

PLANNING COMMITTEE



WEDNESDAY, 20 AUGUST 2025 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French, Councillor R Gerstner and Councillor E Sennitt Clough,

APOLOGIES: Councillor N Meekins,

Officers in attendance: Nikki Carter (Senior Development Officer), Tom Donnelly (Senior Development Officer), Alan Davies (Principal Planning Officer), Matthew Leigh (Head of Planning), Jo Goodrum (Member Services & Governance Officer) and Kimberley Crow (Development Officer)

P32/25 PREVIOUS MINUTES

The minutes of the meeting of 23 July 2025 were confirmed and signed as an accurate record.

P33/25 F/YR25/0149/FDC 2 BROAD STREET, MARCH DEMOLITION OF EXISTING BUILDING AND ERECT A MAX 2.4M FENCE IN A CONSERVATION AREA

Niki Carter presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Councillor Mrs French, the Ward Councillor for the application site and a member of both the March Future High Street and March Area Transport Study boards. Councillor Mrs French stated that members will have seen with their own eyes the transformation of March Town Centre using external grant funding from Government and the Combined Authority which has reinvented Broad Street, the riverside and Market Place. She added that grants have been given to property owners to improve their buildings and bring empty floorspace back into use with the Broad Street project, seeing the Listed Fountain relocated and the war memorial which is now surrounded by high quality public realm rather than sitting in the middle of the road.

Councillor Mrs French explained that, as a result of the transformation, the project has been shortlisted for the National Transport Awards in October 2025 in the exemplary approach to active travel and public space category. She made the point that it is often mentioned about the spiralling costs of public sector projects, and she stated that the Broad Street project was delivered on time and under budget, with the budget stretched delivering more through creative and prudent financial management including the redevelopment of the area outside Iceland which was an eyesore as well as additional car parking spaces in City Road.

Councillor Mrs French stated that it is important for the committee to understand the background when considering the application before them, Barclays Bank site has always been seen as the final piece of the March Town Centre regeneration jigsaw and the site was purchased using the Future High Street grant money, with the building being used as the site office and compound throughout the project. She referred members of the committee to the Council's own March Conservation Area Appraisal and Management Plan which describes the Barclays building as a negative frontage which has a detrimental impact on the character and appearance of the streetscene and the March Conservation Area.

Councillor Mrs French stated that the Conservation Officer has referred to the site's brutalist architecture but, in her view, the residents she has spoken to consider that the building is an eyesore and they cannot wait to see it demolished. She expressed the opinion that if an application were to be received for this type of design or building in any Conservation Area, she believes it would be refused by the Council.

Councillor Mrs French stated that the application is supported by a heritage report which has been prepared by a specialist conservation consultant which justifies the demolition, expressing the view that the conversion of the building is unviable, and it is not something that the residents of March want to see. She added that the residents want to see a new building which is befitting the setting which has been created, and it will be the jewel in the crown for the Broad Street project.

Councillor Mrs French added that Planning Officers appear mainly concerned with regards to the next steps in terms of a redevelopment scheme and she stated that when considering a redevelopment scheme, members need to be reminded that the Council owns the site so it is in the Council's control regarding what happens next as a local authority and also as the land owner then there are two opportunities. She explained that the Council will also maintain the site and provide whatever design of fencing is needed with the potential of including artwork to ensure it is attractive and once the building has been demolished using the grant then the Council's property officers will be tasked with finding a developer who will deliver the aspirational scheme which will be insisted upon.

Councillor Mrs French stated that demolition of the building will now raise a value and significantly improve its viability, with it, in her opinion, being undoubtably the best redevelopment site in March because of what has already been delivered around it and there has already been a number of approaches from potential developers. She made the point that she is struggling to understand why officers want to try and protect a building which they and the Council have publicly stated has a negative and detrimental impact on the area.

Councillor Mrs French asked the committee to approve the application in order for the completion of the March Future High Street for the benefit of the residents and visitors to the town.

