

# PLANNING COMMITTEE



**29 APRIL 2015 - 1.00PM**

**PRESENT:** Councillor A Miscandlon (Chairman), Councillor D Stebbing (Vice-Chairman), Councillor M G Bucknor, Councillor D W Connor, 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 T E W Quince, Councillor W Sutton.

Officers in attendance: G Nourse (Head of Planning), S Manley (Development Manager), R McKenna (Principal Solicitor - Litigation), Mrs S Jackson (Senior Development Officer), G Taylor (Development Officer), G Martin (Senior Development Officer - Policy), Mrs W Otter (Transport Development Manager) and Miss S Smith (Member Services and Governance Officer)

## **P96/14      MINUTES OF THE MEETING OF 1 APRIL 2015**

The minutes of the meeting of 1 April 2015 were confirmed and signed.

**\* FOR INFORMATION OF THE COUNCIL \***

## **P97/14      SOUTH WISBECH BROAD LOCATION FOR GROWTH BROAD CONCEPT PLAN SOUTH WISBECH - A BROAD CONCEPT PLAN FOR THE SOUTH WISBECH BROAD LOCATION FOR GROWTH**

Members considered a Broad Concept Plan for the South Wisbech Broad Location for Growth, introduced through Policy LP7 of the Fenland Local Plan 2014 to ensure that the large urban extensions are planned and implemented in a co-ordinated way.

Officers informed members that:

- Study work is in progress towards making the Cambridge to Wisbech Railway Line live by 2025;
- The March to Cambridge Railway Line is currently being appraised to open the line 2020-2025;
- Approval is sought for in principle approval for the Broad Concept Plan by the Planning Committee;
- A Project Team has worked for the last 12 months with the local authority, landowners and agents in line with Policy LP7 - urban extensions;
- The map is from the Local Plan, Policy LP8 and includes the Broad Location area at the bottom of the plan adjacent to A47;
- The Broad Concept Plan is in line with LP8 proposal, 54 hectares of employment land and 350 dwellings;
- The plan is set out in three phases of delivery up to 2031. Phase 1 will be employment, Phase 2 housing and Phase 3;
- New infrastructure will be required, with a new East to West route proposed;
- The Land Ownership Plan sets out elements of land differences;
- Meetings and discussions have been held with representatives, landowners/holders to ensure all are represented in the project group;
- Discussions are continuing for the future of Master Plans.

Members received a presentation, in accordance with the local council participation procedure, from Councillor Miss Hoy, District Councillor. Councillor Miss Hoy stated that the officers report focusses on the Medworth Ward and pointed out that it will also affect the Octavia Hill district. Councillor Miss Hoy stated that residents have seen the application on the agenda, have taken note of the proposal to build 350 houses and have become concerned about overdevelopment, backing onto existing properties, access roads and overlooking.

Councillor Miss Hoy stated that she is not against the development as it looks really good and she believes residents concerns are answered, agreeing that more housing and employment is required, more consultation needs to take place as she believes that if the proposal were explained to residents in more detail and the stages involved, their fears would be allayed. Councillor Miss Hoy requested more communications with local residents from Developers and Fenland District Council.

Councillor Owen asked Councillor Miss Hoy if the people who have raised concerns realise that the development will take place over a number of years. Councillor Miss Hoy responded that in general residents will not realise that it is a staged development and their concerns are that it is not something that is done to them as in other areas.

