 - loss of wildlife and natural flowers that is developing on green area where houses are proposed;
 - road safety and access - given rural location two parking spaces per dwelling may not be sufficient and no space for visitor parking;
 - not enough room for Pin Oak (now TPO'd), only the minimum spread (7.0m) of the eventual potential size of the tree is catered for. It could grow bigger putting it under pressure of being felled in future, especially if solar panels are proposed on houses;
 - overdevelopment, no difference between this scheme and that refused in 2007 which went to appeal, car dominated environment, prominent expanses of tarmac.

Members made comments, asked questions and received responses as follows:

- Councillor Cornwell asked officers if number 2 meets the Council's standards as it seems small. Officers confirmed that the dwelling covers 50% of the plot;
- Councillor Sutton commented that he supports officers recommendations.

Proposed by Councillor Sutton, seconded by Councillor Hodgson and decided that the application be:

Granted, subject to the conditions reported.

(Councillor Miscandlon declared a Non-Pecuniary Interest in this application, by virtue of him knowing the owner)

(Councillor Miscandlon registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that he had been lobbied on this application)

P100/13

F/YR13/0574/F

MARCH - LAND NORTH OF ELECTRICITY SUBSTATION, GAUL ROAD,

ERECTION OF 52NO 2-STOREY DWELLINGS COMPRISING OF 35 X 2-BED, 13 X 3-BED AND 4 X 4-BED WITH LANDSCAPING AND PLAY AREA

Members considered two emails of objection.

The committee had regard to its inspection of the site (in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- a Viability Appraisal for the site has been submitted. In summary the report from the agent indicates that the scheme makes a small loss that is exacerbated when all the requested contributions are included. Comments from the Planning Obligations Officer are still awaited;
- Middle Level Commissioners oppose the application for the following reasons:
 - the proposal was previously the subject of some pre-planning application discussions with both the Council and the applicant's consultant. It is disappointing that no further meaningful discussions have taken place since the previous outline consent was given. Unfortunately, many of our comments have not been included within this revised submission and therefore do not meet with the Board's approval;
 - the proposed development is adjacent to the 9m wide maintenance access strip protected by the Board's byelaws. Any development within this strip requires the Board's prior consent in writing. The layout of the development must be designed to facilitate access by an articulated low loader and other heavy construction type plant and machinery;
 - the submitted Flood Risk Assessment does not meet the Board's requirements. There are additional considerations required and it must advise whether there is any material prejudice to our systems, local water level management system, natural or built environment;
 - environmental issues associated with the potential for water voles to be present within the ditches. It is recommended that further survey should be undertaken;
- there has been one further email received from a local resident following the revised plans. Concerns are expressed with regard to the additional accesses onto Gaul Road and querying whether there would be any improvements made to the junction of Gaul Road onto the A141 with more traffic generated by the proposal. In addition concern is raised in respect of the proposed two-storey houses located adjacent to the existing bungalows and concerns with overlooking and loss of light. These concerns are considered to be addressed within the officer report under the relevant headings.
- **Conditions Query** - the applicant's agent has queried some of the pre-commencement conditions detailed within the officers report and have requested these are reworded to include 'within 4 months of commencement' or 'prior to commencement of that part of the development' rather than 'prior to commencement'. The following conditions are therefore amended in this respect:
 - Condition 10 - Fire hydrants - within 4 months of commencement...
 - Condition 12 - External lighting - within 4 months of commencement...
 - Condition 15 - Vehicular and pedestrian crossings of the ditch along the frontage - prior to the commencement of the construction of the vehicular accesses...
 - Condition 22 - Details of the 2m footway along the Gaul Road frontage to meet the existing to the east - prior to the commencement of the installation of the footway...
 - All other conditions remain the same.

