

PLANNING COMMITTEE



11 DECEMBER 2013 - 12.00PM

PRESENT: Councillor A Miscandlon (Chairman), Councillor M G Bucknor, Councillor M Cornwell, Councillor D Hodgson, Councillor Mrs K F Mayor, Councillor P Murphy, Councillor Mrs F S Newell, Councillor D R Patrick, Councillor D Stebbing, Councillor W Sutton, .

APOLOGIES: Councillor D W Connor (Vice-Chairman), Councillor B M Keane, Councillor T E W Quince,

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), Mrs J Bailey (Member Services and Governance)

P125/13 MINUTES OF THE MEETING OF 13 NOVEMBER 2013

The minutes of the meeting of 13 November 2013 were confirmed and signed.

*** FOR INFORMATION OF THE COUNCIL ***

P126/13 F/YR13/0782/F CHATTERIS - 20 HIGH STREET - CHANGE OF USE OF FIRST AND SECOND FLOORS TO FORM 2 X 1-BED FLATS INVOLVING SECOND FLOOR EXTENSION TO REAR

Members considered 1 letter of concern.

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

Granted, subject to the conditions reported.

(Councillor Murphy declared a non pecuniary interest in this application by virtue of the fact that the applicant uses passage way owned by Councillor Murphy as his right of way)

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

P127/13 F/YR13/0784/RM PARSON DROVE - LAND EAST OF NICOLA, FEN ROAD - ERECTION OF A 2-STOREY 4-BED DWELLING WITH DETACHED DOUBLE GARAGE

Officers informed members that:

- Further to the Site History section of the report on page 45 and 46 of the Agenda the applications were determined by the following means:

- F/YR11/0420/EXTIME - Delegated
- F/YR10/0657/RM - Delegated
- F/YR09/0385/F - Delegated
- F/YR08/0391/O - Delegated

Proposed by Councillor Mrs Mayor, seconded by Councillor Patrick 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 applicants agent and took no part in the discussion or voting thereon)

**P128/13 F/YR13/0822/F
WISBECH - 28 WILLOW WAY - ERECTION OF A FIRST FLOOR SIDE/REAR
EXTENSION TO EXISTING DWELLING**

Officers updated members on the situation with regards to the consultation responses as follows:

- Town Council - No consultation responses received;
- Local Residents - No local resident/neighbour comments received.

Proposed by Councillor Stebbing, seconded by Councillor Hodgson 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 applicants agent and took no part in the discussion or voting thereon)

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

**P129/13 F/YR12/0725/F
CHATTERIS - SITE OF FORMER 91 HIGH STREET - ERECTION OF 8 X
2-STOREY 3-BED DWELLINGS, WITH GARAGES TO PLOTS 5, 6 AND 8**

Members considered three letters of objection.

Members received a presentation, in accordance with the public participation procedure, from Mr Hall the applicant's agent. Mr Hall made the point that the application was approved in March 2013 and that the number of houses on the application remains the same.

Mr Hall stated that a viability assessment has been carried out by an independent surveyor and this has been agreed. Following discussions with the Local Highway Authority an adoptable road has been agreed. Mr Hall added that the applicant is keen to commence work at this site as soon as possible.

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

- Councillor Cornwell stated that the report refers to the fact that Middle Level Commissioners opposed the planning application and that FDC Scientific Officer has no confirmation that the site has had a full contaminated land survey. He asked what the current position is. Officers advised that the conditions suggested address these issues;

- Councillor Cornwell asked if those conditions are included within the approval. Officers confirmed that the conditions are within the approval;
- Councillor Mrs Newell asked what those recommendations are. Officers confirmed the conditions.

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

Granted, subject to the conditions reported.

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

P130/13 F/YR12/0791/F
MANEA - LAND WEST OF TEACHERS CLOSE - ERECTION OF 43 DWELLINGS
COMPRISING OF: 7X 2 STOREY 4-BED DWELLINGS WITH ATTACHED
GARAGES; 14 X 2 STOREY 4-BED DWELLINGS WITH DETACHED GARAGES;
4 X 2 STOREY 3-BED DWELLINGS WITH ATTACHED GARAGES; 6 X 2
STOREY 3-BED DWELLINGS WITH DETACHED GARAGES; 2 X
SINGLE-STOREY 4-BED DWELLINGS WITH ATTACHED GARAGES; 2 X
SINGLE-STOREY 3-BED DWELLINGS WITH INTEGRAL GARAGES; 4 X
SINGLE-STOREY 3 BED DWELLINGS WITH DETACHED GARAGES; 4 X
SINGLE-STOREY 2-BED DWELLINGS WITH ASSOCIATED PARKING,
FORMATION OF ALLOTMENTS, PUBLIC OPEN SPACE AND A NEW ACCESS

Members considered 8 letters of support and 13 letters of objection.

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

Officers informed members that:

- The agent has submitted a letter to indicate that his client is happy to agree to the following:
 - A convoy system both in and out of the site from Station Road to control the speed of large delivery lorries where they cannot be downsized;
 - The transfer of large delivery loads onto small loads at the applicant's farm on Manea Road to reduce the number of lorries delivering to the site;
 - Use of the existing village hall car park for subcontractors vans and operatives cars to reduce the volume of traffic through the estate;
 - Agree to restricted delivery hours between 9.30am and 2.30pm to avoid conflict with school drop off and pick up times.
- It is also pointed out that the temporary haul road was not considered completely compliant with highway requirements and there were no objections from the highway authority to the original proposal.
- The recommendation remains set out at section 8 of the agenda.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey the applicant's agent. Mr Humphrey reminded members that the principal for this site has already been agreed, however, members had concerns with regards to traffic issues. He confirmed that the Local Highway Authority are happy to use Hutchinson Close for traffic and that he would clarify the construction traffic arrangements today for Members information.