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

- Councillor Hodgson commented that this item should not be on the Agenda 'today', stated that there are three reasons why the application should be deferred: 1) This is a major development for Wisbech and the decision should be made by the people who will be in control for the next four years, not for the next 8 days; 2) There is no response from Wisbech Town Council; 3) It is not 100% confirmed that Wisbech will get a rail line;
- Councillor Sutton commented that he was over the moon that this proposal was on the agenda and it puts the 'meat on the bones' of the Local Plan. He commented that it is 'fair play' to officers and landowners, this is the way to go, the residents will be consulted at the next stage, this is good news and other allocated areas should be looked at as well. He gave thanks to all that have been involved with the Broad Concept Plan;
- Councillor Connor commented that this is wonderful news for Wisbech, it needs to be developed, the railway is a win win situation and he is in support of the proposal;
- Councillor Mrs Mayor commented that the proposal looks good but is concerned that nothing has been taken to Wisbech Town Council as she would have thought that they would have input to the plan. Officers explained that the Fenland District Council Assets Manager has attended the meetings representing Wisbech Town Council in terms of landholding in their area. The Broad Concept Plan will put the 'meat on the bones' from Policy LP8 requirements and everything will develop from the Broad Concept Plan. The proposal is not asking for planning permission and more work is required for more planning applications to come forward. This is not a change from the Local Plan policy and is in line with the wider policy;
- Councillor Hodgson commented that two areas are allotments and asked if they are owned by Fenland District Council as the Town Council are letting them out and asked if they are replaced somewhere else. Officers confirmed that this will be considered in the next part of the process when planning applications are taken into consideration.

Proposed by Councillor Stebbing, seconded by Councillor Sutton and decided that the Broad Concept Plan be granted as recommended.

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

**P98/14**

**F/YR14/0717/F**

**WISBECH - LAND NORTH EAST OF 25 CROMWELL ROAD - ERECTION OF 2-STOREY OFFICE AND SINGLE-STOREY WAREHOUSE BUILDING WITH SALES COUNTER AND 2.4 METRE HIGH METAL PALISADE FENCE**

Members considered 1 letter 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 that the following consultation response has been received:

- CCC Highways: Suggest the following alteration to Condition 5
  - Prior to commencement of development on the site the details of the site access junction should be submitted and agreed with the local planning authority. Prior to the occupation of the development hereby approved the site access shall be construction and provided in accordance with the approved details and shall thereafter be maintained. Reason: In the interests of highway safety in accordance with Policy LP16 of the Fenland Local Plan 2014;
  - 'Resolution of highway issues' can be removed from the recommendation;
- Confirmation of the precise S106 details has yet to be agreed and as such it is requested that, should Members be minded to grant permission, authority is given to Officers to continue to finalise the S106 requirements, pending negotiations with the Head of Planning in consultation with the Chairman and Vice-Chairman of the Planning Committee and Ward Member/s.

Members received a presentation, in accordance with the public participation procedure, from Mr Maxey, on behalf of the applicant. Mr Maxey stated that this is an application for a significant site in the area and in Phase 1 the development can progress without major infrastructure alterations. He pointed out that this is a major local company and the applicant has worked with officers from Fenland District Council and Cambridgeshire County Council to ensure the Broad Concept Plan is approved before applications are approved. Mr Maxey stated that this application is in accordance with the policy, consultees are satisfied and the application is recommended for approval, are pleased to see community development in the area and added that the house adjacent will transfer with the site and there is no problem with amenity space.

Proposed by Councillor Sutton, seconded by Councillor Connor and decided that:

**Delegated authority be given to the Head of Planning in consultation with the Chairman and Vice-Chairman of the Planning Committee and Ward Member/s to GRANT planning permission subject to finalisation/agreement of S106, the conditions reported and:**

1. **Removal of point 2 of the recommendation 'Resolution of highway issues';**
2. **Amendment to Condition 3 - Adequate temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of vehicles visiting the site during the period of construction in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan 2014;**

3. **Amendment to Condition 5 - Prior to commencement of development on the site the details of the site access junction should be submitted and agreed with the local planning authority. Prior to the occupation of the development hereby approved the site access shall be constructed and provided in accordance with the approved details and shall thereafter be maintained. Reason: In the interests of highway safety in accordance with Policy LP16 of the Fenland Local Plan 2014.**