Members received a presentation, in accordance with the local council participation procedure, from Councillor Mrs French, District Councillor. Councillor Mrs French stated that she does not object to the proposal but has concerns regarding the density of the development and two-storey dwellings being near bungalows due to overlooking issues. Councillor Mrs French referred to road safety issues stating that a full length footpath should be provided along with street lighting and hopes that condition 22 will cover this. She pointed out that the road needs to be brought up to an adoptable standard. Councillor Mrs French raised concerns regarding 52 dwellings, a possible 100 children, and no preschool contribution highlighting the fact that Maple Grove infant school are trying to raise money for an extension. She asked if there is capacity in schools in March where is it as she does not believe that the figures provided by Cambridgeshire County Council are always up to date. Councillor Mrs French pointed out that the application for 36 dwellings a few months ago was not viable then and this application is for 16 additional dwellings. Councillor Mrs French asked members to consider issues very carefully prior to making a decision on this application.

Members received a presentation, in accordance with the public participation procedure, from Mr Woolston, the applicant's agent. Mr Woolston confirmed that funding from the HCA to start has been given subject to consent being granted, stating that the building programme for 2011-2015 must be complete by March 2015. He pointed out that approval has already been granted, this was a starting point, the size of the dwellings have been reduced and the contributions requested cannot be provided and discussions are going ahead with officers to conclude viability. Mr Woolston stated that each property has two parking spaces, access roads will be safe, an extended footpath will be provided and the road adopted. He confirmed that landscaping will be high quality, with additional features for wildlife and new trees planted. Mr Woolston confirmed that houses will be energy efficient, residents will benefit from local amenities to create a balanced local community. He confirmed that HCA funding timescales are tight.

Councillor Cornwell asked if any consideration had been given to provide a road to cross over to the substation. Mr Woolston responded that this is difficult as the land is owned by the utility company and the applicants have no right to access the road. Councillor Cornwell asked if the properties fronting Gaul Road could be a better design. Councillor Woolston confirmed that the applicants are looking to enhance the front of the development but need to strike a balance against build cost and to meet the aspirations of the Council.

Councillor Mrs Mayor commented that Councillor Mrs French has it right and houses should not overlook bungalows. Mr Woolston responded that Sanctuary Housing want to provide the right kind of accommodation and the houses have been bought further from the bungalows.

Councillor Quince asked where the figures regarding education come from for 52 houses and S106. Officers confirmed that figures were provided by the local authority and Cambridgeshire County Council as they are the specialists regarding education. Councillor Mrs Newell asked if the figures they were using were from the 2001 Census.

Councillor Connor asked Mr Woolston if he could liaise with Cambridgeshire County Council to provide 30mph in line with the rest of Gaul Road. Officers confirmed that this could be achieved through a Traffic Regulation Order and confirmed that the Local Highway Authority have not raised any issues regarding the speed limit. The issue could be raised by the Town Council with the Local Highway Authority for speed limits in that location. Mr Woolston confirmed he had no objection to try and assist where possible with regard to speed limits.

Members were advised that the updated viability appraised shows a small loss on completion of the development, as the site is 100% affordable all contributions would be lost, this was clarified by Mr Woolston.

Members made comments, asked questions and received responses as follows:

