

PLANNING COMMITTEE



2 APRIL 2014 - 1.00PM

PRESENT: Councillor A Miscandlon (Chairman), Councillor M G Bucknor, Councillor D Hodgson, Councillor B M Keane, Councillor Mrs K F Mayor, Councillor P Murphy, Councillor Mrs F S Newell, Councillor C C Owen, Councillor D R Patrick, Councillor T E W Quince, Councillor D Stebbing, Councillor W Sutton.

Officers in attendance: G Nourse (Head of Planning), Mrs S Black (Senior Development Officer), Mrs S Jackson (Senior Development Officer), R McKenna (Principal Solicitor - Litigation and Planning), Miss S Smith (Member Services and Governance Officer)

P178/13 MINUTES OF THE MEETING OF 5 MARCH 2014

The minutes of the meeting of 5 March 2014 were confirmed and signed.

*** FOR INFORMATION OF THE COUNCIL ***

P179/13 F/YR14/0080/F DODDINGTON - 8 WIMBLINGTON ROAD - ERECTION OF A 2-STOREY REAR EXTENSION, COVERED WALKWAY TO REAR/SIDE AND PORCH TO FRONT OF EXISTING 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.

Members considered one letter of objection.

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

Granted, subject to the conditions reported.

P180/13 F/YR14/0129/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

Officers informed members that:

- an additional condition is required:
 - Condition 3 - Prior to the commencement of use of the flats hereby approved, the parking spaces shown on drawing number H3438/02K date stamped 13 February 2014 to be reserved on the site to enable vehicles to park clear of the public highway and shall thereafter be retained for no other purpose in perpetuity.

Members received a presentation, in accordance with the public participation procedure, from Mr Hall, the applicant's agent. Mr Hall stated that the original application was approved by committee in December 2013 and informed members that the rear boundary location was plotted incorrectly. He stated that the proposal is for the first and second floors change to residential use. Mr Hall informed members that from 1941 to 2003 the use was residential, from 2003-2013 used as One-stop Shop by Fenland District Council, now vacant offices. He stated that there will be an extension to the rear at second floor level, however no concerns have been raised by the Conservation Officer as this proposal does not impact on the listed building and the front elevation will not be changed onto the High Street. He pointed out that there is a right of way from Railway Lane. Mr Hall stated that the proposal is supported by consultees and requested that members support the approval of the application.

Proposed by Councillor Owen, 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 access to this property being over land owned by him as a Right of Way, and took no part in the discussion or voting thereon)

(All Members present declared a Non-Pecuniary Interest in this application, by virtue of the member having an interest in the application being a close work associate)

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

P181/13 **F/YR12/0477/F**
WISBECH - 70-72 ELIZABETH TERRACE - ERECTION OF A 2-STOREY BLOCK
OF 5 X 1-BED FLATS INVOLVING DEMOLITION OF EXISTING BUILDING

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.

Members considered five letters of representation and a petition.

Officers informed members that:

- The Planning Agent has confirmed that the application has no links to Roddons Housing Association;
- A further letter of objection has been received from a neighbouring resident.

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

- Councillor Patrick commented that the proposal will enhance the area where it is, it has been vacant for some time, is in a poor state of repair and he would support officers recommendation;
- Councillor Hodgson commented that this is a tight area on parking, the road leads to garages, people park on that road and asked officers what will happen to the site if the application is not approved. Councillor Miscandlon responded that Roddons have no interest in the building at this moment in time and reminded members that they should consider the application that is before them on its own merits.

Proposed by Councillor Patrick, seconded by Councillor Owen 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 Hodgson registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that he had been lobbied on this application)

P182/13 **F/YR13/0830/F**
CHATTERIS - LAND WEST OF 27 SOUTH PARK STREET - ERECTION OF 2 X
2-STOREY 2-BED DWELLINGS INVOLVING THE DEMOLITION OF EXISTING
FRONT BOUNDARY WALL

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 one letter of objection.

Officers informed members that:

- There is no on-site parking available, amendments have been received that show that the historic Benedictine Abbey wall will be retained;
- Consideration has been given to the provision of one dwelling with parking to the side, however acceptable visibility splays would be unachievable for reversing onto the road.