Mr Humphrey stated that once a contractor has been agreed a traffic management plan will be put in place with consideration to the considerate contractor policy. He confirmed that arrangements have been negotiated to use the village hall for parking. He pointed out that everything possible has been put in place for the duration of the construction period to minimise the disturbance to local residents.

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

- Councillor Bucknor asked Mr Humphrey if he has evidence of the agreement to use the village hall car park. Officers confirmed that they have a letter to confirm these arrangements;
- Councillor Stebbing stated that he has been in a similar situation to the residents close to this site, there is not good access for that type of construction and therefore cannot support the application;
- Councillor Mrs Mayor agreed, stating that the access is not sufficient, and she feels that she cannot support the application as the traffic has to go through the estate;
- Councillor Mrs Newell stated that there is no other access, the applicant has done everything in their power to make these arrangements work;
- Councillor Miscandlon agreed that the applicant has done everything they can, even agreeing to decant large deliveries into smaller loads;
- Councillor Sutton stated that these arrangements are not acceptable;
- Councillor Mrs Mayor asked who will manage the Traffic Management Plan and how will we ensure that the conditions to this plan are being met. Officers confirmed that the Traffic Management Plan will be included in the conditions, the considerate contractor policy is another safeguard for residents;
- Councillor Stebbing stated that there are problems associated with each access option, and the traffic management plan can be interrupted by the residents with strategic parking;
- Councillor Murphy stated that the report refers to eight letters of support and thirteen letters of objection, and asked where the people who wrote these letters live, are they local. Officers confirmed that all the letters received were from local residents living in the vicinity of the development site;
- Councillor Cornwell stated that this committee has approved the development. We now have to agree the access arrangements for the construction traffic, and this is the best option available;
- Councillor Bucknor asked why Haul Road has not been suggested. Officers stated that this is a narrow road with properties close by, there is not enough space to let two vehicles pass and the road is only partly surfaced.

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

Granted, subject to the conditions reported.

(All members present declared a Non-Pecuniary interest in this application, by virtue of the site being in the ownership of a fellow Councillor)

P131/13

F/YR13/0290/F

**FRIDAY BRIDGE - LAND SOUTH EAST OF LADDUS HOUSE, LADDUS DROVE -
ERECTION OF A 23.0M HIGH (HUB HEIGHT) WIND TURBINE**

Members considered 12 letters of objection.

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

Officers informed members that:

- Further to the Site History section of the report on page 115 of the Agenda, for clarification the 2005 application F/YR05/1011/F for the dwelling was a committee decision. This application followed on from an outline consent in 2004, ref F/YR04/3525/O for the erection of a dwelling involving the demolition of 2 existing dwellings which was a delegated approval dated 2 August 2004. This confirms that the existing dwelling is a replacement.

Members received a presentation, in accordance with the public participation procedure, from Ms Downham an objector. Ms Downham informed the committee that Fenland currently has 38 turbines, 31 of which are in view from her property, affecting the view from every room except the kitchen, however, his turbine is to be positioned 280m from the kitchen window.

Ms Downham stated that after reading the Fenland Wind Turbine Policy 2009 she was certain that this turbine could not possibly go ahead. She informed that panel that Steve Barclay MP wrote to planning to support the objections, and she was shocked that the planning officer has recommended approval.

Ms Downham gave details of how this turbine contravenes the policy, including:

- Properties should not have turbines in more than 180 degrees of view for a distance of 10km. This will exceed 225 degrees with 1.5km for two properties;
- Visual Impact. Ms Downham provided photos of the turbine at 2.5 times the height of the house and the impact on the view from the property;
- Should not be within 400m of settlement unless existing features can be proven to fully screen views, but this is impossible due to open farmland;
- Turbine flicker, Ms Downham confirmed that they already get this from Coldham;
- Wind turbines should be set back 200m from public footpaths; this is 61m from a very well used footpath.

Ms Downham added that turbines should be located far enough away from small settlements to avoid turbines dominating them and appearing out of scale, she suggested that a turbine could have been proposed that produced the same power with a much shorter hub behind the house. She feels that the reason this is so high is due to the fact the wind blows towards her and to catch this it must clear the roof, the proposer may not have considered siting this behind the house as it would be seen from all their main living areas instead of hers.

Ms Downham informed members that she has consulted with FDC's draft policy to replace the wind turbine planning document 2009 and that the proposed turbine would be in breach of nine of the points in that document.

Ms Downham stated that she is not an expert, but has looked in great detail at FDC's own rules and guidance and cannot understand how this application can have been recommended for approval. If the committee approve this application today she would be surrounded on all sides, with no broad horizons or clear vision left. She asked members to take a balanced view and say no to the proposal.

Councillor Hodgson asked Ms Downham if there was any further information with regards to the RSPB. Ms Downham stated that in her opinion a desk top study from them is not adequate. She informed members that when Coldham was built lots of migrating birds moved up towards her, and that she has tree sparrows in her roof. She added that nobody from the RSPB has been to look at this, as when they have visited it has been during the wrong time of the year.