- Councillor Stebbing raised concerns regarding the possibility of up to 200 children with no contribution for education;
- Councillor Patrick asked if there were any S106 issues when outline planning permission was granted on 15 February 2013. Officers confirmed that the outline application was considered by Planning Committee and granted for 36 dwellings, since February viability legislation has been strengthened and this was a robust appraisal;
- Councillor Cornwell commented that the two sites have important relevance and questioned the lack of a master plan which he feels should be submitted for the whole area for them to compliment each other and the town as they are very important sites. Officers confirmed that when the application was considered the area was not compromised and considered in line with National Planning Policy and the emerging Core Strategy, confirming that guidance documents to master planning have not developed at the same pace as the Core Strategy and a master plan for that area would not be prejudiced;
- Councillor Miscandlon commented that this site has extant approval and it would be difficult to agree speed limits and this would be part of the contractors planning application. Councillor Cornwell commented that if there was a proper plan for the whole area of land between Gaul Road and Burrow Road the developer would know what was expected;
- Councillor Sutton commented on the scheme making a loss and asked who absorbs that loss. Officers responded that the developer of the site will take the loss, parameters are considered in the viability appraisal which is based on the standard model, which has been subject to significant testing internally and the figures challenged. Councillor Sutton asked if the development should be considered prior to the implementation of traffic lights or a roundabout. Officers responded that the applicant does have outline planning consent, this application is for 16 extra units, the Local Highway Authority have considered the implications and the application could not be refused on that basis;
- Councillor Mrs Newell agreed that housing is needed but asked members to consider the danger of the road, being extremely dangerous with several near misses witnessed and narrow places, she commented that she was surprised that there had not been a major accident and believes that the 30mph zone is in the wrong place and asked if the Local Highway Authority are waiting for an accident to happen before taking action;
- Councillor Cornwell commented that there is a lot at stake and requested that members defer the application to allow the issues to be considered in greater detail;
- Councillor Mrs Mayor raised concerns regarding the transport statement in the report which suggests that the Local Highway Authority have some concerns. Officers confirmed that these were the original comments and further comments have been received from the Local Highway Authority which have satisfied their concerns;
- Councillor Stebbing raised concerns regarding viability and school places and the 30mph zone, he recognises that this would be an expensive exercise as street lights would have to be provided but believes this needs to be provided to address safety issues;
- Councillor Patrick commented that members should consider viability and S106 in more detail to address their obligations towards communities;
- Councillor Bucknor asked if members of the Planning Committee could have a meeting to discuss repetitive problems. Councillor Miscandlon confirmed that a date is being set for an open forum for committee members to discuss issues with officers;
- Councillor Mrs Newell asked if a Highways officer had been asked to attend the meeting. Officers confirmed they had been invited but were unable to attend. Councillor Mrs Newell commented that more expertise is required and the application should be deferred;
- Councillor Cornwell suggested that the application be deferred due to members concerns regarding viability and highway safety;
- Councillor Sutton asked what the effect would be on the agent and the build by date if members were mindful to defer the application. Mr Woolston responded that the 'deal' will likely fall through, commitment has been given to start on site by HCA completes 25 December, there is a risk the affordable housing provider will pull out and build elsewhere. Officers commented that if the application were to be approved they would work with the applicant and Local Highway Authority to see what can be achieved. Councillor Mrs Mayor

asked if this could be done prior to the next meeting. Mr Woolston confirmed that Sanctuary Housing have pressure on their programme and the applicant has worked hard with officers to get this application ready for consideration by the Planning Committee and contracts have been exchanged with the landowner to enable a quick on site start;

- Councillor Sutton confirmed that he agreed with all that had been said and asked if we can afford to lose this development as affordable housing. Councillor Bucknor agreed with Councillor Sutton;
- Councillor Stebbing asked if the issues with the Local Highway Authority could be resolved could a special meeting be held in two weeks time. Councillor Bucknor suggested members accept this application and try to ratify the highway issues and agreed that a mechanism is required for applications to be agreed subject to issues being solved;
- Councillor Sutton commented that viability will show that S106 will not happen and affordable housing could be lost;
- Officers asked members what they would be asking officers to do before the next meeting, if members were mindful to defer the application;
- Councillor Quince commented that the scheme could not be held up to wait for answers from officers;
- Councillor Cornwell commented that he welcomed the open meeting as this is the last he would like to see with similar issues raised.

Proposed by Councillor Sutton, seconded by Councillor Quince and decided that the application be:

Granted, subject to the conditions reported.

(Councillors Cornwell, Keane and Quince stated that they are Members of March Town Council, but take no part in planning matters)

**P101/13 F/YR13/0614/F
WISBECH ST MARY - LAND SOUTH EAST OF FINCHLEY, HIGH ROAD,
ERECTION OF A 2-STOREY 3-BED DWELLING**

Members considered letters of objection and support.

