

PLANNING COMMITTEE



15 OCTOBER 2014 - 1.00PM

PRESENT: Councillor A Miscandlon (Chairman), Councillor D Stebbing (Vice-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 W Sutton.

Officers in attendance: G Nourse (Head of Planning), B Young (Area Development Manager), R McKenna (Principal Solicitor - Litigation and Planning), Mrs S Black (Senior Development Officer), Miss S Smith (Members Services and Governance Officer).

P56/14 MINUTES OF THE MEETING OF 17 SEPTEMBER 2014

The minutes of the meeting of 17 September 2014 were confirmed and signed.

*** FOR INFORMATION OF THE COUNCIL ***

P57/14 F/YR14/0232/O WIMBLINGTON - LAND EAST OF 38 MARCH ROAD - ERECTION OF 80 DWELLINGS (MAX)

Members considered 1 Petition of 100 signatures and 8 further objections.

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:

- Cambridgeshire Fire and Rescue have commented that adequate provision should be made for Fire hydrants;
- Condition 8 relates to the submission of a scheme and timetable for the provision of fire hydrants prior to the commencement of development;
- Condition 17 will be deleted as this is already in Condition 9.

Members received a presentation, in accordance with the public participation procedure, from Mr Mendes, an objector to the proposal. Mr Mendes pointed out that March Road residents have been in this position before 5 years ago when a previous application was refused. Mr Mendes stated that Wimblington has been the 'Best Kept Village' in Cambridgeshire for the past 8 years, this proposal would create a monstrosity and destroy the total character of the village. Mr Mendes stated that there is no way the village can support 80 dwellings, it would destroy the character totally, the last time the land was called infill and he pointed out that this is a piece of land the size of a football pitch, it is grassland and should be kept as is. There is already an estate built that cannot be changed, another 80 dwellings would ruin the whole thing. Mr Mendes stated that if the application is approved he will move, stating that the site is not infill as it sits outside the development area and does not fit in with the character of the village.

Members received a presentation, in accordance with the public participation procedure, from Mr Hodgson, the applicant's agent. Mr Hodgson stated that he was from Savills, this is the first application under LP3 where growth is allowed. He explained that the 80 units equate to 22 units per hectare, pointing out that this is a relatively low density scheme. Mr Hodgson made reference to the Parish Council's request that the number of dwellings should be reduced to 70 and pointed out that the figure of 80 units is indicative and the maximum number.

Mr Hodgson stated that most objections on the petition had been received during the public consultation from Honeymead residents he feels that these have been addressed with the focus now being on the footpath links and can be addressed with the Redhead family as part of Reserved Matters.

Mr Hodgson confirmed that infrastructure will be upgraded and can be delivered satisfactorily, highway issues have been signed off and Mr Hodgson is confident that this is a suitable arrangement, it is a fallow piece of land and was always for development. Mr Hodgson stated that Wimblington is a nice village with a 'built' feel to it and this is a low density high quality scheme.

Councillor Owen asked Mr Hodgson to explain paragraph 4.5 regarding Flood Zone 1. Mr Hodgson confirmed that the Environment Agency say the application is in Flood Zone 1 and surface water disposal can be conditioned prior to commencement. Councillor Owen asked Mr Hodgson to explain comments from Middle Level Commissioners. Mr Hodgson explained that comments from Middle Level are a standard response, the configuration of houses will determine requirements and can be conditioned at the Reserved Matters.

Councillor Owen asked Mr Hodgson to comment on the 9 metre wide maintenance area and comments from Middle Level. Mr Hodgson stated that Middle Levels comments are based on indicative layout and this is only indicative at this stage and stated that issues regarding subsystem drainage and layout are all points that will be addressed.

Councillor Owen asked Mr Hodgson why issues with Middle Level had not been addressed prior to this meeting. Mr Hodgson confirmed that he has written to Middle Level Commissioners and has addressed the points raised and all points can be met in the detailed design stage.

Councillor Mrs Newell asked Mr Hodgson if he had negotiated with County Archaeology as this is a historic core. Mr Hodgson confirmed that a full archaeological survey of the Roman site will be conditioned for further works in advance.

Councillor Mrs Newell asked Mr Hodgson if he had negotiated with schools for provision if 80 houses are built. Mr Hodgson responded that he was not under duty to deal with schools, this was the responsibility of CCC, however contributions would be made through S106 agreement.

Councillor Bucknor asked Mr Hodgson to explain the two options put forward regarding footpath links. Mr Hodgson responded that the south footpath is the preferred option as it is shorter and would be a certain width, delivered to an adoptable standard and lit and paved. The northern footpath proposal is the longer option but would be built to the same adoptable standard and would be lit and it would be possible to upgrade the existing footpath.

Members were to receive a presentation, in accordance with the public participation procedure, from Mr Smith, the applicant, however he declined the opportunity to speak.