Members received a presentation, in accordance with the public participation procedure, from Mr Bevens, the applicant's agent. Mr Bevens stated that officers have summarised the proposal very well and five months of discussions have taken place with officers along with pre-application discussions as well. He stated that the original proposal was for a large link detached house to number 27 with a drive through, but with changes in the economy this was not financially viable. He pointed out that the site is an eyesore in a conservation area, subject to regular anti-social behaviour and with the need in Chatteris for low cost starter housing this is the best solution for the site. The Conservation Officer has agreed that the retention of the wall is more critical than the parking, parking is still important with on-street parking being available. Mr Bevens stated that the most viable proposal for the site has been explored, these are good starter homes and will remove the risk of anti-social behaviour on the site.

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

- Councillor Keane asked if the comments from Middle Level had been taken into consideration. Officers responded that the comments from Middle Level are to ensure that surface water can be dealt with and their comments have been taken into account, the location is within the built area and there are no drainage issues;
- Councillor Mrs Newell commented that she is pleased that the wall is being retained and asked if site will be subject to archaeology. Officers responded that the comments regarding archaeology should be proposed and added as a condition if the application were to be approved.

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

Granted, subject to the conditions reported and an additional condition being added regarding archaeology of the site.

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

**P183/13 F/YR13/0897/F
WHITTLESEY - WEST OF 157 KINGS DYKE - ERECTION OF A 2-STOREY 3-BED DWELLING WITH DETACHED SINGLE GARAGE**

Officers informed members that:

- Amended drawings relating to the design of the dwelling were received prior to the publication of the agenda, therefore 'subject to amended drawings' can be removed from the last sentence of paragraph 2 of the executive summary;
- The highway issues have been resolved.

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

- Councillor Patrick commented that this is linear development and would support officers recommendations;
- Councillor Stebbing commented that he supports this proposal totally;
- Councillor Sutton commented that he had observed pipes leading out of nearby properties into main drains and asked if there is drainage issue. Councillor Miscandlon clarified that some properties have cellars and it was his understanding that it is these properties that suffer with problems. Officers responded that they had spoken to an engineer at Middle Level and their comments confirm that all issues regarding surface water will be dealt with under Middle Levels own byelaws.

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

Granted, subject to the conditions reported.

(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 extensively on this application)(Councillors Mrs Mayor and Stebbing stated that they are Members of Whittlesey Town Council, had attended the last Planning Committee for a presentation at the Town Council but had taken no part in planning matters or discussions)

P184/13

F/YR14/0006/F

**DODDINGTON - LAND EAST OF DELFLAND NURSERIES, BENWICK ROAD -
ERECTION OF A SINGLE-STOREY 3-BED AGRICULTURAL DWELLING, A
CATTLE SHED AND A HAY STORE**

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 eleven letters of objection.

Members received a presentation, in accordance with the local council participation procedure, from Councillor Ms Hufton, Parish Councillor. Councillor Ms Hufton stated that Doddington Parish Council were opposed to the proposal, it is outside the village development line. Councillor Ms Hufton pointed out that she is aware of localism and the need to change the way development is considered and made reference to an application in 2012 and a Councillor's comments regarding the amount of development on this side of the road being the last at that time and asked the committee to take note of this, whilst agreeing that the two were different things.

Councillor Ms Hufton pointed out that Benwick Road is extremely busy already, with Askham House, Doddington Hospital, the doctors surgery, a recreation field, a children's nursery, Delfland Nursery and being the main route to Floods Ferry with forty lorry movements per day adding to the congestion. She pointed out that there have been two serious accidents at Delfland Nurseries and vehicles are subject to a 60mph speed limit and she is concerned that further accidents may occur. There is concern that the development is too close to the village and adjacent housing, with cattle in barns which can and do make noise when they are hungry. There is also concern that the size of the plot will allow for further expansion in future years. Councillor Ms Hufton stated that if the application is allowed to proceed the Parish Council would like the speed limit to be reduced to 30mph with the erection of additional street lighting on Benwick Road.

Members received a presentation, in accordance with the public participation procedure, from Mr Bevens, the applicant's agent. Mr Bevens stated that the officers had summarised the situation well, with discussions taking place over several months and amendments being implemented following feedback from the Local Highway Authority (LHA) and Planning Officers. He pointed out that visibility splays can be met and following the site visit to Manea members can see that the business is well established. He explained that the current tenancy is with Cambridgeshire County Council (CCC) and does not provide long-term security, whereas the tenant owns the Doddington site freehold and is 12 hectares in size, with 0.7 hectares being part of the proposal and will provide additional security to Delfland Nursery and long-term security on land that they own.