The committee had regard to its inspection of the site (in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Mr Swann, the applicant's agent. Mr Swann informed members that the site sits to the rear of Finchley, confirming that an application on this site had been refused in 2012 for a detached bungalow. He pointed out that there are three reasons for refusal, form and character, loss of trees and concerns regarding the living conditions of neighbours. He confirmed that the new proposal keeps most of the trees. Mr Swann stated that all properties have gardens that extend to the rear, there are numerous outbuildings, many with living accommodation above them and it is similar to an earlier application approved in Parson Drove at this meeting. He stated that the dwelling has been designed with minimal impact to neighbours, is in Flood Zone 1, keeps most existing trees, reflects outbuildings to rear of other properties and is in line with National Planning Policy framework for amenity space and is economically sustainable.

Members made comments, asked questions and received responses as follows:

- Councillor Murphy commented that this application bears no resemblance to the earlier application in Parson Drove. Councillor Murphy stated that mature gardens are not a planning consideration and if people are living in outbuildings this needs to be investigated. Councillor Murphy informed members that it is a linear development along that road,

pointing out that linear means all frontage development, it is outside the bin collection 30 metre standard. Councillor Murphy stated that the dwelling is contrary to Policies CS3 and 16, is positioned well to the rear, is not sustainable and agrees with officers recommendations to refuse the application;

- Councillor Patrick commented that officers have it right and he does not support the application.

Proposed by Councillor Murphy, seconded by Councillor Patrick and decided that the application be:

Refused, for the following reasons:

1. **the proposed dwelling by virtue of its location would have a tenuous relationship with the road frontage and would appear incongruous in this position. Accordingly the proposed dwelling would unacceptably harm the character and appearance of the area contrary to Policies H3 and E8 of the Fenland District Wide Local Plan, CS16 of the emerging Core Strategy (Submission version September 2013), Section 07 of the National Planning Policy Framework which seeks to secure development which respects and is sympathetic to the character of the area;**
2. **the proposal would result in an unjustified residential development within the open countryside which would begin to erode the quality and visual amenities of the area. The development is therefore contrary to H3 of the Fenland District Wide Local Plan, CS3 of the emerging Core Strategy (Submission version September 2013), and section 06 of the National Planning Policy Framework.**

**P102/13 F/YR13/0627/O
WISBECH - LAND WEST OF 83 HARECROFT ROAD, ERECTION OF A
DWELLING INVOLVING DEMOLITION OF EXISTING SHEDS**

The committee had regard to its inspection of the site (in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- the Environment Agency have withdrawn their objection, a condition is required should permission be granted;
- Cambridgeshire County Council Highways confirm that the information relating to the applicant upgrading the access surface is acceptable. Conditions are required should permission be granted.

Members received a presentation, in accordance with the local council participation procedure, from Councillor Lay, County Councillor. Councillor Lay stated that he would like to highlight several mistakes in the report, page 200 relating to the Environment Agency objection, they have sent a letter and have dismissed their objections; page 201 states dwelling located behind settlement classed as countryside location, there is a housing development in this location; page 202 the dwelling will be 120m from the adopted highway, this measurement is incorrect; page 203 states there is a high risk of flooding, the Environment Agency do not agree with this. Councillor Lay referred to a photograph of a large refuse bin lorry which goes down the road once a week, if a smaller vehicle were used bins could be collected and there would be no necessity for residents to walk to the end of the road with their bins. Officers confirmed that the objection from the Environment Agency had been withdrawn and confirmed this information had been provided in their update.

Members received a presentation, in accordance with the public participation procedure, from Mr

Seaton, the applicant's agent. Mr Seaton confirmed that the dwelling is for Mr and Mrs Notley who live at number 83. Mr Seaton addressed the three reasons for officers refusal of the proposal: 1) the local plan shows the site is now being shown in the broad locations for growth in the Core Strategy and is not a countryside location; 2) the Environment Agency have requested a condition to mitigate their original objection; 3) the distance to move refuse is misleading and incorrect, it is not 120m, is only 51m, which is only 2m more than Mrs Notley currently moves her bin. Mr Seaton asked members to support the application.

Councillor Murphy informed Mr Seaton that on the site inspection the piece of land was divided by rope into two areas and asked what this means. Mr Seaton confirmed that this is the boundary of the site and the site is owned by the owner of the land.