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

- Councillor Murphy commented that he had listened to all debate and had read all the papers and stated that he did not like Outline Planning permission and he believes that anything can happen after Outline permission has been granted and that Members have less of a say, stating that development could be 70 but could easily be 80. He stated that Members should have the full application in front of them and he could not support the LP3 for Wimblington in the Core Strategy, which says village extension or limited scale than that appropriate to towns and 80 dwellings is not to scale. Councillor Murphy stated that drainage is not sorted and it would be wrong to say yes today and if the proposal were to be refused he would give reasons. He described the development as a 'carbuncle' at the end of Wimblington village and unnecessary;
- Councillor Owen said that he did not understand the comments from Councillor Murphy and asked if he was suggesting that Members do not accept Outline applications, this is permitted in law and any details would be dealt with in the final application;
- Councillor Mrs Newell commented that she agreed with Councillor Murphy's comments and she also had serious objections to the proposal and agreed that once Members have said yes to the Outline application Members would 'not have a leg to stand on'. Officers explained that the application is outline and details would come back to Members as part of reserved matters and confirmed that the application is for up to a maximum of 80 dwellings, the agent has confirmed that it is a low density scheme of 22 per hectare and asked members to consider if they feel that this type of development can be supported;
- Councillor Sutton commented that he had taken notice of other members comments and asked if there was any way that 70 dwellings could be agreed, this was the number agreed by the Parish Council. Officers confirmed that this type of condition had been requested before and could be done in this instance. Councillor Sutton commented that he was concerned that Policy LP3 - Growth Villages only applies to Wimblington and Doddington and nowhere else regarding a capacity issue at the sewage works. Anglian Water have said that there is capacity and Councillor Sutton has concerns as to whether this is right. He believes this is in the Local Plan for a reason. Officers confirmed that they receive a different response dependent on site location from Middle Level, Anglian Water comments are site specific. Councillor Sutton asked if a meeting with Anglian Water could be convened to see why there are different views and did not want to make a decision as it may not be right. He commented that he would be happy to limit the development to 70 dwellings in line with comments from the Parish Council and had concerns regarding sewage issues;
- The Legal Officer raised concerns regarding NPPG and conditioning permission to restrict the proposal to 70 dwellings as this is a fundamental change and reminded members that they were being asked to consider the principle of development on this site and the number of dwellings would be better considered at the Reserved Matters stage and the application should be assessed on that basis;
- Councillor Patrick commented that the proposal is well thought out, the quality of housing is reasonable and officers have it right and all other issues can be considered at the Reserved Matters stage;
- Councillor Keane asked what is the Doddington Waste Recycling Centre referred to in 4.6 of the report. Officers confirmed this is the sewage treatment works;
- Councillor Mrs Newell commented that it was good to invest money in bus stop improvements but not very good when CCC are cutting buses. Councillor Owen commented that bus services were currently being negotiated. Councillor Miscandlon commented that the District Council has no control over bus services and the delivering agents;

- Councillor Sutton requested legal advice, if it is wrong to condition the number of dwellings to 70, could it be recorded in the minutes that should the application be approved a strong comment be made to the applicant that members would prefer to see 70 dwellings instead of 80. The Legal Officer responded that it could be noted in the minutes that the number of dwellings would be considered at the Reserved Matters stage, further commenting that SuDS may only mean that 70 houses are achievable;
- Councillor Sutton commented that Conditions 9 and 17 appear to be the same. Officers confirmed that they are the same and Condition 17 would be deleted.

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

Granted, subject to the conditions reported and the deletion of Condition 17.

(Councillors Keane, Murphy and Mrs Newell asked that their objections to the proposal be noted).

**P58/14 F/YR14/0623/F
WIMBLINGTON - LAND EAST OF Highbury House, 5 DODDINGTON ROAD -
ERECTION OF 1 X SINGLE-STOREY 3-BED DWELLING WITH INTEGRAL
GARAGE AND 1 X SINGLE-STOREY 3- BED DWELLING WITH DETACHED
GARAGE INVOLVING DEMOLITION OF EXISTING OUTBUILDINGS**

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:

- Typographical error noted: Application description on Agenda Item 6 incorrect and should read as:
 - **Erection of 1 x single-storey 3-bed dwelling with integral garage and 1 x single-storey 3-bed dwelling involving demolition of existing outbuildings;**
- No further comments have been received since the published report.

Members received a presentation, in accordance with the public participation procedure, from Mr Edwards, the applicant's agent. Mr Edwards thanked members for the opportunity to speak. Mr Edwards stated that the original permission was for the erection of 3 bungalows on the site. He pointed out that the plot is large, however it is hard to sell 4-bed dwellings due to current demand and had looked at the redevelopment of Plot 3, the result being the application in front of members today. Mr Edwards thanked the Planning Officer for his positive approach to this proposal.

Mr Edwards stated the bungalows would have minimal impact on neighbouring properties, being only 6 inches higher than the extant approved bungalow. He pointed out that officers recommendation was for approval subject to conditions and asked that members please accept and approve the proposal.

Councillor Owen asked Mr Edwards, having considered the siting of the two dwellings where would the electricity and gas boxes be sited. Mr Edwards responded that the boxes would be on the left hand side of each one and also pointed out the access to Plot 3.