Mr Bevens stated that the business plan shows financial and functional tests have been proven and the application should be supported as a viable proposition. He pointed out that the cattle store is 160 metres away from the nearest dwellings, is on agricultural land and Fenland has strong farming characteristics. He stated that National and Regional planning policies have been adhered to and asked members to grant approval.

Councillor Sutton asked Mr Bevens how far the site was from the 30mph zone. Mr Bevens responded that it is closer to the village. Officers responded that the speed limit is 60mph at this point, moving down to 40mph then 30mph. Councillor Sutton asked if the application were to be granted could a condition regarding the speed limit included. The Legal Officer confirmed that it is not within the control of the applicant or condition or within the control of Section 106.

Councillor Quince asked Mr Bevens what the tenant currently farms. Mr Bevens confirmed it is 300 acres. Councillor Miscandlon confirmed that there are 25 acres on the proposed site. Councillor Quince asked how cattle would be fed on an area that much smaller in acreage as the land at Manea was mostly down to grassland.

Councillor Patrick asked if the 300 acres is owned by CCC. Mr Bevens confirmed that it is owned by CCC.

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

- Councillor Mrs Mayor asked if the speed limit near Delfland Nursery is 60mph. Officers confirmed that it is;
- Councillor Keane asked if the comments from the Internal Drainage Board on page 84 of the officers report had been taken into consideration. Officers confirmed that drainage issues had been addressed;
- Councillor Mrs Newell asked if the proposal were to be approved could a request be put to the LHA to reassess the mileage along Benwick Road. Officers confirmed that the request could be made;
- Councillor Patrick commented on the Council being 'Open for Business' and said he was mindful to support the application;
- Councillor Owen referred to page 84 of the officer's report and the paragraph regarding 'Health implications' and asked if the sentence relating to Environmental Protection should say 'there will be no health implications arising from the operations on the site'. Officers confirmed that this was a misprint and Councillor Owen's interpretation is correct.

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

Granted, subject to the conditions reported, to include a request for the Local Highways Authority to consider reassessment of speed limits on Benwick Road.

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

**P185/13 F/YR14/0065/F
GUYHIRN - LAND NORTH OF MEADOW VIEW, GULL ROAD - ERECTION OF A 2
X 3-STOREY 6-BED DWELLINGS WITH INTEGRAL GARAGES**

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 8 letters of support.

Members received a presentation, in accordance with the publication participation procedure, from Mr Edwards, the applicant's agent. Mr Edwards stated that the application is for two houses at Guyhirn, the scheme has been amended and Mr Edwards felt that officers were in support of the application and he was disappointed that on receipt of the report the proposal was recommended for refusal. He pointed out that the applicant had spent a large amount of money and commented that the summary/recommendation referring to the 'creation of ribbon development' is misleading, there are a large number of dwellings on this road, existing and under construction, there are plots on the market and agreement has been reached to upgrade the existing footpath which has been neglected by CCC in recent years, it is uneven and should be maintained. Mr Edwards pointed out that the application has the support of residents, businesses, the parish council and the Environment Agency.

Mr Edwards stated that Geoff Beales has carried out a Flood Risk Assessment on this site and had asked Mr Edwards to read out a statement on his behalf: 'There are no other areas in Guyhirn at lower risk of flooding, Guyhirn is all in Flood Zone 3, the site history of developments failing the sequential test do not take into account any flood defences and site specific flood risks have been approved. The tidal hazard and standard protection of this dwelling is the highest that can be attained.'

Mr Edwards commented that officers reference to land being available in the District being at lower risk of flooding is contradictory to areas of Guyhirn when sequential testing should only be considered on other sites within the village, not the district. He commented that if this approach was adopted the policy regarding small villages in the emerging Core Strategy would be blighted as the village is already in Flood Zone 3 and limited weight should be given to these policies. He pointed out that there are a large number of new, existing and approved houses beyond this site and requested that members support and approve the application.

Councillor Bucknor asked Mr Edwards if officers had given their support to the application at the preapplication meeting. Mr Edwards said that a series of meetings had taken place to discuss the development and it had appeared that officers were supportive of the application.