Members made comments, asked questions and received responses as follows:

- Councillor Cornwell commented that this area is not in strategic allocations and suggested that if there are thoughts about developing the land the whole area needs to be looked at in more detail and go back to master planning. He commented that officers recommendations are right;
- Councillor Sutton commented that there are traffic problems and asked if the developer could provide a passing place within the development to alleviate problems. Officers asked if there is enough room for a passing place and pointed out that the land where this would be proposed is in third party ownership;
- Councillor Stebbing asked if Cricketers Way had been developed;
- Councillor Bucknor asked the agent if there is access from the site to Cricketers Way. Mr Seaton responded that there is no access from the site, however the allotments may be developed at some point but this would be in the future;
- Councillor Patrick commented that the application should be refused pending a master plan of the area.

Proposed by Councillor Patrick, seconded by Councillor Cornwell and decided that the application be:

Refused for the following reasons:

- 1. the proposal represents unjustified residential development within a countryside location, contrary to H3 of the Fenland District Wide Local Plan, CS3 and CS12 of the Fenland Local Plan Core Strategy (proposed submission 2013) and Section 6 of the National Planning Policy Framework;**
- 2. the development is located within Flood Zone 3 despite there being land available within areas of lower flood risk. The application is therefore contrary to CS14 of the Fenland Local Plan Core Strategy (proposed submission 2013) and Section 10 of the National Planning Policy Framework;**
- 3. the proposal fails to address the amenity of future occupiers by virtue of the unacceptable distances for moving refuse for collection in accordance with the Recap Waste Management Design Guide adopted 2012.**

(Councillors Bucknor, Hodgson and Patrick stated that they are Members of Wisbech Town Council, but take no part in planning matters)

P103/13

F/YR13/0632/F

WISBECH - 24 ENTERPRISE WAY, ERECTION OF SINGLE-STOREY EXTENSION TO FRONT OF EXISTING WAREHOUSE

Officers informed members that Middle Level Commissioners have not responded and the consultation period expired on 20 September 2013.

Mr Broker declined the opportunity to speak on this application.

Proposed by Councillor Patrick, seconded by Councillor Connor and decided that the application be:

Granted, subject to the conditions reported.

(Councillor Sutton declared a Non-Pecuniary Interest in this application, by virtue of his nephew being employed by the applicant's agent, and took no part in the discussion and voting thereon)

(Councillors Bucknor, Hodgson and Patrick stated that they are Members of Wisbech Town Council, but take no part in planning matters)

P104/13 **F/YR13/0635/F**
GOREFIELD - LAND WEST OF 60 BACK ROAD, ERECTION OF A 2-STOREY 3-BED DWELLING

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- the Agent has submitted that the proposed materials are:
 - Wienerberger Hamlet Antique for the external walls;
 - Marley Ashmore half round slate grey;
- it was noted on the committee site visit that there were two mobile homes on the site. No concerns are raised with regards to their retention during the course of construction however it is considered necessary to impose a condition to secure their removal once the dwelling has been completed;
- the resolution is to Grant with the following additional condition:
 - within 4 weeks of the first occupation of the dwelling hereby approved, or within 18 months from the date of this decision (whichever is sooner), the temporary caravan accommodation shall be removed from the site in its entirety and the land shall be encompassed within the garden area serving the dwelling
 - Reason - the station of a mobile caravan is considered to be a temporary use in order to allow the development of the site hereby approved and as such cannot be regarded by as a permanent development as it would conflict with other policies of the Development Plan.

Mr Broker declined the opportunity to speak on this application.

Proposed by Councillor Patrick, seconded by Councillor Mrs Newell and decided that the application be:

Granted, subject to the conditions reported and the additional condition above.

(Councillor Sutton declared a Non-Pecuniary Interest in this application, by virtue of his nephew being employed by the applicant's agent, and took no part in the discussion and voting thereon)

P105/13 **F/YR13/0645/F**

GOREFIELD - COLWYN, 9 HIGH ROAD, ERECTION OF A 2-STOREY, 3-BED DWELLING WITH INTEGRAL GARAGE INVOLVING DEMOLITION OF EXISTING DWELLING AND GARAGE

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- no consultation response has been received from the Parish Council;
- no consultation response has been received from North Level Internal Drainage Board;
- no consultation response has been received from EDF Energy;
- no consultation response has been received from local residents.