Members asked Councillor Mrs French the following questions:

- Councillor Marks asked for confirmation as to when Barclays Bank finished operating from the site? Councillor Mrs French stated that the building was empty for approximately 18 months before the Council purchased the site and she added that nobody else was interested in buying the site.
- Councillor Marks stated that following the 18-month period it was used as a site office for the regeneration of the town centre. Councillor Mrs French explained that it is still being used as a site office by the contractors as there are some extra bollards which require installation.
- Councillor Marks stated that when the new toilet block came before the committee, discussions took place with regards to elements on anti-social behaviour which had taken place in the vicinity of the bank site and he questioned whether that was still perceived to be an issue? Councillor Mrs French stated that she does not know because there is fencing erected currently, but the long-term plan would be to erect further fencing and install CCTV.
- Councillor Gerstner asked whether there is any indication on the cost implication to leave the building as it is rather than demolish it when considering the public purse? Councillor Mrs French stated that if the Council try to sell it then it is not viable for anybody to buy it, whereas if it is demolished then it is worth significantly more.

Members asked officers the following questions:

- Councillor Gerstner asked officers if they can advise of the cost implication of keeping the building on the site as opposed to demolishing the building and it being a flat piece of land?

Matthew Leigh explained that whilst a viability report was received concerning the delivery and viability of the scheme, officers have not been provided with information in relation to costs, however, such information would be given very limited weight.

- Councillor Gerstner asked whether there are details concerning the costs being incurred at the current time for security and business rates? Matthew Leigh explained that such information has not been provided, and it would not be a material planning consideration when determining the application.

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

- Councillor Marks expressed the opinion that he feels that building is a blot on the landscape compared to the updated March town centre. He added that it a 1980's building and is very out of character and he understands that there are two Grade 2 Listed Buildings beside it. Councillor Marks stated that his biggest concern is around the issue of security and he referred to the presentation screen and explained that in photograph number 3 it shows the windows which are blacked out on the vacant WH Smith site, where there is a homeless person living in the doorway and he fears that in the winter that premises will be broken into and cause a fire or somebody may try to live in the building. He stated that he has fears over squatters breaking into the site and, in his view, it does not bode well to leave the application site standing empty and whilst he appreciates the building could be made secure, he questioned who would want to purchase a building like that. Councillor Marks expressed the view that there are so many empty properties when you look in March and Chatteris including one on Bridge Street which has a hole in the roof because nobody can afford to do anything with it and as a result stands empty becoming more derelict. He stated that he would hate to see the Barclays building end up in a state of disrepair, which would end up letting down the rest of the town centre which has had a significant amount of money spent on it. Councillor Marks expressed the view that when people visit the Town Centre they now drive through and comment on the improvements. He stated that the building is an eyesore and whilst the fencing will not look very pleasant, it will give scope for future works to take place and the quicker the building is demolished the better.
- Councillor Sennitt Clough stated that as with any planning application consideration is given to the public benefit versus the harm and, in her view, the building is not offering any public benefit and there is a chance that it could present an opportunity for people to congregate there and cause anti-social behaviour. She expressed the opinion that a sensitive regeneration of the site would result in a lot of public benefit and would outweigh any harm which may be caused from a demolition process and taking into consideration that war memorial which is located close by. Councillor Sennitt Clough stated that she will support the demolition of the building.
- Councillor Connor expressed the view that the building needs to be demolished as soon as possible. He added that contractors are still using the building a site office until all the town centre works are finally completed but the building is a blot on the landscape in his opinion. Councillor Connor stated that he is certain that if the building is left, it will suffer from the risk of attracting squatters, will be stripped of all metals and have all the glass broken and will become unsafe. He likened the site to that of the disused George Public House in March which has been subject to vandalism and anti-social behaviour and expressed the opinion that he will wholeheartedly support the demolition of the building in order that something better can take its place sooner rather than later.
- Councillor Marks referred to the point made by Councillor Mrs French in her presentation where she had explained that the building had been marketed for 18 months, however, it did not sell. He expressed the view that he believes that the Council wanted an area to work within, and it provided a good way forward at that point in time. Councillor Marks stated that had there been an interest in the building where somebody believed they could use it for another purpose then it would have been sold within the 18 months so he fully supports the demolition.
- Councillor Connor stated that it as a very prudent move and a good decision which was made by the Council to purchase the building through the regeneration of the town centre

as it saved a great deal of travelling by the contractors and meant that there was somebody on the site all of the time. He added that it now needs a good decision by the committee to agree to demolish the site and get something done with it.