Councillor Owen made reference to page 96 of the officer's report, the hub of Guyhirn village being located on High Road and asked Mr Edwards where is the centre of Guyhirn village. Mr Edwards responded that on a Friday the Oliver Twist was the centre of the village, there is a village playing field, they have lost the church and there is a bus service from the A47 and added that he did not know where the centre was.

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

- Councillor Bucknor asked officers to comment regarding the support of the application. Officers responded that they consider all comments of consultees and the recommendation had changed during the process and agreed that they would look at original comments following this meeting. Councillor Bucknor commented that this type of reference had been made on numerous occasions and was not helpful to members. Officers requested that concerns be emailed to them so that they could be investigated;
- Councillor Stebbing asked if there are areas in Guyhirn at lower risk of flooding. Officers responded that there are some areas towards the village hub at lower risk of flooding but could not be sure that they were available for development;
- Councillor Patrick commented that this proposal finishes off the linear development and he believes it is sustainable;
- Councillor Owen commented on the report and he feels that what is contained in the report appears to support the application which is contradictory to the recommendation to refuse the application. Officers confirmed that in many respects the proposal is acceptable but not in terms of flood risk;
- Councillor Mrs Newell raised concerns that the land is classed as Flood Risk 3, however it is land that has never flooded and the Environment Agency admit that there are errors on risk and she feels that this needs to be addressed. Councillor Miscandlon commented that E-maps are not the best source of information and reminded members that this is all that officers have to work on and they have to make informed decisions on the maps before them;
- Councillor Mrs Mayor commented that she agreed with Councillor Mrs Newell's concerns and that the report from Mr Beales should be taken into consideration who is a drainage expert and stated that she is annoyed at the information from the Environment Agency that officers have to work with.

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

Granted, subject to the following conditions:

1. **Start date;**
2. **Materials;**
3. **Implementation of landscaping;**
4. **Flood Risk Assessment;**
5. **Footway widening;**
6. **Parking and turning area;**
7. **Parking and turning facilities;**
8. **Unsuspected Contamination;**
9. **Approved Plans.**

Members do not support officers recommendation to Refuse planning permission as they feel that the proposal is a sustainable property in a sustainable location.

P186/13 F/YR14/0113/F
MANEA - LAND SOUTH OF BUNGALOW STATION FARM, FODDER FEN ROAD -
ERECTION OF 3NO DWELLINGS COMPRISING OF 1 X 2-STOREY 4-BED WITH
DETACHED DOUBLE GARAGE/WORKSHOP/STORE, 1 X 2-STOREY 4-BED
WITH ATTACHED GARAGE WITH STORE ABOVE AND 1 X 4-BED WITH
ATTACHED DOUBLE GARAGE AND FORMATION OF PUBLIC CAR PARK FOR
RAIL USERS

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 two emails of objection.

Officers informed members that:

- The following consultation responses have been received:
 - **Greater Anglia** - The proposed location of the car park element of the proposal is at variance with the preferred site agreed previously with Fenland District Council, Manea Parish Council and Cambridgeshire County Council, which is on railway land immediately south of the level crossing, behind the Peterborough bound platform. There concerns are:
 - The car park is on the wrong side of the level crossing, as the majority of customers using the station will be arriving from the south;
 - There is no agreement in place for management or upkeep of the car park, which they consider necessary for all railway facilities. As this car park is not on railway land, it falls outside of the remit for Greater Anglia to maintain it;
 - **Network Rail** - The developer should contact Network Rail to discuss the new 1.5 metre wide footpath linkage to the railway station to help ensure the two are suitably integrated should permission be granted;

- A further letter of objection has been received from a local resident. The main concerns are summarised as follows:
 - This latest proposal does not overcome any of the principle objections to this type of development already highlighted in the planning history of the site;
 - The site is outside the main built up area of the village and is agricultural land within the open countryside. The proposal would be detrimental to the character of the area;
 - The proposal does not represent sustainable development as the site is located a considerable distance from the main centre of the village where there are no footpaths or street lights along this stretch of road;
 - The proposed development would be detrimental to highway safety;
 - The proposed development may increase the risk of flooding and put pressure on an already overworked pumped drainage system;
- On page 109 of the officers Recommendation the dates in both paragraphs '(February 2013)' should be (September 2013).