Councillor Hodgson asked Ms Downham if she would be against this proposal if the turbine was to be sited further away. Ms Downham stated that she is not against renewable energy and if the turbine was to be sited behind her property she would not have had a problem.

Councillor Bucknor asked for clarification on the pictures as to the location of Ms Downham's property. Officers clarified the location on the presentation slide.

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

- Councillor Hodgson stated that he rarely votes against wind turbines but this is unacceptable, this proposal sites the turbine in the middle of the field and there is another turbine very close by;
- Officers reminded members that the policy relates to large scale turbines, the proposed turbine is smaller in scale;
- Councillor Sutton informed members that he knows that area well. He stated that this proposed turbine is a domestic turbine, and asked how it can be domestic when it is twice the height of a house, it is very dominant in the skyline, too close to the public footpath and an unacceptable proposal;
- Councillor Cornwell stated that looking at the policy as it stands, and if the policy is defined by the height of the turbine, then this turbine is too high. A 15m turbine is what he would have expected to see as a domestic turbine. He added that under the circumstances he would vote against this proposal;
- Councillor Murphy stated that the new policy will be most useful when you have just one turbine, but then more will be added, therefore in my opinion it is best to stop it at this stage;
- Councillor Stebbing stated that the wind turbine at Kings Dyke had to be shut off due to issues with ice as it is too close to the footpath;
- Councillor Mrs Newell stated that referring to the report The Raptor Foundation and the RSPB's consultation responses are conflicting and the proposal is sited too close to the public footpath;

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

Refused for the following reasons:

- **Adverse visual impact;**
- **Too close to the public footpath.**

(Councillors Bucknor, Cornwell, Hodgson, Mrs Mayor, Miscandlon, Murphy, Patrick, Stebbing and Sutton registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that they had been lobbied on this application)

P132/13 **F/YR13/0648/F**
GUYHIRN - LAND SOUTH EAST OF 6 GULL ROAD - ERECTION OF 4NO 3-BED
AND 8NO 2-BED 2-STOREY DWELLINGS WITH ASSOCIATED EXTERNAL
WORKS AND PARKING

Members considered 11 letters of objection and a petition objecting to the proposal containing 26 signatures from 17 separate addresses.

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 deliberation.

Officers inform members that:

- CCC Highways have provided a list of their required conditions. Therefore the following conditions replace conditions 4 and 5 on page 140 of the agenda:
 - Notwithstanding the provision of Class A of a Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority. Reason - In the interest of highway safety;
 - Prior to the first occupation of the development the vehicular access shall be laid out and constructed in accordance with a detailed engineering scheme to be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this permission, and such a scheme shall include, levels, forms of construction, surface water drainage and pedestrian linkage to the west side of Gull Road. Reason - In the interest of highway safety;
 - Within 3 months of the date of this permission, the vehicular crossings of the ditch along the frontage of the site shall be constructed in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority. Reason - To ensure the construction of a satisfactory access;
 - Prior to the first occupation of the development the proposed on-site turning/ parking areas shall be laid out, surface drained in accordance with the approved plan and thereafter retained for that specific use. Reason - To ensure the permanent availability of the parking/manoeuvring area, in the interest of highway safety;
 - Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction details of which shall be submitted for approval by the LPA within 3 months of the new date of the permission. Reason - In the interest of highway safety.
- The Agent has requested that the wording of the pre-commencement conditions are altered to 'within 3 months of the date of this permission...' in order to allow a quicker start on site. This is considered acceptable and as such condition 2 on page 139 of the Agenda should read:
 - Within 3 months of the date of this permission a foul water strategy shall be submitted to and approved in writing by the Local Planning Authority . No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority. Reason - To prevent environmental and amenity problems arising from flooding.
- The Agent has confirmed they have agreed the form of contracts and the sale is subject to Planning Approval being granted.

Members received a presentation, in accordance with the public participation procedure, from Ms Lawrence the applicant's agent. Ms Lawrence explained that the site has been put forward for affordable housing by Roddons. She stated that she understands the flood risk concerns and pointed out that this is a similar development to one in Newton which was also in flood zone 3.

Members received a presentation, in accordance with the public participation procedure, from Ms Coulson the applicant. Ms Coulson explained that the development would be affordable houses developed for Roddons Housing Association. She confirmed that Roddons have secured funding to build these properties and that there are 59 people currently on the waiting list with rural connections, identifying the need in this area.

Councillor Sutton asked Ms Coulson if the 59 people on the waiting list have rural connections with Guyhirn. Ms Coulson confirmed that 17 of the 59 people have specific rural connections with Guyhirn.

Rory McKenna asked Ms Coulson if Roddons would remove the right to buy as the proposed development is 100% affordable housing, and is only required to be 25%. Ms Coulson confirmed that Roddons would remove the right to buy.