- Councillor Gerstner made the point that he feels it will be very difficult to market the building as its structural report alludes to the fact that the building contains asbestos which will be very costly to deal with. He added that the building needs to be demolished before there will be any interest from somebody wishing to purchase the site as nobody would want the responsibility of dealing with the asbestos in the building.

Proposed by Councillor Marks, seconded by Councillor Gerstner and agreed that the application be GRANTED against the officer's recommendation with delegated authority given to officers to apply reasonable conditions in consultation with the Chairman and Vice-Chairman.

Members did not support the officer's recommendation of refusal as they consider that the building is out of keeping with the Town Centre regeneration, will cause a security risk soon once it becomes vacant and will lead to anti-social behaviour and they feel that that by demolishing the building they are safeguarding the interests of the public due to the building containing asbestos materials which in the event of a fire could cause significant issues.

(Councillor Benney declared that at the time this site was considered at Cabinet, he was the Portfolio Holder and took no part in the discussion and voting thereon)

(Councillor Mrs French declared that she was the Ward Councillor and would be speaking in support of this application and following her presentation she took no part in the discussion or voting thereon)

**P34/25 F/YR25/0111/O
LAND NORTH WEST OF COBBLE HOUSE, GULL ROAD, GUYHIRN
ERECT UP TO 24 DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS
RESERVED)**

This item was withdrawn from the agenda.

**P35/25 F/YR25/0473/O
LAND SOUTH OF 4 - 16 BACK ROAD, GOREFIELD
ERECT UP TO 9 X DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS
RESERVED)**

Alan Davies presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Shanna Penney, the agent. Ms Penney stated that she is pleased to see that the officer recommendation is one of approval and advised the committee that a similar application was considered by the committee in December 2024. She explained that at that time the committee decided that the principle of development was acceptable with regards to the location of the site and the number of proposed dwellings, however, concerns were raised with regards to the sequential test.

Ms Penney added that those concerns have been considered, and a more robust sequential test has been provided and both officers and the agent have now concluded that there are no other sequentially preferable sites available within Gorefield and, therefore, the proposal meets the sequential test. She explained that after passing the sequential test, the exception test needs to be applied and paragraphs 9.24 to 9.30 in the officer's report demonstrate and confirm that the exception test is met and all remaining matters relating to flood risk have been addressed.

Ms Penney added that she is aware that the Parish Council have objected to the proposal on highway safety and flood risk grounds, however, at 9.35 of the officer's report it states that the Highways Authority have raised no objections. She made the point that the concerns regarding flood risk have been overcome and, therefore, there are no remaining issues with the application.

Ms Penney added that as the committee's only concern with regards to the sequential test has been overcome and the fact that it has been demonstrated that the proposal now meets the requirements of the sequential test she would ask the committee to approve the proposal in line with the officer's recommendation.

Members asked Ms Penney the following questions:

- Councillor Mrs French asked whether any contact has been made with the North Level Internal Drainage Board with regards to the application? Ms Penney stated that she has not consulted them but believes that they are automatically consulted as part of the consultation process. Councillor Mrs French stated that none of the Internal Drainage Boards are statutory consultees, but they do have dykes around the application area, and she advised Ms Penney that should the application be approved then they should be contacted sooner rather than later. Ms Penney stated that officers have confirmed that there is a comment on the officer's file from the drainage board.

Members asked officers the following questions:

- Councillor Marks asked for confirmation as to what response the Internal Drainage Board provided to officers? Alan Davies explained that response was received on 24 June which stated that they had no objection subject to a pre-commencement condition requiring submission of surface water systems and outfalls. He added that officers have considered the response, and a condition will be added to the decision notice should planning permission be granted.

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

- Councillor Mrs French stated that she is pleased that the agent has considered the suggestions made by the committee following the previous lengthy debate which took place in December.

Proposed by Councillor Mrs French, seconded by Councillor Marks and decided that the application be GRANTED as per the officer's recommendation.