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

- Councillor Mrs Mayor asked if there were any preapplication discussions on this application. Officers responded that there is no record on file;

- Councillor Quince commented that he feels this is overdevelopment and very little gap between the two properties;
- Councillor Mrs Mayor asked to see the overlay of the original plans to help visualise the development as this was not on the original when the original application was passed;
- Councillor Sutton asked officers to confirm the distance between the two properties. Officers confirmed the distance between the two properties as being 3.3 metres.

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

Granted, subject to the conditions reported, with amendment to the Proposal wording due to a typographical error.

P59/14

F/YR14/0702/F

DODDINGTON - LAND SOUTH WEST OF 12 BENWICK ROAD - ERECTION OF A 2-STOREY 3-BED DWELLING WITH DETACHED DOUBLE GARAGE AND THE FORMATION OF A NEW ACCESS INVOLVING THE DEMOLITION OF EXISTING OUTBUILDINGS AND WALL WITHIN A CONSERVATION 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 deliberations.

Officers informed members that:

- There is an amendment on page 45 of the Agenda - point 4.1 should read 'Doddington' Parish Council and not Wimblington;
- Middle Level has now responded to the application and considers that the applicant has not provided adequate evidence to prove that a viable scheme that meets the Board's requirements and current design standards exist and therefore the applicant should be asked to clarify the method and location of surface water disposal devices
- The proposal will result in a development that fails to respect the established special form and historic character of the area and thus fails to preserve or enhance the character and appearance of the Doddington Conservation Area. The development will result in the introduction of visually intrusive features which are out of character with the historic built form of the area by reason of the siting of the dwelling and associated vehicular access in this backland location. The proposal is therefore contrary to Policies LP12, LP16 and LP18 of the Fenland Local Plan 2014.

Members received a presentation, in accordance with the public participation procedure, from Mr Bevens, the applicant's agent. Mr Bevens stated that members should be aware that the applicant's children go to school in Doddington and have relatives in Doddington, their current home is too small and uneconomical and this proposal will allow them to remain in Doddington in a home that will be fit for purpose.

Mr Bevens stated that he has been in discussions with officers for 12 months regarding this application. He stated that the Local Highway Authority criteria has been met, the original application was withdrawn and the subsequent application was before members now. Mr Bevens stated that he had met with the Conservation Officer regarding bulk, scale and impact on the conservation area and Conservation officers are happy that all areas of concern have been confirmed as satisfactory.

Mr Bevens pointed out that the executive summary refers to it as backland and being out of character and he asked members to refer to the location plan sent out to members, by officers, on his behalf.

Mr Bevens He pointed out that the Hermitage is in a more exposed position and objections from Councillors were noted, there are no objections to the proposed scheme and highways are satisfied, there are other developments to the east and it is not out of character and should be supported to ensure consistency. The proposal has minimal impact on 32 Benwick Road. He pointed out that the access is not new as stated in the executive summary, the current access was used for car and caravan access and the wall was semi pulled down in 1960, the wall was partly rebuilt in 1990 and cannot be classed as historic. Any materials from the wall would be used in the redesign of the entrance, the proposal does not cause harm to the conservation area and is a modern dwelling.

Councillor Owen pointed out to Mr Bevens that little has changed on this site since 1770, there are properties elsewhere along Benwick Road and bungalows opposite and this proposal is peculiar as it is proposed to be right in middle of the conservation area dating back to 18th century. Mr Bevens responded that the dwelling is behind the frontage, there are properties that sit behind 40 and 40a, the site is well screened, has mature vegetation and it is difficult to see into the site. He pointed out that the property has been reduced from a 2 storey to a 1.5 storey dwelling, concerns from the Conservation officers have been addressed and they are satisfied with the proposal.

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

- Councillor Murphy commented that at the time other properties were built they were not in the conservation area and that the reason to alter the conservation area was to stop backland development. He commented that it was a long time since a car and a caravan when through the gated access as there is grass outside the area. If this area is opened by approving this development it will make way for other development behind other houses, this is linear frontage and should stay. Councillor Murphy commented that he agreed with officers recommendations;
- Councillor Sutton commented that he is a native of Doddington and there has been a wall there for as long as he can remember. He commented that other dwellings were built under different policies and there are now new policies, LP12, LP16 and LP18, it was made clear by the preapplication that this proposal was not possible and officers have made the correct recommendation;
- Councillor Owen commented that paragraph 4.2 on page 45 clearly raises no objections and officers recommendations fly in the face of other paragraphs. Councillor Sutton explained that the important point is 'If'. Officers explained that this comment was made by another consultee and the important point to consider is 'If the principle of development on this site is accepted in planning terms.....'

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

Refused, as recommended as Members feel that the development will result in development that fails to respect the established special form and historic character of the area and thus fails to preserve or enhance the character and appearance of the Doddington Conservation Area. The development will also have a detrimental effect on the settlement pattern by virtue of its backland nature and introduction of an enlarged vehicular access off Benwick Road. The proposal is therefore contrary to Policies LP12, LP16 and LP18 of the Fenland Local Plan 2014.

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