Mr Broker declined the opportunity to speak on this application.

Proposed by Councillor Patrick, seconded by Councillor Mrs Newell and decided that the application be:

Granted, subject to the conditions reported.

(Councillor Sutton declared a Non-Pecuniary Interest in this application, by virtue of his nephew being employed by the applicant's agent, and took no part in the discussion and voting thereon)

P106/13 **F/YR13/0649/F**
WHITTLESEY - THE METHODIST CHURCH, NORTH GREEN, COATES, CHANGE OF USE OF CHURCH TO WORKROOM AND OFFICES

Councillor Connor, the Vice-Chairman, Chaired this item due to the Chairman declaring a Non-Pecuniary Interest in this application.

Members considered two letters of objection and one letter of support.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Officers informed members that:

- the Conservation Officer has submitted the following consultation response:
 - this application is recommended for conditional approval on the proviso that no new vehicular access to the building will be formed across the Green in connection with the new use;
 - this application seeks permission for the change of use of a 19th Century building originally erected as a Wesleyan Chapel on North Green, Coates. The site also falls within the Coates Conservation Area;
 - from the Conservation perspective this building, with its simple unassuming design and prominent position on the green, makes a positive contribution to the character and appearance of the Coates Conservation Area. The building itself is also classified as a Building of Local Interest. The position of the former chapel set at the heart of the Green further enhances its significance and importance;
 - it is assumed that the original use for the Chapel can no longer be sustained and in view of this the vacant property was recently marketed and the current application for change of use submitted;

- the building is currently accessed via a pedestrian gravelled pathway and does not benefit from direct vehicular access;
 - historic buildings are at greatest risk from damage and deterioration when vacant and in the absence of a determined sustainable use. The establishment of a new use for the building at the earliest opportunity would therefore be welcomed in principle from the Conservation perspective. It will, however, be crucial to ensure that any future use would not impact negatively upon either the special interest of the building or the wider special character and appearance of the Conservation Area;
 - the current proposal for change of use to accommodate a workroom and offices would not necessitate any alteration externally to the building and as such would not be considered to impact negatively upon the external character of the building's fabric itself. It would be expected that any future external advertisements on the site would be carefully controlled via condition;
 - the current application would see the removal of the historic timber suspended floor and the introduction of a concrete floor slab. In the context of this historic building, constructed using lime mortar, it would be preferable for the original historic floor to be retained. If the original floor is beyond repair the introduction of an appropriately detailed limecrete floor would be more appropriate and would also have a beneficial impact upon mitigating potential future problems with rising damp;
 - the current application suggests that the new office and workroom will be accessed solely on foot and without the need for vehicular access across the green. Notwithstanding the desirability of securing a new use for the building, significant concern is raised with regard to the potential future requirements for vehicular access to the former Chapel associated with any proposed new use should it be approved. The formation of any such access would be contrary to the advice afforded within the Coates Conservation Area Character Statement paragraph 2.12 which affirms;
 - North and South Greens are important as the only existing Greens in Fenland, and therefore are a rare feature of the district. Further reductions in size and loss or erosion of the Green caused by new driveways to new dwellings are unattractive features and will be resisted by the Council. Such an access may render the scheme unacceptable;
- Cambridgeshire County Council Highways has submitted the following consultation response:
 - the site has an established D1 use; the Highways Officer remains of the view that the normal daily parking demand implications of the development are unlikely to be any more significant than an alternative use within the class ie Creche/Day Nursery etc;
 - the Highways Officer remains to be convinced that the development is satisfactory in relation to the servicing demands of the B2 use. The North Green carriageway is narrow and frequently subject to extensive on-street parking (including on the Green itself); servicing, loading and unloading should be provided clear of the highway, and this cannot be achieved in this instance;
 - the Highways Officer notes that an alternative use ie B1 office, would typically have a significantly reduced demand in this respect than a B2 proposal;
 - whilst the proposal is of limited scale, the Highways Officer considers that the application is deficient in terms of servicing provision.