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

**P99/14**

**F/YR15/0184/F**

**MARCH - WILLOW VIEW, THE CHASE - ERECTION OF A SINGLE-STOREY EXTENSION TO SIDE OF EXISTING DWELLING INVOLVING THE DEMOLITION OF EXISTING GARAGE, SIDE LEAN-TO EXTENSION AND CHIMNEYS**

Members considered 3 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 that:

- Comments have been received from March Town Council as follows:
  - "Recommend refusal due to lack of amenity space and over-development of the site"
- Further comments received from local resident in respect of:
  - Copy of letter circulated to Members;
  - Previous LPA decisions for development along The Chase;
  - Previous appeal decisions for over development along The Chase;
  - Concerns over comments received from the Local Highways Authority;
- The latest comments have been fully considered in accordance with Local and National planning policy and in consideration of the site history. It is considered that the development is proportionate, provides adequate amenity space for future occupants and will not cause demonstrable harm to neighbouring residents or users of existing highways;
- March Town Council have recommended refusal on the grounds of lack of amenity space and overdevelopment of the site;
- Comments from a local resident have been circulated to members, identifying previous planning decisions and comments from the local highways;
- There are no further comments from Middle Level Commissioners at this time.

Members received a presentation, in accordance with the public participation procedure, from Mr Shaw, an objector to the proposal. Mr Shaw stated that he hoped that members would forgive him as he is unfamiliar with the planning terminology, he is a layman and would be speaking in general terms. He stated that he was speaking on behalf of four local residents as there will be loss of amenity to properties, the ridge line of the proposal runs across properties and this will cause loss of enjoyment to homes and gardens. Mr Shaw stated that it is important that the integrity of The Chase is maintained, as a basic public amenity, is safe for pedestrians, it is a designated footpath, is not intended for the use of motor vehicles and is not wide enough for two vehicles to pass.

Mr Shaw stated that up until now this District Council has upheld the basic principle that pedestrians and cars do not mix, if more development is permitted there will be more danger and an unacceptable risk to pedestrians on the footpath. Mr Shaw pointed out that the Planning Inspector on Appeal has repeatedly turned down development on this site and others on The Chase and asked why this proposal does not fit that criteria. He stated that on a cursory glance this is a sizeable development, is not true to scale and March Town Council have recommended refusal on the grounds of overdevelopment and whatever the view the sheer size does mean more people and this will be unacceptable to pedestrians. Mr Shaw stated that this proposal will set a precedent for other development along The Chase and if the application is granted any further ones will not be able to be refused.

Mr Shaw asked if this proposes a problem to highway safety, Highways says that it doesn't but Mr Shaw finds it difficult to accept and it contradicts anything ever said about this issue in the past. Planning Inspector appeal reasons were detailed and included highway reasons and asked why this was no longer important now. Mr Shaw stated that this is an important choice, to maintain the integrity of The Chase as is or grant the application and show no interest in the residents of March as a basic public amenity. Mr Shaw requested that members refuse this application.

Councillor Miscandlon asked Mr Shaw to point out on the map his address, Bramble Cottage. Mr Shaw clarified his address on the map as being the property nearest to Gaul Road.

Councillor Sutton asked Mr Shaw how many cars presently use The Chase. Mr Shaw responded that there are three houses, two houses are not occupied and confirmed the number of car users if all properties were occupied.

