

PLANNING COMMITTEE



10 JANUARY 2018 - 1.00PM

PRESENT: Councillor A Miscandlon(Chairman),Councillor Mrs M Davis, Councillor Mrs A Hay, Councillor Mrs D Laws, Councillor P Murphy, Councillor Mrs F S Newell, Councillor W Sutton .

APOLOGIES: Councillor S Clark (Vice-Chairman), Councillor D W Connor and Councillor S R Court

Officers in attendance: Nick Harding (Head of Shared Planning), David Rowen (Development Manager), Chris Gordon (Legal Officer) and Joanne Goodrum (Member Services Officer)

P46/17 PREVIOUS MINUTES

The minutes of the meeting of 6 December 2017 were confirmed and signed.

P47/17 F/YR17/0591/RM LAND WEST AND SOUTH OF 74, WEST STREET, CHATTERIS RESERVED MATTERS APPLICATION RELATING TO THE DETAILED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO OUTLINE PERMISSION F/YR15/0512/O FOR THE ERECTION OF 55X 2-STOREY DWELLINGS AND 3 X SINGLE STOREY DWELLINGS COMPRISING OF:3 X 1 BED, 8 X 2 BED, 19 X 3 BED, 25 X 4 BED AND 3 X 5 BED WITH ASSOCIATED GARAGES, PARKING AND LANDSCAPING

The Committee had regard to its Inspection of the site (agreed in accordance with the Site Inspection: Policy and Procedures (minute 19/04 refers) during its deliberations.

David Rowen presented the application to Members and informed them that there had been one update which had been circulated to Members which advised them of a further public representation which had been received. He also advised Members that contained within the Officer's report there is a typographical error which details the application as being for 55 dwellings when it should actually state 58 dwellings. The Outline planning permission has already been granted for this site subject to a Section 106 agreement and as part of that agreement it stated that 15 affordable dwellings should form part of the reserved matters application being considered today and these have been included.

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

- Councillor Mrs Hay commented on how disappointed she was with the Agents acting on behalf of this application. She stated that at the time when the outline planning decision had been made, the Agents had agreed that they would meet with the residents in the bungalows to discuss their concerns, however despite numerous email correspondence dating back to August 2016 between Councillor Mrs Hay and the Agent where it stated that contact would be made to show the residents the plans for the Reserved Matters application, no further contact was made and therefore residents have asked her to raise their concerns at committee today.
- Councillor Mrs Hay commented that at the outline planning application stage, residents had

provided photographs of their gardens which had been prone to flooding in times of heavy rain and the residents would like assurances that proper provision is included to make sure the situation isn't made worse by the builders.