P36/25

F/YR25/0280/VOC

LAND NORTH AND WEST OF 47 FRIDAYBRIDGE ROAD, ELM
VARIATION OF CONDITIONS 3 (EXTERNAL MATERIALS AND DETAILING), 4
(SURFACE WATER DRAINAGE), 5 (CONSTRUCTION SURFACE WATER RUN-
OFF), 9 (EXTERNAL LIGHTING), 15 (CEMP: BIODIVERSITY), 18 (HARD AND
SOFT LANDSCAPING), 21 (LEVELS AND CROSS SECTIONS) AND 23
(APPROVED PLANS AND DOCUMENTS) OF PLANNING PERMISSION
F/YR21/0339/F (CONVERSION OF EXISTING BARNs TO 2 X TWO STOREY
DWELLINGS AND ERECTION OF 8 X TWO STOREY DWELLINGS WITH
GARAGING (AND ASSOCIATED WORKS INCLUDING DEMOLITION OF
EXISTING DWELLING)) TO ALLOW CHANGE IN DESIGN

Alan Davies presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Jordan Trundle, the agent, and Andrew and Lance Allen, in attendance on behalf of the applicant. Mr Trundle explained that the application is for a variation of conditions for the implementation of planning application F/YR21/0339/F, relating to external materials, surface water, external lighting,

biodiversity, finished floor levels, landscaping and approved plans and documentation. He added that he fully agrees with the officer's assessment in the report and the recommendation for approval.

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

- Councillor Mrs French stated that the application has already received approval and is before the committee for a variance in the conditions which she is happy with.

Proposed by Councillor Marks, seconded by Councillor French and agreed that the application be GRANTED as per the officer's recommendation.

P37/25

F/YR25/0156/F

SHARMAN FABRICATIONS, GAUL FARM, GAUL ROAD, MARCH
ERECT 1 X SELF-BUILD/CUSTOM BUILD DWELLING AND ERECT 1 X STORAGE
SHED INVOLVING DEMOLITION OF EXISTING SHED AND STABLE (B2)

Alan Davies presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent, and Rachel Sharman, the applicant. Mr Hall explained that the application was deferred from the meeting in May as a result of the committee requesting further details concerning business accounts, details of who was going to reside in the proposed dwelling and provision of a business plan. He added that the requests of members have been considered and that information has been provided to officers which has included four years of accounts for the business which has been established since 1988.

Mr Hall explained that it will be members of the Sharman family who are employed in the business that will be living in the occupational dwelling if it is granted and all members of the family have been involved with the design of the dwelling. He added that the applicant prepared a business plan to give a history of the business and the proposal going forward together with security and he explained that there are no objections to the application, and all the consultees support the application.

Mr Hall made the point that he gave an overview of the business at the Planning Committee in May which includes out of hours working on heavy good vehicles (HGV), trailers, play equipment, gates, structural steel work as well as expanding into shop blasting and powder coating. He explained that a lot of this work can be undertaken out of hours and also at weekends and all of the work does require bulk buying which is in the business plan and all the material are left on site.

Mr Hall explained that the business has been located at the site for over 20 years and is, therefore, not a new business. He added that it wishes to stay and expand at the location with an occupational dwelling and a further shed on the site for the Sharman family and their business.

Members asked the following questions:

- Councillor Marks stated that he welcomes the fact that a business is trying to expand and he added that officers have explained that the business does not receive deliveries out of hours. He added that HGV owners often require their vehicles to be worked on out of hours and he questioned whether the business has a contract in place to work on HGV vehicles out of hours? Ms Sharman explained that most of the businesses customers with HGVs require works to be undertaken out of hours because they work during the day and require repairs to be undertaken out of hours.
- Councillor Marks stated that officers have explained that the family currently reside 3 minutes' drive away from the application site and he questioned whether Ms Sharman parks her car in a garage. Ms Sharman stated that she does not. Councillor Marks made the point that the 3 minutes travel time is on a day where the weather is good and he added that

should the weather be cold and frosty, in his view, that journey could take up to 10 minutes. Ms Sharman agreed, it would take longer due to having to defrost the car prior to travelling to the site.

- Councillor Marks stated that he presumes that at the site there are trailers and other equipment? Ms Sharman explained that as well as trailers, there are also forklifts and tractors on site along with other valuable equipment and it is a concern.