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

- Councillor Mrs Newell stated that if the land is registered as charity land this could lead to conflict at a later date. Ms Coulson confirmed that Roddons' solicitors have produced a report and a certificate to confirm that they are in a position to purchase the land;
- Councillor Patrick stated that he has serious concerns with this proposal with regards to flooding;
- Councillor Sutton asked for clarification that the 2 speakers with regards to this application should have shared the 5 minutes speaking time allocated. Councillor Miscandlon confirmed that this matter had been clarified by Rory McKenna - Legal Officer;
- Councillor Mrs Mayor stated that with regards to flood risk, she was in attendance at the North Level Drainage Board meeting when this item was discussed and understood that North Level had agreed to take over the drain and to take it behind the site;
- Councillor Cornwell asked what material the road is going to be made of. Officers, having referred to the application confirmed that the parking area is going to be block paving and tarmac to the roadway;
- Councillor Cornwell expressed concern that these are not porous surfaces and stated that hard surfaces would result in quick run off and flooding. Officers confirmed that the plans show a deep landscaping strip to deal with the run off. Councillor Cornwell questioned that this would not work as it appeared to run off up-hill;
- Councillor Cornwell stated that he is not happy with the parking laid out for each plot as parking is shown one behind the other, adjacent to a turning area and there seems to be no turning area on the north end as it is shown as parking. He stated that it appears that this proposal is 'shoe-horning' properties into the site and the application is not acceptable in this format. Officers confirmed that that it is not unreasonable for parking to be laid out in this way and that the turning areas meet the highway requirements;
- Councillor Sutton stated that there is no bin storage shown on the plans and asked what the arrangements are with regards to refuse collection, this is a private road and as such will residents be expected to take their bins up to the highway for collection. Officers confirmed that there is space in the rear gardens for bins which is shown on the more detailed plans on file;
- Councillor Cornwell agreed that this is something that needs to be considered on this type of development as this is a private road. Officers stated that there are 2 options, back footpath collections or to enter into a refuse strategy. Ms Coulson confirmed that Roddons would enter into an agreement as they have done on other roads for the refuse to be collected;

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

Refused for the following reasons:

- **Unacceptable layout;**
- **Flood Risk.**

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

Members took a 20 minute refreshment break following the determination of this application.

P133/13 **F/YR13/0693/F**
WHITTLESEY - 58-60 VICTORY AVENUE - ERECTION OF SINGLE-STOREY
REAR AND SIDE EXTENSIONS, 1.8METRE HIGH FENCING TO FORM DELIVERY
CAGE AND BIN STORAGE AREA, INSTALLATION OF NEW SHOP FRONT AND
AUTOMATIC FRONT ENTRANCE DOORS TO EXISTING BUILDING

Members considered a petition with signatures from 9 separate addresses.

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 deliberation.

Officers advised members that there is a printing error on the report, and that the agent for this application is Mr Lowe, Robert Lowe Architects.

Members received a presentation, in accordance with the public participation procedure, from Mrs Muncey. Mrs Muncey stated that she has no objections to the proposal as it will tidy up the back area of the shop.

Mrs Muncey expressed the following concerns:

- The bin store area backs onto her property and asked if the applicants are proposing to use her fence to fasten their 2 sides to. Officers confirmed that the plans for the bin store show a fence, but the planning application does not drill down to that level of detail. The applicant will need to get Mrs Muncey's agreement to fasten to her fence;
- What will happen if they damage the fence with their bins. Officers advised that this would be a civil matter, and would be outside the remit of planning.

Councillor Mrs Newell questioned the fact that Mrs Muncey is listed as a supporter. Mrs Muncey confirmed that she supports the proposal as it will tidy the area up, but is a little concerned about the fencing situation. Officers agreed to ask the applicant to engage with Mrs Muncey to ensure there is amicable solution;

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

- Councillor Cornwell stated that the fence is part of the application and it is shown on the plan, he asked if we can put in a provision with regards to the fence. Officers confirmed that the fence is part of the application and fence posts are shown on the plan, it would not be reasonable to find out how it would be fixed as this is outside planning consideration;
- Councillor Stebbing stated that the applicant is relying on the neighbour's fence for the third side of their bin store. Officers stated that from a planning point of view there is enough information for members to make a decision today, the fence is a separate issue and is for the applicant and neighbouring land owner to agree.

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

Granted, subject to the conditions reported.

(Councillor Mrs Mayor declared a Non-Pecuniary Interest in this item by virtue of the fact that she is a friend of the owner of the business and took no part in the discussion and voting thereon)

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

(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 and stated that he will consider all relevant matters before reaching a decision on this proposal)

P134/13 **F/YR13/0694/O**
MARCH - LAND REAR OF 36 HIGH STREET - ERECTION OF 8NO 2 BED 2
STOREY DWELLINGS WITH BIN AND CYCLE STORES

Members considered 4 emails/letters of objection/concern.

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

Officers informed members that:

- Members queried if the proposal included raising the land levels. The agent has confirmed that the land level would be kept generally as existing provided it complies with Part M of Building Regulations for disable access.
- Should members feel it appropriate an additional condition could be imposed - suggested condition as follows:
 - Prior to commencement of development details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details. Reason - To ensure that the precise height of the development can be considered in relation to adjoining dwellings.
- Further to the Site History section of the report on pages 155 and 156 of the Agenda the applications were determined by the following means:
 - F/YR10/0155/O - Committee decision
 - F/YR07/ 0838/F - Delegated decision
 - F/99/0308/LB - Committee decision
 - F/99/0307/F - Committee decision
 - F/98/0888/LB - Committee decision
 - F/98/0887/F - Committee decision
 - F/97/0018/LB - Delegated decision

Members received a presentation, in accordance with the public participation procedure, from Mr Rolls on behalf of the applicant. Mrs Rolls stated that it was disappointing that March Town Council wanted to refuse this application when they had wanted to approve it when previously submitted. He confirmed that the applicant has agreed to include the provision of social housing.