Members received a presentation, in accordance with the public participation procedure, from Mr Hodson, the applicant's agent. Mr Hodson stated that a previous application was refused due to the lack of research. He pointed out that all planning policies encourage small commercial projects in villages, this proposal has no serious impact on the location of the residents around it. Mr Hodson stated that this proposal will preserve the church assets, it will be B1 use which is for commercial use in a residential area and the machinery to be used will be very similar to that of a

sewing machine being used at home. Mr Hodson informed members that the applicant lives in the village, he has four employees, three of these live in the village, there will be no adverse effect to the setting and no change to the building externally.

Mr Hodson referred to the Local Highway Authority remaining unconvinced that the road is narrow and the development is unsatisfactory for B2 use and he pointed out that the applicant is not asking for B2 use which is heavy engineering, B1 use is the applicant's proposal. Mr Hodson pointed out that refuse lorries and Tesco delivery vehicles traverse the site and the applicant will average one delivery per day. Mr Hodson stated that Whittlesey Town Council have recommended approval of the application, Whittlesey Society guardians are in support, conservation is in favour and local Councillor Butcher has lent his support. Whittlesey Charity own all the land and are satisfied with the proposal. He pointed out that bespoke curtains is an outworker based business and the building will be kept for a modern use when it is no longer used as a place of worship. Mr Hodson stated that there is no downside to this application, it provides employment and asked members to give it their approval.

Councillor Cornwell asked Mr Hodson how parking and access to the building would be controlled along with deliveries and visitors. Mr Hodson confirmed that parking is well understood in the village and residents do not drive onto the green and the applicant could provide an information sheet to visitors.

Councillor Bucknor requested that it is made clear that those taking building materials into the building do not park on the Green.

Councillor Quince asked if the application is granted would the building be repaired. Mr Hodson confirmed that it would.

Members made comments, asked questions and received responses as follows:

- Councillor Mrs Mayor commented that she is aware of the building, the conservation area is beautiful and the village Green cannot be allowed to run into disrepair. She pointed out that there is a village hall in Coates and the church will not be used for community purposes, there are bollards to prevent parents from parking on the Green and a walkway through to the school. Councillor Mrs Mayor commented that there is parking on the west of the Green when there is a wedding or a funeral, it is right to keep the building working and she did not agree with the officers recommendations;
- Councillor Patrick commented that it would be a shame to see the building fall into disrepair, the proposal is for B1, which is light use and if properly conditioned he would support the application;
- Councillor Stebbing commented that on the right behind the chapel is parking for the church and this is only used for special occasions ie Remembrance Day at the church;
- Councillor Sutton commented that there is a church hall in his ward which had fallen into disrepair, he does not feel that officers have it quite right, it needs to be supported as the risks are too great if the proposal is unsupported.

Proposed by Councillor Patrick, seconded by Councillor Quince and decided that the application be:

Granted, subject to the following conditions:

1. **Start date;**
2. **Advertising;**
3. **Vehicle access;**
4. **Waste storage;**
5. **B1 use only, limited to the manufacturing of blinds and curtains.**

Members do not support officers recommendations of Refusal of planning permission as they feel that the Local Highway Authority concerns for B2 use are unfounded, the character of the existing building will be retained and it supports the Council's 'Open for Business' policy.

(Councillors Mrs Mayor and Stebbing stated that they are Members of Whittlesey Town Council, but take no part in planning matters)

(Councillor Mrs Mayor declared a Non-Pecuniary Interest in this application, by virtue of her being a customer of the applicant)

(Councillor Miscandlon declared a Non-Pecuniary Interest in this application, by virtue of him voting on this application at Whittlesey Town Council Planning Committee and feels that this could be deemed as him being pre-determined on this application, and retired from the meeting for the duration of the discussion and voting thereon)

P107/13 **F/YR13/0651/F**
PARSON DROVE - PAYNE PRIMARY SCHOOL, 9 MAIN ROAD, ERECTION OF A POLYTHENE POOL COVER OVER EXISTING SWIMMING POOL

Members considered one letter of support.