Members asked officers the following questions:

- Councillor Marks asked officers to confirm that the 3 minutes travel time which he is presuming has been gauged in the Summer months as opposed to the Winter months when that travel time will be different. Alan Davies explained that the point made with regards to 3 minutes is based on the distance of 0.6 miles from the site and if there are other factors such as travelling during the day, heavy traffic then the 3 minutes travel time from the applicant's home to the site would alter. He added that members do need to consider that the applicant's current home is close to the applicant's workshop.
- Councillor Sennitt Clough referred to 3.6 of the report where it refers to the proximity of the A141 and the fact that it is not necessarily rural and as a result the site is not at any enhanced security risk. She expressed the view that it does not actually enhance the security at all and is likely to detract from it as it is a road where potentially people could just make off quickly and she asked officers for their view? Alan Davies stated that with regards to security of dwellings, the general guidance either in planning policy or from the Police crime prevention design advisors is that properties are best located in areas which have natural surveillance, such as vehicles or people walking or driving past. He added that when considering the application there is the Isle of Ely Way, A141, which is a busy road and means that the site itself has a high level of natural surveillance and has numerous vehicles who use the road. Alan Davies added that should something take place on the site then there is a high chance of somebody witnessing any incident, however, it is only guidance, and nothing is set in stone. He explained that there may be situations and circumstances whereby having a busy road located nearby does not necessarily help when considering natural surveillance as there maybe hedges which obscure and, in this case, it is deemed that the site is reasonably visible and can be seen by motorist driving past.
- Councillor Sennitt Clough stated that whilst she appreciates the explanation she does not concur with the views of officers as when driving along the A141 she is concentrating on the road and not the surrounding properties.

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

- Councillor Marks stated that Councillor Sennitt Clough has made a good point, the A141 along there is 50mph and, in his view, at 2.00am, you are more interested in getting to your destination rather than looking to see whether a burglary is taking place and he disagrees with the point made by officers with regards to site security being aided by the roadside. He stated that he also has an engineering company, he works out of hours which, in his view, is excellent and he would love to be able to work on site in a workplace home, with the applicant also working out of hours and, in his view, you do not want to be inconvenienced to have to travel home periodically for short periods of time and to be able to live on site is the way businesses should be able to operate with a home on site. Councillor Marks added that it gives site security, which is very much needed, and he feels that the 3 minute figure to drive to the site should actually be 10 minutes and in such a short space of time a lot can happen, and tools and trailers can go missing. He expressed the opinion that he does not see any harm by erecting the dwelling as it will provide somebody an extra half an hour a day by being on site which he believes is a financial benefit as it is two and a half extra hours a week working without the need to travel backwards and forwards. Councillor Marks added that the applicant will also save money by not having to travel backwards and forwards as well as helping to be more environmentally friendly and he will wholeheartedly support the application.
- Councillor Connor stated that the Council uses the strapline that Fenland is Open for

Business and, in his view, the application should be supported, with the business having been operating for 20 years and when the application came before the committee in May, it was deferred to give the applicant the opportunity to answer three questions, and the agent and applicant have provided the information. He expressed the opinion that anybody who wishes to put a house and another building as well as employing other people in the current uncertain world are very brave people and feels that this type of application should be supported and the Council should be looking to set aspirations at a higher level. Councillor Connor added that this type of business starts off by employing a small number of people and then increases that number, making the point that looking forwards, the business owner may look to expand further and may wish in the future to add a further building and employ further staff, which is what Fenland wants to see, and he is in total support of the application. He explained that he used to have a business, he did not live on site but once the night watchman lived on site it meant that it stopped 99% of any thefts and feels that to have somebody living on the site is the best deterrent.

- Councillor Benney stated that he agrees with the points made by Councillor Connor, and he added that there have been several local businesses who have suffered from thefts over recent weeks, with CCTV only demonstrating what has happened and does not stop incidents from taking place. He stated that he was one of the members who requested the deferment previously as he does not know the applicant or the family and he had no proof that there was a business on the site and this additional information has now been submitted. Councillor Benney added that as a result of thefts businesses cannot work for a period of time until the equipment which has been stolen is replaced and security is a very large consideration. He expressed the view that anybody who is looking to invest money in any kind of business and in the current climate should be fully supported and as a Council he believes that is what should be happening.
- Councillor Marks stated that the committee have also in the past given permission for another carpentry business to have a workplace dwelling on their site to assist with security. He added that he also recalls that a second property was also given planning permission and, therefore, the committee need to be consistent with their decisions making.
- Councillor Connor stated that he recalls the committee also approved two applications in Manea and the committee need to be consistent.
- Councillor Sennitt Clough stated that the officers report refers to the proposal failing under LP12 of Local Plan when considering the need and, in her view, the need has been demonstrated both in the members debate and from the agent and applicants' presentation.
- Councillor Mrs French stated that she agrees with the views of Councillors Marks and Benney as she is aware that there are local businesses who have suffered from break ins over the last few weeks. She added that she agrees that if you live on site, it is far more beneficial, and she will support the application.