- Councillor Mrs Hay commented that the residents have also asked for assurances that within the application it states that there will be a row of trees planted to shield the bungalows from the row of houses and they want to ensure that this will be included as part of the conditions.
- Councillor Mrs Hay mentioned that the residents are disappointed that there are only three semi detached bungalows proposed and they had hoped there would have been a whole row of bungalows sited at the back of the development
- Councillor Mrs Hay stated that these are the views of the local residents that she has been asked to put across and not necessarily her views.
- Councillor Mrs Laws asked for clarification on who will be responsible for the drainage going forward to ensure it is being maintained and also for the landscaping and proposed pond. She would hope that the responsibility for these items will not fall under Fenland District Council and would prefer that a management company would be responsible, where the costs for the maintenance and upkeep of the landscaping could be split amongst the homeowners.
- David Rowen clarified that as the Sustainable Urban Drainage feature (SUD's) sits within a public open space, it is not a permanent pond and in times of heavy rainfall will fill up but then will just become a feature and part of the landscape at other times. The section 106 agreement that was signed as part of the outline planning permission indicated that the public open space would be offered to Fenland District Council for adoption however if Fenland declined this offer then a management company would have to be set up to maintain public open space and the SUD. David Rowen advised Members that within the conditions proposed it also states that details of the maintenance arrangements for the surface water drainage system should be provided and therefore between the section 106 agreement and the condition outlined it is considered to give assurances for the SUD's feature going forward.
- Councillor Mrs Laws stated that as a Council we should be looking to save money and not adopting additional assets unless necessary and commented that she is concerned that as part of all the new developments that are being constructed, landscaping should of course be looked after and maintained correctly, however the burden should not fall with the Local Authority and the developer should negotiate to take on a management company or the cost should be shared amongst the property owners when they purchase a property.
- Councillor Mrs Newell asked whether it was now too late to go back to the developer and ask them to reconsider and increase the amount of bungalows proposed to be greater than three. David Rowen confirmed that Members can only consider the application before them today, which includes the three bungalows that are backing onto the properties on West Street. Officers have looked at the two storey properties and those properties on West Street and from a planning point of view have deemed it an acceptable relationship.
- Councillor Mrs Newell asked whether the width of the road is acceptable and David Rowen confirmed that no objections have been received from the Highways Authority and the roads will be offered to County Council for adoption and therefore are of a conventional width.
- Councillor Murphy commented that as he is the Portfolio Holder for the Environment his view is that Fenland District Council does not need any more adoption of green spaces to maintain and therefore a management company would be a far better option.
- Councillor Sutton commented that there have been a number of issues raised by the case officer and presented to the developer which have been addressed and dealt with to an acceptable arrangement and both parties should be congratulated.
- Councillor Mrs Hay asked whether there is any condition in place as to what the working hours arrangements will be when this development on site begins. The Chairman advised that he was unsure whether a schedule of works for this development was in place but as he understands a work schedule is normally required for developments of this size. David Rowen commented that on the original outline permission there was a construction method

statement condition, but that does not specify the hours of operation. Councillor Mrs Hay asked whether a condition could be added to stipulate no works to be carried out on Sundays or Bank Holidays or before and after a certain time of day. David Rowen stated that on the original condition on the outline permission it did not include that at that time, then there maybe an issue as it would be seen to be adding to a condition that was already in place. Councillor Mrs Hay asked for this to be investigated further as this is a major worry for those residents and there are already issues with parking in the area especially on a Saturday when there is a football match. David Rowen stated that in order to address this issue when the Planning Officer agrees the construction management plan as part of the outline condition then this aspect can be looked at and raised with the developer.

- Councillor Mrs Davis asked whether going forward this issue be looked at and included as a matter of course rather than leaving it to such a late stage. David Rowen stated that within the conditions that Planning Officers work with currently, that would be the case and a construction management plan would look to state the hours of operation. However as this is a condition that was drafted in 2015, legally you cannot impose additional controls through a reserved matters application over and above those that were included in the original outline permission.
- Councillor Mrs Davis stated that she understands that point but asked when Members are reviewing an Outline Planning Application for a residential area should a condition regarding working hours not be included.
- Nick Harding clarified that a review of standard condition wording has taken place so there is a greater deal of consistency and previously there was a list of standardised conditions which included an element of free writing and now the standard wording is used which is legally correct.
- Councillor Mrs Davis commented that she is very pleased to see 15 affordable homes included in this scheme and hopes that this application does not come back with a question of viability.
- Councillor Sutton asked whether it would be possible for the Developer to be contacted to raise the concerns of the residents and Members brought forward today and come to a satisfactory resolution.
- Nick Harding commented that an informative could be added to the bottom of this planning permission if approved, which states under the discharge of condition on the outline planning consent that the council would be looking for specific construction hours.
- Councillor Mrs Newell commented that on page 18 it states that no works should take place until detailed plans of roads have been provided. Nick Harding clarified that County Council have seen the detailed plans and have raised no queries or issues over the width of the highway.

Proposed by Councillor Mrs Laws, seconded by Councillor Mrs Davis and decided that the application be

APPROVED, as per Officer's recommendation.

(Councillor Murphy and Councillor Mrs Newell registered in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they are Members of Chatteris Town Council but take no part in Planning Matters)

(Councillor Mrs Hay registered in accordance with Paragraph 2 of the Code of Conduct on Planning Matters that she had been lobbied on this planning application)