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

- Councillor Cornwell stated that the only access is from the Griffin car park, he asked for clarification that the amenity land is adequate and that it includes bin and cycle storage. Officers confirmed this arrangement;
- Councillor Cornwell asked how plots 2, 3, 6 and 7 get their bins out for collection. Officers stated that there is a rear access along the back;
- Councillor Cornwell expressed concern as the rear access was not clear on the plan. Officers asked Mr Rolls to clarify the situation. Mr Rolls explained that he was in attendance on behalf of the applicant and could not offer clarification, however he reiterated that the application was accepted in 2010;
- Councillor Cornwell stated that as the plans stand today, there is no rear access, and if the rear access is planned it will reduce the amenity space for those properties. He added that the committee need clarification before they can make a decision.

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

Deferred for officers to clarify the situation with regards to rear access of the development.

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

(Councillor Cornwell stated that he is a member of March Town Council, but takes no part in planning matters)

**P135/13 F/YR13/0700/F
MANEA - LAND NORTH EAST OF 'THE WOODLANDS', DAYS LODE ROAD,
FODDER FEN - ERECTION OF 1 X SINGLE STOREY 3-BED LOG CABIN FOR
USE AS HOLIDAY ACCOMMODATION AND ERECTION OF 1.2M HIGH POST
AND RAIL FENCING.**

Members considered 6 letter of support from local residents and visitors to the area.

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 deliberation.

Officers informed members that;

- Fenland Economic Development Team have advised that the applicant has not approached them to discuss a business plan or to establish the need for the proposed development to date.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey the applicant's agent. Mr Humphrey informed members that previously an application was submitted for 2 log cabins, however officers felt that this application could not be justified so this was withdrawn. He reminded members that FDC is Open for Business, however an application for Murrow was refused as it was the wrong location, although the proposal was abutting the village.

Mr Humphrey confirmed that the applicant is looking to build the log cabin to accommodate visiting family and friends, and during vacant periods to allow the cabin to be accommodated commercially by non-family and friends.

Mr Humphrey confirmed to members that the proposal is on an adoptable road and highways have to maintain this road. He suggested that if members feel that this site is not suitable for a log cabin, his applicant might use the site for a CL caravan site as they have set it up and want to use it for holiday accommodation.

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

- Councillor Stebbing agreed that the officers have got this recommendation to refuse right, if the proposal was for business use the committee would expect to see a business plan and for domestic use the committee would need justification;
- Councillor Patrick agreed, stating that there is no business plan and it is an inappropriate location as the road journey to get there for site inspections demonstrated;
- Councillor Sutton asked for clarification on the wording of 6.3. Officers clarified that the wording is correct, as the cabin is of rustic appearance it is not expected to adversely impact the area, however it is simply not appropriate for tourism due to the unacceptable access;
- Councillor Murphy agreed, stating that there is no business reason to build there, it is so far out with very narrow access. He reminded members that during the site visit twice oncoming vehicles had to reverse out to let their vehicle continue;
- Councillor Cornwell confirmed that there has been no discussion with the Tourism Board, no business plan or justification to build there. He informed Mr Humphrey that with regards to the alternative plan to use the site as a CL site, the only way that you can is with the authority of the Caravan Club, they also have requirements you have to pass, and it is doubtful that the position of this site would pass;
- Councillor Mrs Newell asked for clarification of CL. Councillor Cornwell explained that these are temporary sites that do not require full planning permission;
- Councillor Mrs Newell stated that she agreed with the recommendation put forward by officers. She added that highways have responded to the consultation, but feels that they have allowed the farmer to make a lot of damage and should be rectifying the problems along that road.

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

Refused for the following reasons:

- **The development, by virtue of its remote location, being approximately 3 miles from the nearest services, will result in a dependence on motor vehicles which is unsustainable and directly conflicts with the Core Planning Principles of the NPPF and policies CS1, CS6 and CS12 of the Fenland Local Plan Core Strategy (Submission Version) September 2013.**
- **The access to the development along Days Lode Road is unacceptable with poor road surfacing, combined with narrow carriageways and limited passing places which will lead to highway amenity and safety issues for existing residents and occupants of the development. The development therefore fails to accord with Policies E8, R1 and T2 of the Fenland District Wide Local Plan 1993 and Policies CS1, CS6 and CS12 of the Fenland Local Plan Core Strategy (Submission Version) September 2013.**

- The proposal will result in an entirely new tourism facility in the open countryside without any justification for the need which directly conflicts with policy T2 of the Fenland District Wide Local Plan.

**P136/13 F/YR13/0713/F
CHRISTCHURCH - PLOT 2 AND 3 LAND NORTH OF BOWLING GREEN AND
PAVILLION UPWELL ROAD - ERECTION OF A 4-BED 2-STOREY DWELLING
WITH DETACHED DOUBLE GARAGE/STORE; GLASSHOUSE; 2.1 METRE HIGH
TIMBER GATES TO ACCESS**

Members considered 8 letters/emails 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:

- Amended plans have been received showing some additional hedging, the grassed area within the 'blue' land deleted from the proposed site plan and the front entrance gates to metal not timber as originally proposed.
- Following from Members site visits, the agent has confirmed that the area of land behind the site (within the blue line) is to be purchased from the Parish Council, however is aware does not form part of this application and would require planning permission to be changed from agricultural land to residential.
- The agent has sent in 2 further letters of support for the proposed development.
- Further to the Site History section of the report on pages 181 and 182 of the agenda the applications were determined by the following means:
 - F/YR13/0485/F - Withdrawn
 - F/YR12/0282/F - Committee decision
 - F/YR11/0554/F - Committee decision
 - F/YR01/0190/O - Committee decision

Officers also provided a verbal update reporting the content of a letter from the Chairman of Christchurch Parish Council; this letter noted that the Parish Council had been trying to raise funds to build a new village hall and that the sale of these plots of land will enable them to start on the long awaited hall. It was further noted that the current hall was scheduled to close on 1 January 2014. The letter concluded with a request that the Committee look favourably on the application.