Members received a presentation, in accordance with the public participation procedure, from Mrs Cole, an objector to the proposal. Mrs Cole stated that she lives in Station Farm bungalow, south of the application site, an isolated property set back from the road. Mrs Cole informed members that she has lived on the working farm for 53 years and objects to the proposed development on behalf of her and her husband. She pointed out that five previous applications for housing has been refused on the proposed site and she had spoken at the last meeting where 10 dwellings were rejected, this proposal has less dwellings and provides a railway users car park, however council policies protect the countryside from unsuitable development such as this and stated that the principal concerns have not been overcome.

Mrs Cole stated that the development is in the open countryside, is outside the built up area of Manea village boundary and in policy terms results in built up frontage and is detrimental to the rural setting, being too distant from the centre of the village. She pointed out that residents would need a car to reach the centre of the village and services, this is not a sustainable development.

Mrs Cole stated that at the Parish Council meeting the rail company had reported that they did not want to purchase or manage the car park as they already have land in their ownership on the other side of the railway station. There are no footpaths or street lights, this is a small Fenland road with heavy traffic of commercial and agricultural vehicles and makes walking and cycling very dangerous. She pointed out that newspaper deliveries on bicycles have not been allowed on safety grounds, the access is not safe and more traffic near the railway is unacceptable.

Mrs Cole stated that the road and footpath standards of the Local Highway Authority could not be achieved and may not be feasible. She pointed out that there is a drainage ditch on her property adjoining the development which increases risk of flooding and puts pressure on drainage systems which are working at full capacity and she understands is in Flood zone 3. Mrs Cole concluded that the development is not suitable due to its location in the open countryside, it is outside Manea Village boundary and is totally unacceptable and there would need to be good reason to overturn previous decisions of refusal.

Members received a presentation, in accordance with the public participation procedure, from Mr Wales, the applicant. Mr Wales stated that he was speaking on behalf of himself and his son who jointly own the field.

Mr Wales stated that the Core Strategy stated that development should be adjoining the village and pointed out that there is a bungalow in the next field, two houses opposite, new houses are being built and the bungalow is in Flood Zone 3. He confirmed that the land has been in his family for over 65 years with no flooding, no significant surface water and the Environment Agency have considered the Flood Risk Assessment to be acceptable, so why do Fenland District Council want to refuse the application. He stated that it is supported by Manea Parish Council and asked if the people of Manea have a say in their own village.

Mr Wales stated that the car park would be used for overspill, he would build the houses himself, has been in the building trade for 55 years, knows the history of Manea and the land is 25 feet above sea level. Mr Wales requested that common sense prevail and requested that members support the application.

Councillor Hodgson asked Mr Wales if the application were approved would it cause a problem with two station car parks. Mr Wales confirmed it would be left as overspill so that cars do not park on the side of the road, with the addition of three smart houses classed as infill.

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

- Councillor Mrs Newell commented that she knows the area extremely well, her husband came from Manea, there has never been any flooding in that area and she believes that the Environment Agency need to update their records, she has no problem with the application and would recommend it for approval;
- Councillor Owen commented that there are car park issues, Network Rail plan to build a car park and he believes that the application could be approved without the car park, the application is for housing, take out the flood risk, there has been no recent flooding, the development is sustainable and it would make the railway station more sustainable;
- Councillor Murphy commented that the car park is the wrong side of the railway line which raises alarms as railway users will come from Manea village and the railway line is the natural building stop line and he agrees with Mrs Cole and the application should be refused;
- Councillor Quince commented that members should rely on local knowledge regarding Flood Risk 3, if this were the case there would be no hay growing on the field;
- Councillor Stebbing commented on the preference of more sequential sites in the District, commenting that if this referred to 'within the area' would be more suitable as this is a large district. Officers confirmed that the Core Strategy directs development towards land in Flood Zone 1 and officers have to follow the Core Strategy where land in Flood Zone 3 may be at risk of flooding in 30-40 years time and officers have to be mindful of that and that previous refusals have been based on sustainability and asked members to consider why this has suddenly become sustainable;
- Councillor Patrick commented that he had concerns that these are three substantial properties and are they in keeping with the area or in the right place.

It was proposed by Councillor Murphy, seconded by Councillor Patrick to Refuse the application, however the proposal was not supported by members.