Mr Broker declined the opportunity to speak on this application.

Members made comments, asked questions and received responses as follows:

- Councillor Mrs Mayor asked why members were considering a planning application for a swimming pool cover. Officers confirmed that this is a structure and must be considered within the development legislation for schools.

Proposed by Councillor Connor, seconded by Councillor Mrs Newell and decided that the application be:

Granted, subject to the conditions reported.

(Councillor Sutton declared a Non-Pecuniary Interest in this application, by virtue of his nephew being employed by the applicant's agent, and took no part in the discussion and voting thereon)

P108/13 **F/YR13/0672/F**
WISBECH - 89 HARECROFT ROAD, ERECTION OF SINGLE-STOREY REAR EXTENSION TO EXISTING DWELLING INVOLVING THE DEMOLITION OF AN EXISTING SINGLE STOREY EXTENSION

Officers informed members that:

- no consultation response has been received from North Level Internal Drainage Board;
- no consultation response has been received from local residents.

Mr Broker declined the opportunity to speak on this application.

Proposed by Councillor Mrs Mayor, seconded by Councillor Connor and decided that the application be:

Granted, subject to the conditions reported.

(Councillors Bucknor, Hodgson and Patrick stated that they are Members of Wisbech Town Council, but take no part in planning matters)

(Councillor Sutton declared a Non-Pecuniary Interest in this application, by virtue of his nephew being employed by the applicant's agent, and took no part in the discussion and voting thereon)

P109/13 **TPO 04/2013**
WIMBLINGTON - 29 NORFOLK STREET, 1 LIME, 1 WILLOW, 1 BIRCH, 1 LARCH,
1 MAGNOLIA GRANDIFLORA

Officers informed members that:

- information from Mrs Marchant, the owner, had commissioned an independent arboricultural report which had been circulated to members prior to the meeting;
- further to the tree report received from Dr Hope which had been circulated to all committee members additional comments:
 - I note that Dr Hope agrees with the inclusion of trees t2 - willow and t4 - larch but disagrees with the inclusion of trees t1 - lime, t3 - birch and t5 - magnolia and infers that the Tree Preservation Order (TPO) is deliberately chosen to prevent development citing the fact that adjacent trees are not protected. This is not the case, Fenland District Council does not have a full time Tree Officer and therefore TPOs tend to be placed when a site is being looked at as part of an application and on the principle that if it is going to be developed what trees are worth retention for their contribution to the amenity of the area. If a site is subsequently developed a tree that is considered not particularly visible becomes accessible to more people as views are 'opened up';
 - with regard to tree t1 - lime, its inclusion in the TPO is contested based on the structural condition of it leading to an alleged short safe remaining life. The tree does have a lean at the base indicating that it was possibly partially windblown in the past, however, the photographs in Dr Hope's report clearly show that growth of the trunk has straightened over time suggesting a long-standing lean with no further movement of the root plate. Whilst I agree that the tree has some structural weakness the location of the tree and presence of utilities does mean that the tree would be managed but still provide landscape amenity value. A TPO does not prevent pruning but allows the Local Planning Authority to ensure excessive works are not carried out;
 - tree t5 - magnolia is capable of growing to 12m in height with a spread of 8m in the UK and I would suggest that, with the large flowers, would be a tree of high landscape value.

Members were informed that Mrs Harper, a speaker in support of the TPO was not in attendance to speak.

Members made comments, asked questions and received responses as follows:

- Councillor Sutton commented that he would like to have visited the TPO site;
- Officers commented that a planning application will override a TPO and pointed out that the TPO will provide protection for the trees;
- Councillor Bucknor commented that members have seen and read the experts report and they have taken the expert opinion in the past.

Proposed by Councillor Patrick, seconded by Councillor Sutton and decided that the Tree

Preservation Order be:

Deferred for a site inspection.

(Councillors Connor, Cornwell, Hodgson and Patrick registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that they had been lobbied on this application)

7.20pm

Chairman