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

- Councillor Quince commented that he agreed with Mr Shaw that this would be overdevelopment of the site, this is a footpath and this would be mixed in with vehicles and constitutes overdevelopment of the site and he recommended refusal of the application;
- Councillor Murphy commented that the proposed development is an increase of 75% on the footprint of the building. In the words of the Planning Department this is a significant extension and it is. Councillor Murphy pointed out that there should be a minimum of 1/3 plot curtilage for amenity space, this development would only just achieve this and would utilise land around the perimeter and courtyard and he is trying to find a justification for the proposal. Councillor Murphy commented that this could establish a precedent for visual impact, this is totally wrong as a large extension in both character, appearance and layout. It is like building another house next door to a house, joined with a walkway and is called an extension. Councillor Murphy stated that this is not an extension but a large house which at any time could be used as a house. This is an old house with a new modern look, it is not necessary and he is against the application;
- Councillor Sutton commented that he did not agree with Councillor Murphy, he is of a different opinion, this is not a stand alone dwelling but an increase to a 4-5 bed dwelling and if the plan for the amenity space meets with our Local Plan and cars are already using the footpath and this is established, the development is lovely and is the right thing and he supports the application;
- Officers informed members that this is an existing access, cars already use The Chase, this is not an additional dwelling, the proposal is for one extra bedroom and will not require parking and the access is to remain as is at the present time. More traffic will not be generated, it meets amenity space standards, is similar to surrounding properties. Members were reminded that it conforms to the Local Plan and clarified that if it were a separate dwelling it would need planning permission in its own right;

- Councillor Keane commented that he is familiar with The Chase and people use the area all day and raised concerns that it would be dangerous with lorries using the access during building work;
- Councillor Mrs Mayor commented that if the proposal was a separate dwelling she would be against, but looking at the application as is she would agree with Councillor Sutton and Officers. Councillor Mrs Mayor would support the application providing it adheres to Condition 6 and the dwelling is used in perpetuity only in association with and not as a separate dwelling;
- Councillor Connor commented that the development does fit in with Policy, not many cars use the footpath, members may not like it but the policy has been adopted and he agrees with the application. Councillor Connor agreed with Councillor Mrs Mayor regarding use of the dwelling as one dwelling in perpetuity;
- Councillor Mrs Newell commented that she uses Gaul Road frequently and didn't realise that cars could use The Chase, she had never seen a car down it but thought it would be dangerous for school children and bike users;
- Councillor Owen commented that there has always been vehicular traffic in The Chase since the 1950's;
- Councillor Miscandlon commented that if members were mindful to approve the application that a further condition be added: A construction management plan be agreed prior to commencement to development, in view of the dynamics of The Chase functioning both as a footpath and a vehicular access;
- Councillor Stebbing commented that The Chase is already used for vehicles for 3 properties, no additional parking is proposed and amenity space requirements are met.

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

**Granted, subject to the conditions reported and a further condition:**

1. **A construction management plan/method statement to be agreed prior to commencement of development, in view of the dynamics of The Chase functioning both as a footpath and a vehicular access.**

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

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

**P100/14 APPLICATION TO DESIGNATE A NEIGHBOURHOOD AREA (WHITTLESEY TOWN COUNCIL)**

Members considered 3 electronic responses.

Members considered the receipt of an application from Whittlesey Town Council to designate a neighbourhood area, in accordance with procedures contained in the adopted Fenland Local Plan 2014 to ensure large urban extensions are planned and implemented in a coordinated way.

Officers informed members that:

- there is a map of the proposed Neighbourhood Area within the Parish boundary for Whittlesey;

- the proposal cannot be refused, can only be amended and officers recommended acceptance of the Neighbourhood Area;
- by designating the parish as a neighbourhood area the Town Council will be enabled.

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

- Councillor Miscandlon commented that in planning law this proposal can only be recommended for acceptance or amendment;
- Officers commented that Whittlesey Town Council are recommending the whole of parish area be designated as a neighbourhood area, approving the area would enable Town Council.

Proposed by Councillor Mrs Mayor, seconded by Councillor Stebbing and it was agreed by majority vote that:

1. **Whittlesey Town Council's application to designate a neighbourhood area be approved without amendment (Option A) Granted.**

Councillor Miscandlon thanked Councillors Quince and Stebbing for all their hard work as part of the Planning Committee and wished all members good luck. In light of the forthcoming Election Councillor Miscandlon thanked officers for all their help and backing during his time as Chairman of Planning Committee.

13.55pm

Chairman