It was then proposed by Councillor Owen, seconded by Councillor Mrs Newell to Grant the application, however this proposal was also not supported by members.

The Legal Officer advised that members could decide not to debate the application further and if they did this the application would stand as a non-determination however he believed this approach did not represent good governance.

He stated that he would be happy for members to continue to debate the matter and come up with a fresh proposal.

The matter was further debated and it was proposed by Councillor Quince, seconded by Councillor Owen and decided that the application be:

Deferred for the following reasons:

1. **To allow Planning Officers to discuss with the Local Highways Authority and the Agent conditions regarding the provision and achievability of a footpath and visibility splays;**
2. **The application to be considered at a future Planning Committee following recommendations from the above discussions.**

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

**P187/13 F/YR14/0134/F
WIMBLINGTON - WEST OF 2A BRIDGE LANE - ERECTION OF 2 X
SINGLE-STOREY 3-BED AND 2 X SINGLE-STOREY 4-BED DWELLINGS WITH
ATTACHED GARAGES**

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 following consultation responses have been received:
 - **Wimblington Parish Council** - The Council and residents have concerns over the sewer that runs through the site and the open watercourse that takes the village water. This is agricultural land and the development is out of character. Bridge Lane is a single track road with no footpaths and inadequate street lights. It will cause major problems down Bridge Lane
 - **Middle Level Commissioners** - Oppose the application. The nearest Board's drains bisect the site. The presence of this important watercourse appears, from the submission to have been completely ignored. Consent for encroachment within the associated 9 metre wide maintenance access strip has not been sought. The layout plan would not be recommended for approval and it should not be assumed that consent will be given by the Board. A Flood Risk Assessment is also absent and is required. Any works that affect any on site open watercourse, will, in general require an Environmental Statement and Risk Impact Assessment identifying any adverse impact on the existing habitats and species together with any proposed mitigation;
 - **7 letters of objection received from local residents.** The main concerns are summarised as follows:
 - The site is outside the Development Area Boundary on agricultural land. The proposal would significantly alter the character of the area and would set a precedent to build on land on this side of Bridge Lane up to March Road;
 - There is a history of problems with drainage and sewage. The proposal may involve building over the existing foul sewer which may cause more problems;

- Bridge Lane is narrow with no footpaths. The proposal will increase traffic using the lane and will make problems of vehicles passing each other worse;
- In light of the opposition from Middle Level Commissioners, with particular regard to the watercourse which runs through the site, it is clear that the application has insufficient detail and consideration to the watercourse, which could potentially increase the risk of flooding in the area. Accordingly it is considered that a further reason for refusal should be added as follows:
 - 3. The application does not adequately consider the watercourse which bisects the site and the impact this may have on surface water drainage and the potential to increase risk of flooding in the area. Accordingly the proposal is contrary to Policies CS3 and CS12 of the Fenland Local Plan Core Strategy Submission Version September 2013. **Resolution: Remains as Refusal, to include reason 3. above.**

Members received a presentation, in accordance with the local council participation procedure, from Councillor Ms Bellard, a Parish Councillor. Councillor Mrs Bellard stated she is a member of Wimblington Parish Council and the Parish Council are opposed to the proposal as Bridge Lane is a single track road, has poor lighting and no footpath and this development will make a bad situation worse. Two way traffic is difficult, in the winter months the grass verge is churned up and there are sewage issues in this part of Bridge Lane. She pointed out that vehicles would be moving over sewage pipes and these would cause sinking and it would be improper.

Councillor Mrs Bellard stated that accidents have occurred at the top of Bridge Lane and the new proposals on Bridge Lane will cause further issues. Pedestrians will have to cross March Road to access a footpath further increasing the risk of accidents. She pointed out that the open areas are still used for farming, the Parish Council appreciates there is a need for homes in Wimblington but they need to be more affordable to retain the younger generation.

Councillor Mrs Bellard referred to an exhibition in the Parish Hall for the development of 70 homes built within the Core Strategy. She stated that there is a need to retain the character of the village and the proposed development will detract from the area, other Bridge Lane properties have been approved and have impacted. Councillor Mrs Bellard stated that Councillor Jolley's view is incorrect and the development does not fit the Core Strategy, it will affect Fenland District Wide Local Plan H3, H16 and E8 and Fenland Local Plan Core Strategy policies CS12 and CS16 and asked that members refuse the application.