Members received a presentation, in accordance with the public participation procedure, from Mr Hall the applicant's agent. Mr Hall confirmed that the site has planning permission for 3 plots, and that this application relates to plots 2 and 3. He informed the committee that a letter of support for this proposal has been submitted by plot 1 as they have no objections.

Mr Hall stated that there have been some queries with regards to highways, but that all of these queries have now been satisfied.

Mr Hall stated that there have been concerns with regards to the garage which will be hidden with vegetation, however the property across the road has a garage which is very visible.

Mr Hall reminded members that numerous letters of support have been received from local residents and no letters of objection. A letter of support has been received from the Chairman of the parish council who are keen to complete the new village hall.

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

- Councillor Sutton stated that as a resident of Christchurch and a District Councillor for the area, this proposal is much less than the original house and is acceptable in his view. He referred to the other property mentioned by Mr Hall which did dominate the area, but the trees have grown and it has blended in. He confirmed that he would be recommending this application for approval;
- Councillor Mrs Mayor asked for clarification with regards to whether the village hall was to be extended and refurbished or to be re-built. Officers confirmed that the letter stated 'their new hall'. Councillor Sutton stated that the village hall is new/refurbish and is vital to the village;
- Councillor Cornwell stated that the scale is impressive, and that he is keen on reasonable gateway sites. He agreed that it does overbear the other plot somewhat, but that plot one has yet to be built on, he confirmed that he would support this application;
- Councillor Cornwell asked for clarification with regards to the footpath proposed, as there is already a footpath in place. Mr Hall confirmed that on previous applications a footpath was requested by highways, and we have been asked to include this too.

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

Granted, subject to the following conditions:

1. Start date;
2. Unsuspected contamination;
3. Hard and soft landscaping details;
4. Landscaping implementation;
5. Vehicular access construction;
6. Provision of on-site parking and turning;
7. Temporary construction facilities;
8. Visibility splays;
9. 1.5 metre footway to be provided;
10. Any gates to be set back 5 metres;
11. Approved plans.

Members do not support officer's recommendations to refuse planning permission as they feel that it is a gateway site and that the design is acceptable.

P137/13 **F/YR13/0724/F**
MARCH - SITE OF FORMER KINGSWOOD PARK RESIDENTIAL HOME,
KINGSWOOD ROAD - ERECTION OF 22 DWELLINGS COMPRISING 10 X
2-STOREY 1-BED FLATS, 1 X 2-BED SINGLE STOREY DWELLING; 11 X
2-STOREY 2-BED DWELLINGS, INCLUDING SHEDS, REFUSE STORE AND
CYCLE STORE INVOLVING DEMOLITION OF EXISTING CARE HOME
(RETROSPECTIVE) AND WORKS TO WESTERN FOOTPATH OF KINGSWOOD
ROAD

Members considered 50 letters of objection.

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:

- The agents have confirmed the following additional information:
 - Notice has been served on an additional landowner regarding proposed discharge of surface water to the east of the site;
 - Confirmation that if the development is approved then the appointed contractor will be required to register a Construction Management Plan with the Considerate Constructors Scheme necessitating them to comply with the requirements of the Scheme's Code of Considerate Practice.
 - Confirmation by Anglian Water that foul flows only generated by the proposed development can drain to the public foul sewer to the north.

Following receipt of amended plans the following comments have been received:

1. Town Council: The TC still recommend refusal for the following reasons:
 - narrow access road;
 - flood risk;
 - should only be developed as part of a master plan for this area.
2. Police Architectural Liaison Officer: Having assessed the further information confirms that no further comments are to be made at this present time in respect of crime prevention and fear of crime.
3. Local Highway Authority: The revised planning layout is now acceptable. It should be noted that the turning provision for the refuse freighter in the vicinity of plot 6 is extremely tight and the freighter appears to encroach on the front garden of that property - ideally this should be reviewed.
4. Environmental Health: No additional comments to make (see committee report).
5. Middle Level Commissioners: Oppose the application. Further discussions between the MLC and agent needs to be undertaken and these discussions are on-going. Whilst a detailed analysis of the proposal has not been undertaken there are concerns about the proposed solutions which require resolution.
6. Kingswood Road Residents: Concerned that no response has been included from MLC regarding drainage and flood risk. Copy of MLC response enclosed. Also a copy of Mr Youles' objection letter as the residents do not consider that the report comprehensively covers the material planning objection points.
7. Local Residents: 14 further letters of objections from 7 households wishing to submit their objections on grounds previously advised.

Members received a presentation, in accordance with the public participation procedure, from Mr Youles an objector to the proposal. Mr Youles stated that as a resident of Kingswood Road, to which the planning application refers, he believed the development will have a serious adverse impact on the character of Kingswood Road, will generate an unacceptable level of additional traffic and impact upon the safety and security of residents. He added that any proposed development for that site should be compatible with the character of the area.