Proposed by Councillor Marks, seconded by Councillor Mrs French and agreed that the application be GRANTED against the officer's recommendation with delegation given to officers to finalise the conditions in consultation with the Chairman, proposer and seconder.

Members do not support the officer's recommendation of refusal as they feel the application should be approved on security and economic growth grounds, they do not feel that the dwelling will be detrimental or look out of place and that going forward applications such as this should be approved as Fenland is Open for Business, and this is a 24 hour out of hours business, which is in the correct location.

(Councillor Mrs French declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of March Town Council but takes no part in planning)

(Councillor Gerstner left the meeting following the determination of this item)

**UPDATE ON PLANNING APPLICATION F/YR24/1000/F AND RELEVANT
STATUTORY DUTIES
LAND WEST OF 27 NORFOLK STREET ACCESSED FROM MORLEY WAY,
WIMBLINGTON
ERECT 5 DWELLINGS WITH ASSOCIATED GARAGES AND THE FORMATION
OF AN ATTENUATION POND**

Matthew Leigh explained that the application was presented to the committee originally on 28 May 2025 and only those members who were present at that meeting can take part in any discussion or voting.

Tom Donnelly presented an overview of the application to the committee.

Matthew Leigh explained that a letter has been received in relation to the debate and the decision that members made at meeting in May and with this in mind the item has been returned to the committee for consideration. He explained that the officer's report provides some of the key considerations in relation to heritage and legislation as well as the National Planning Policy Framework (NPPF), Planning Policy Guidance along with the actual consultation response and the applicants statement which have been attached as appendices. Matthew Leigh made the point that officers are conscious of the current situation and whilst members can make an informed decision based on the planning merits of the scheme, the report highlights the various considerations that members need to be aware of when making a decision on the application. He asked members to reconsider their position and decide whether they still consider that the granting of planning permission is still appropriate.

Councillor Marks expressed the opinion that the committee need to reflect on the officer's report and there are a couple of salient points which require a debate in order that the committee can ascertain further steps with the two points being taken into consideration.

The Legal Officer explained that she is not going to refer to the advice which the committee have received on the specific application as that has been included in the confidential appendices. She made the point that she wishes to set out the procedure and the process which the committee needs to work through in order to reach their determination.

The Legal Officer explained that the starting point is Section 66 of the Planning Listed Buildings and Conservation Areas Act 1990, with that legislation stating that in considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority should have special regards to the desirability of preserving the building or its settings or any features of special architectural or historical interest. She explained that case law has subsequently clarified that what that means is that the Planning Committee must give considerable weight to the desirability of preserving the setting of the Listed Building and that is a point for the committee to note that there is an obligation to attach considerable weight to the significance of the Listed Building and to the preservation of it.

The Legal Officer made the point that with regards to how the committee go about determining an application, members should initially consider Paragraph 213 of the NPPF, which states that when considering the impact of a proposed development on the significance of a designated heritage asset then great weight should be given to the assets conservation and that really reflects the statutory requirement. She added that it then goes on to say that this is irrespective of whether any potential harm amounts to substantial harm, total harm or less than substantial harm to its significance, with the NPPF then diverging depending on where you come down on the significance of the harm to the heritage asset.

The Legal Officer added that the first aspect she would suggests that the committee consider is

how significant they consider the harm to be to the heritage asset in question, with there being four options to consider which include total loss of the asset, substantial harm, less than substantial harm or the committee can conclude that there is no harm at all. She added that case law clarifies that what amounts to substantial or less than substantial harm inevitably is very fact specific, with it coming down to the individual circumstances in a particular application and it is inevitably a matter of fact, degree and a matter for the committee's judgement.