Members received a presentation, in accordance with the public participation procedure, from Ms Pearce, an objector to the proposal. Ms Pearce stated that she was speaking on her and residents behalf who are in objection to the development. There are concerns that this is agricultural land and it is outside the development of the village, with ongoing problems regarding drainage and sewage. She pointed out that the pumping station is unable to cope with the number of houses in the street and this increase will make matters worse, confirming that a sewage breathing pipe had to be put in to combat smells from pipes.

Ms Pearce pointed out that the plans show that garages will be put over the top of the sewage pipes and residents are concerned that this may buckle or cause them to block. Anglian Water have been contacted and they state that the buildings need to be three metres away from the sewage pipes. She commented on the number of car park spaces and the need of safety for runners and walkers as there are no areas to pass on the road.

Ms Pearce asked who will look after the land behind the development and could this be used for further development in the future. She stated that original plans for bungalows have been passed and then these have been changed into houses and asked if this could happen again. Ms Pearce thanked members for listening to the concerns raised.

Members received a presentation, in accordance with the public participation procedure, from Ms Grange, the applicant. Ms Grange stated that the land belongs to her family and that Wimblington is a growth area and the development is in accordance with Core Strategy Policy CS12, is adjacent to the existing development footprint and Bridge Lane is linked by footpath to Eaton Estate, a ten minute journey. She pointed out that there is housing in front, to the side and not far behind the proposal and previously a haulage business was in Bridge Lane and traffic is much less than previously.

Ms Grange pointed out that there are some fairly new properties, most recently at the top of Bridge Lane and these have greater impact than the proposed development. Ms Grange stated that a viability study had not been carried out but she would make sure this is completed and any requests were adhered to if approval were granted.

Ms Grange referred to Middle Level comments from 27 March and said that there had been an error on the plans, the family own the whole field and stated that plans can be moved to leave access for a maintenance strip. She commented that there were no objections from Environmental Health and no comments received from the Local Highway Authority. Ms Grange informed members that her dad had purchased the land 37 years ago, she had grown up around the corner, her dad is now in his 80's and would like to build quality new homes in a sustainable village for years to come.

Councillor Owen asked Ms Grange how dikes on the northern and western side would be affected by the proposal. Ms Grange responded that the development will be moved back and will not affect the waterway. Councillor Owen was informed by the Chairman that members were there to debate the application in principle and then more detail as secondary which would include detail about the dike.

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

- Councillor Keane commented that members should take note of local knowledge regarding the drainage and sewage;
- Councillor Hodgson raised concerns that comments had not been received from the Local Highway Authority. Officers agreed that they would investigate why these had not been received;
- Councillor Patrick commented that members should listen to local people and the Parish Council, this application shows a full reversal of Parish Council views, being against the application, which he feels is justified and agreed that he would support officers recommendation;
- Councillor Mrs Mayor commented that Ms Pearce had mentioned Anglia Water and asked if they had been consulted as there was nothing in the report to say that they had. Officers informed members that Anglian Water are provided with a weekly list of applications to which Councillor Mrs Mayor asked when did this application go on the weekly list and are they chased for a response and pointed out that they should be a consultee. Officers confirmed that Anglian Water do not generally comment on residential dwellings;
- Councillor Owen commented that there is reference to a footpath along Bridge Lane and is there a proposal for a footpath as there is no detail of this in the report.

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

Refused for the following reasons:

- 1. The proposed development is located outside the existing developed footprint of Wimblington village and the Development Area Boundary. The proposal would result in a ribbon style development, into an area that is currently open agricultural land and has a strong relationship with the adjoining countryside. Further, the proposal would erode an important visual gap and area of separation between Bridge Lane, March Road and Wimblington Village. The proposal would have an unacceptably adverse impact on the character and appearance of the area and is contrary to Policies CS12 and CS16 of the Fenland Core Strategy DPD (Submission 2013) and H3, H16, E8 of the Fenland Local Plan (1993).**
- 2. The application has failed to demonstrate that there will be no adverse impact on any protected species that may be present on the site due to the lack of an appropriate biodiversity study. The proposal is therefore contrary to Policies CS12, CS16 and CS19 of the Fenland Core Strategy (Submission 2013).**

3.15pm

Chairman