Mr Youles expressed his concern with regards to flood risk in the area, stating that there is a long standing problem with drainage and surface water in the adjoining streets. He added that the increased number of properties and associated people and vehicle movement will adversely affect the standard of living in the area, the risk and fear of crime will be greatly increased in Kingswood Road and the surrounding area.

Members received a presentation, in accordance with the public participation procedure, from Mr Robertson an objector to the proposal. Mr Robertson explained that he lives on Burrowmoor Road directly opposite the access point for Kingswood Road, there are already problems with this access and these issues will increase considerably as the finished development will increase the traffic by 80%. He expressed concern as access point 2 of that road is very narrow, there is a prescribed 8m curvature but Kingswood Road do not have this. Mr Robertson confirmed that he has requested a report from the road feasibility group as they agree there is a problem with this proposal.

Councillor Hodgson asked Mr Youles and Mr Robertson what they would like to see this area used for. Mr Youles confirmed that he is happy for housing, but not happy with the proposal put forward and the access needs to be improved. Mr Robertson agreed stating that the pictures show the layout on the street and the limited space, if the proposal is approved it is a worry that this will become a big problem.

Councillor Mrs Mayor asked if there was an issue with traffic when the residential home was in use as there would have been traffic from staff and visitors to the home. Mr Youles explained that many of the staff and visitors were local to the area and walked to the home.

Members received a presentation, in accordance with the public participation procedure, from Councillor Mrs French, District Councillor. Councillor Mrs French reiterated comments made by Mr Youles and Mr Robertson adding that March Town Council recommend refusal for this proposal as they feel that proper infrastructure needs to be put in place. She stated that this is an application for 100% affordable homes and therefore once again there will be no additional contributions for the town or education, March does not have the capacity for this many more families moving into the area.

Mrs French expressed the opinion that there are issues with regards to flood risk, adding that she recently visited the pumping station and was informed that they are working up to capacity. There are also issues with regards to parking with just 5 visitor spaces for this many dwellings and this is not acceptable.

Members received a presentation, in accordance with the public participation procedure, from Mr Jowitt, the applicant's agent. Mr Jowitt confirmed that in response to local residents and planning officers the scheme has been reduced. This is a low density design retaining vegetation in keeping with the surrounding area. He stated that this is affordable housing and as such there will be no contribution towards the Town, but the properties will be provision for the physically disabled and one bedroom properties so it is not expected that the occupants will be families.

Mr Jowitt confirmed that Anglia Water have confirmed that this site is not a flood risk, at flood risk 1. There are no highways problems with the proposal, and the development will provide a turning point that the area currently does not have. There is sufficient parking space within the development and the type of properties proposed will require minimum parking spaces.

Mr Jowitt stated that this development will provide much needed affordable housing in March and with no objections from the police or highways urged members to approve the application today.

Councillor Patrick stated that consultation responses received from the police say that they have some concerns with the layout of the proposal.

Councillor Mrs Newell asked Mr Jowitt if the care home had been demolished without permission. Mr Jowitt explained that he was not involved with the site at that time and is unable to comment.

Councillor Patrick asked if permission would have been needed. Officers confirmed that prior notification may have been required for demolition.

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

- Councillor Mrs Mayor stated that it is unfortunate that the care home had already been demolished, she confirmed that she supported the view of the Town Council and would be refusing this application;
- Councillor Sutton agreed that it is important to listen to local residents and the Town Council, but added that there is a need for 1 bedroom properties, residents are waiting for smaller properties and there are none, therefore he would be supporting this application;
- Councillor Bucknor agreed that there are arguments on both sides but stated that he would support officers recommendations to approve this application;
- Councillor Cornwell stated that over the past few months, March has received lots of approvals for social housing, but these developments bring no infrastructure into the area and we have to achieve a balance. He added that the proposal is the first site that falls within the development area identified in the Core Strategy and suggested that this should be part of the master planning route. He urged members to tread carefully when making a decision of this development and confirmed that he would not be supporting this application;
- Councillor Mrs Newell stated that she is glad that there is potential archaeological interest in this site as it is an important area. She added that this is not the right area for this development and would not be supporting the application;
- Councillor Cornwell stated that this development does not fit the street scape for the area, the surrounding properties are fairly substantial, and understands that recent permissions given have insisted that they were substantial;
- Councillor Sutton reminded members that this is replacing the old peoples home.

It was proposed by Councillor Sutton and seconded by Councillor Mrs Bucknor to Grant the application which was not supported by members.

Proposed by Councillor Cornwell, seconded by Councillor Mrs Newell that the application be:

Refused for the following reasons:

- **The proposal is out of character for the area;**
- **The proposal should fall within the master plan for the area.**

(Councillors Miscandlon, Bucknor, Mrs Mayor, Sutton, Stebbing, Murphy, Mrs Newell, Hodgson, Cornwell and Patrick registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that they had been lobbied on this application)

(Councillor Cornwell stated that he is a member of March Town Council, but takes no part in planning matters)

Members took a 15 minute refreshment break following determination of this application.

