

**PLANNING COMMITTEE DATE: 3 February 2016**

**APPLICATION NO: F/YR15/0961/F**

**SITE LOCATION: Land north of Mill Hill Garage, Wimblington Road, March**

**1. RECOMMENDATION**

Approve with conditions as per the printed committee report

**2. ACCESS – VISIBILITY SPLAYS**

It has been agreed with the applicant that the matter can be satisfactorily addressed by way of condition – see Condition 8 in the committee report

**3. REPRESENTATION FROM MAXEY GROUNDS& Co LLP**

I write with reference to the application due to be considered at tomorrow's planning committee Meeting as above. A copy of the officers report is attached.

May I make clear this is not an objection to the application, which on its own merits officers consider acceptable. I personally am in favour of the application and agree it will cause no harm and provide additional economic benefit to Fenland. but I do have concerns about the process that is proposed to be followed in determining this application.

Myself and many others, agents, landowners, officers of various councils and other statutory bodies, are currently engaged in significant efforts to bring together Broad Concept Plans for approval at Wisbech and elsewhere in Fenland, because we have been advised by Planning Officers that no applications will be approved in advance of such comprehensive master-planning involving all or a significant proportion of landowners.

A broad concept plan has been approved for South Wisbech and an application submitted by my clients was delayed by approximately 12 months whilst this process occurred. This was also for a business use likely to provide significant jobs. Our efforts with officers up to corporate director level to have this application determined in advance of a BCP, because of the economic benefits and level of jobs it would provide, were rejected.

West and East Wisbech BCPs or master-planning is at the stage where a document providing significantly more detail than that submitted with this application could be submitted very quickly. We continue to be advised by officers that additional work is required before it will be in a form where it will satisfy the requirements of LP7, including full community consultation, to be able for it to be submitted and individual applications made on behalf of various clients for development. This delays our clients development aspirations and the work of master-planning adds significantly to their costs.

Yet here we have a situation where a very basic level document, which officers accept does not meet the required standard, is being accepted as justifying the approval of an application because of low levels of interest from other owners in cooperating on a more comprehensive document. I would suggest, if this view prevails, it is the best way to ensure that levels of interest in preparing BCPs remain low.

## AGENDA ITEM NO. 7

This is a question of fundamental importance for Fenland and the Local Plan. If a key policy is to be overturned and ignored, then it sets a precedent and all other applications that seek to follow this precedent would be being unfairly treated if they were also not permitted to be approved – if the application in its own right is otherwise satisfactory – in advance of a BCP. Any other conclusion would mean that Fenland is not a level playing field, and those who agree to follow the rules are disadvantaged compared with those who push ahead and ignore them.

Either FDC should follow the policy and precedent already set in the applications at Cromwell Road Wisbech and South Wisbech BCP and conclude that the application is premature in advance of a BCP, or can decide that, as the BCP process is too lengthy and onerous, and can be halted by non involvement by other landowners, any application within a Broad Location for Growth, which on its own merits is acceptable, should not be held up by the lack of a BCP.

At the same time Officers seek to refuse applications which are perfectly acceptable in planning terms, because the public consultation seeking support for the scale of growth in a settlement has not been conducted exactly in accordance with guidance (note guidance not policy) which has been issued by officers without consultation with applicants or agents, and is being applied to applications already in progress – even applications for one dwelling. So it now seems that guidance is mandatory but policy is optional. I ask that those determining this application and those making recommendations on it think at length on this decision, and be aware of the precedent they may set, and if they choose to set the precedent be prepared to abide by it in future applications. I can assure you an approval will prompt more such applications in advance of BCPs being approved.

John Maxey MA(Cantab), FRICS, FAAV

For and On Behalf of Maxey Grounds & Co LLP