The Legal Officer explained to the committee that once they have settled on the significance of the harm, the committee then need to balance the harm against the public benefits associated with the development. She advised the committee that there are subtly different tests that apply depending on the level of harm that the committee conclude and she advised the committee that they need to firstly take into consideration, the weight to be attached to the significance of the asset and the potential of harm to it.

The Legal Officer stated that whether the committee considers that this application would result in the total loss of the Listed Building, substantial harm to the Listed Building or its setting, less than substantial harm to the Listed Building or its setting or not harm at all to the building or its setting.

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

- Councillor Sennitt Clough stated that when the application came before the committee previously, she supported the officer's recommendation although it was a difficult decision following a lengthy debate and she added that at that time several points were raised with regards to the harm. She added that she has considered the points made by the Legal Officer and also considered the photograph shown on the presentation screen and, in her opinion, she feels that the proposal would result in less than substantial harm to the Listed Building. Councillor Sennitt Clough stated that she is still going to go with her original decision which was to go with the officer recommendation to refuse the application.
- Councillor Benney stated that members have all had the opportunity to consider the confidential aspect of the officer's report and acknowledged that listed buildings do need to be looked after but the setting is an important factor to be considered and, in his view, the setting of the building is not going to change the status of the Grade 2 Listed Building. He expressed the opinion that he does not see that there is any harm at all regardless of whether it is substantial or minimal, it will not harm the setting of the Grade 2 Listed building as it is on its own land and is not encroaching onto its land. Councillor Benney added that the distance from the houses is 32 to 36 metres at its nearest point, and the house will remain, and its gardens and grounds will remain the same. He added that in the pre-meeting the example was provided by officers who explained that if it was a castle it would be different, however, this is not a castle it is one house in Wimblington. Councillor Benney made the point that he does feel that the proposal affects the setting of the Listed Building at all.
- Councillor Mrs French stated that she agrees with Councillor Benney and added that if the Listed Building was the other way around then she would not support it. She made the point that she will support the approval of the application as she does not believe that there is any substantial harm which is going to be caused to the Listed Building.
- Councillor Marks referred to the presentation screen and expressed the opinion that the fence could be erected at any time and as a result the view would be blocked from the property, with it being actually the back of the house not the front which is shown in the photograph. He added that if you look from the front then there are other properties which can be seen both to the left and the right. Councillor Marks added that he does not see any harm at all and if the fence was erected and the houses were not there then the view would still be taken away. He made the point that the properties themselves are going to be located between 32 and 36 metres away from the actual dwelling itself and he does not see any harm which is going to be caused.
- The Legal Officer asked the committee to clarify whether their decision is that there is less than substantial harm or no harm at all in order that she can provide further guidance.

- Councillor Benney expressed the opinion it does no harm. Councillor Mrs French agreed.
- Councillor Sennitt Clough expressed the view it is less than substantial harm.
- Councillor Marks expressed the view it does no harm.
- The Legal Officer stated if the majority of the committee believes that there is no harm at all to the heritage asset then there is no need to turn to consider the public benefits as the Section 66 duty is only engaged in circumstances where there would be harm to the Listed Building or its setting. She added that it really draws and concludes the consideration of the heritage impacts to a close.
- Councillor Benney stated that the application before the committee brings forward homes and he added that there have been other applications which the committee have considered which have included Listed Buildings and those applications have been approved, making the point that the committee are only having to revisit the application again due to the fact that the Council have received a letter. He expressed the opinion that as a councillor he does not like to be threatened and whilst people are quite entitled to challenge him on his views, a threat will not change his opinion and he will not take it as such and will stand by the decision he made before as there is no new information which has been provided which would make him reconsider his original decision and he will still vote to approve the application for the construction of the five dwellings.
- Councillor Mrs French stated that she agrees with Councillor Benney, and she made the point that to receive a letter of threat is not acceptable. She explained that she has been a member of the Planning Committee for many years and whilst the committee might not agree with what officers have stated but for members to be threatened, in her view, is totally unacceptable.
- Councillor Benney stated that a threat of a Judicial Review is a legal process, and a decision notice will be required to commence the Judicial Review which he is aware can be a very costly exercise. He added that should a Judicial Review be taken against the Council then it will deal with that accordingly.
- Councillor Marks stated that it is his understanding that whatever decision the committee make today then officers will issue the decision notice.
- Matthew Leigh explained that as a letter was received it is the Council's responsibility to inform the committee as it may be something which would change their opinion. He added that should the committee come to the same conclusion then that decision has been made by the committee considering all the information provided to them.