P138/13

F/YR13/0772/F

CHATTERIS - LAND EAST OF 134 LONDON ROAD - REMOVAL OF CONDITION 2 OF PLANNING PERMISSION F/YR13/0311/F (ERECTION OF A 2-STOREY 4-BED DWELLING AND DETACHED GARAGE/CARPORT WITH STORAGE AREA ABOVE AND ERECTION OF 2M HIGH SECURITY FENCE AND GATES) RELATING TO THE USE OF THE PROPERTY IN CONJUNCTION WITH OAK GARDEN CENTRE

Members received a presentation, in accordance with the local council participation procedure, from Mr White, the applicant. Mr White thanked members for previously granting planning permission, however, following this he stated that officers imposed 11 conditions, 10 of which he was happy with. He explained that his concern is that the house was to be a retirement home for himself and his wife and therefore is asking that a condition which requires the occupation of the house to be in conjunction with the garden centre be removed.

Mr White informed members that there are 20 other properties in the area and 2 in particular are not subject to any ties with a business, he urged members to agree to allow him to treat this home as a stand-alone property for retirement.

Planning officers confirmed that conditions were imposed which were authorised by this committee, a business plan was submitted which was why restrictions were placed.

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

- Councillor Patrick stated that he agrees with the officers recommendations;
- Councillor Mrs Newell stated that Chatteris Town Council are keen to build this area up as an entrance to Chatteris. She added that there are several large houses along that road that have been granted planning permission and that if the committee do not approve this application they are victimising this couple;
- Councillor Sutton stated that when the couple put forward a business plan which this committee took into consideration and then come back a few months later to change that it makes the situation very difficult, he confirmed that he would be supporting the officers recommendation to refuse this application;
- Councillor Mrs Mayor asked if circumstances had changed for the applicant. Mr White confirmed that he would like to retire.

Proposed by Councillor Patrick, seconded by Councillor Sutton that the application be:

Refused for the following reasons:

- **The proposed removal of condition 2 of planning permission F/YR13/0311/F will result in a new dwelling in the open countryside without any justification and therefore the proposal is considered to be contrary to policy H3 of the Fenland District Wide Local Plan and policy CS12 of the Fenland Local Plan Core Strategy September 2013.**

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

P139/13 **F/YR13/0823/F**
WIMBLINGTON - MADDISON LODGE CARAVAN, HORSEMOOR ROAD -
ERECTION OF A 2-STOREY 3-BED DWELLING AND DETACHED DOUBLE
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 deliberation.

Members received a presentation, in accordance with the public participation procedure, from Mr Humphrey the applicant's agent. Mr Humphrey informed members that the Parish Council support this application. He stated that members will have had the opportunity to read the confidential medical report, and will understand the applicants request to live in isolation. . He reminded members that medical conditions can be a material consideration when deciding an application.

Mr Humphrey explained to members that the applicant and her family are local people who currently live in Chatteris and are keen to stay in the area. He asked that members consider the health and wellbeing of local residents when making their decision on this application.

Councillor Sutton informed Mr Humphrey that members of the committee have not read the confidential medical report. He expressed concern that there is no lift included on the plans. Mr Humphrey stated that the applicant does not want a lift and manages the stairs.

Councillor Sutton stated that there are many good sites for this type of proposal. Mr Humphrey stated that the applicant's husband has a business in Chatteris as so the family are keen to stay fairly local.

Councillor Mrs Mayor stated that it is admirable that the applicant does not want a lift, but asked if the addition of a lift would make life easier for her. Mr Humphrey agreed, stating that he has tried to persuade the applicant, but she does not want a lift included in the plans.

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

- Councillor Sutton stated that in these cases the committee should have sight of the confidential medical report. Officers stated that generally these documents are sensitive and marked as confidential and unless the applicant or agent circulate the reports themselves then we would respect the confidentiality;
- Councillor Cornwell stated that the committee have discussed the need for a policy to be developed for this type of case. Councillor Miscandlon confirmed that this is being looked into;
- Councillor Sutton suggested that officers should ask the applicant if they are happy for the confidential information to be shared with the committee. It is difficult to make a decision without this information;

Councillor Miscandlon proposed a resolution to exclude the public and press so officers can read out a summary of the confidential report to enable them to make a decision today.

Members considered the content of the confidential medical report.

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

Refused for the following reasons:

- **The proposed development, which is located outside the main settlement of Wimblington, will be situated within open countryside which forms the rural character of this area, and has not been supported by sufficient justification for the introduction of a dwelling within an isolated and unsustainable location. As a result the proposal is contrary to the provisions of the National Planning Policy Framework paragraph 55, Policies CS12 and SC16 of the Draft Core Strategy July 2012.**
- **The site is located within Flood Zone 3. The proposal is considered to have failed to demonstrate the acceptability of locating housing development on this site in sequential terms when compared to other sites around March which have a lower probability of flooding. The proposal is therefore contrary to policy CS14 of the emerging Fenland Local Plan Core Strategy February 2013.**

P140/13 APPLICATION TO DESIGNATE A NEIGHBOURHOOD AREA (MARCH TOWN COUNCIL)

Members received a presentation, in accordance with the public participation procedure, from Councillor Mrs French. Councillor Mrs French informed members that March Town Council have submitted an application to designate a neighbourhood area. She explained that the additional recommendation with regards to the business area is paramount to the application as if this is removed it will spoil the plans for March. She stated that businesses were included in the consultation and feedback will be analysed separately as this is a requirement when looking at a business area.

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

Agreed that:

- **March Town Council's application to designate a neighbourhood area is approved without amendment;**
- **The neighbourhood area is not designated as a business area.**

4.40pm

Chairman