It was proposed by Councillor Sennitt Clough to refuse planning permission, however, that proposal was not supported by the committee and therefore failed.

Proposed by Councillor Benney, seconded by Councillor Mrs French and agreed that the application be GRANTED against the officer's recommendation with authority delegated to officers to apply conditions.

Members do not support officers' recommendation of refusal of planning permission as they feel it will not detrimentally harm the setting of the Listed Building, and they feel it does not need any public benefit with there being sufficient space around it.

(Appendix 3 to the report involved the disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))

(Councillor Connor took no part in the item in its entirety as he was not present at the meeting when the application was originally determined. Councillor Marks chaired this item)

P39/25

F/YR25/0328/F

**UPDATE ON PLANNING APPLICATION F/YR25/0328/F AND RELEVANT
STATUTORY DUTIES
108 HIGH STREET, MARCH**

ERECT 1 X SELF-BUILD/CUSTOM BUILD DWELLING INVOLVING DEMOLITION OF SHED WITHIN A CONSERVATION AREA

Matthew Leigh explained that this application has been returned to the committee because officers feel it has similarities to the previous application. He advised members that the application came before the committee on the 25 June for a new dwelling and it had two recommended reasons for refusal, one in relation to the impact on the Listed Building and one in relation to access issues and highway matters.

Matthew Leigh added that at that meeting members resolved to grant planning permission and the reason this has now come back to the committee is because officers consider that the legal advice which has been received is directly applicable and relevant to this application. He added that because of that advice it was thought to be appropriate to bring it forwards for the attention of members.

Matthew Leigh explained that the application is still recommended for refusal, however, members acceptance and consideration that there are no issues in relation to the access and the highway has fallen away from the officer's recommendation due to the fact that they are minded of the resolution of the committee. He added that the application has been brought back to the committee in relation to the impact on the Listed Building because of the consistencies with the previous application.

Matthew Leigh added that only those members who were present at that meeting can take part in any discussion or voting.

Kimberley Crow presented an overview of the application to the committee.

The Legal Officer explained that it is important for members to consider the potential harm to the heritage asset of the Listed Building whilst bearing in mind their duty under the Section 62 legislation. She added that members need to consider whether in their view any potential harm to the Listed Building would amount to total loss, substantial harm to the building or its setting, less than substantial harm to the building or its setting or no harm at all.

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

- Councillor Mrs French expressed the opinion that there is no harm whatsoever to the Listed Building as the proposed dwelling is located a fair distance from the existing dwelling.
- Councillor Benney stated that he agrees with Councillor Mrs French and added that he had stated on the previous occasion that the proposed dwelling would cause minimal harm, however, having reread all the reports and associated information he is now of the opinion that there is no harm. He added that he fails to see the similarity between this application and the earlier application which members reconsidered, with this application being for one back land dwelling whereas the other application is for five dwellings and he fails to see what the differences and similarities are. Councillor Benney made the point that he does not believe that the proposal will cause any harm to the Listed Building because of the distance between the two properties.
- Councillor Sennitt Clough stated that she had originally considered that there would be less than substantial harm which in turn meant that she was considering the possible public benefit. She added that previously she had mentioned viability as, in her view, Listed Buildings need to be preserved and whilst at the previous meeting she had considered the fact that the owner needed to move into a smaller dwelling, she had concerns about the viability of the Listed Building. Councillor Sennitt Clough expressed the view that it is her understanding that no viability has come forward with the application and, therefore, she feels that she has no option but to go with the officer's recommendation in light of the lack of information relating to viability coming forward.
- Councillor Marks stated that he does not see the proposed dwelling having any detrimental

effect on the Listed Building as it cannot be seen. He expressed the view that the building is located 60 metres or so back from the other property and there are other buildings closer to the Listed Building including the Public House and it could be said that the Public House detracts from the Grade 2 Listed Building as well. Councillor Marks stated that he is of the opinion that he will go against the officer's recommendation.

- Councillor Benney made the point that the officer's recommendation appears to be based on the views of the Conservation Officer and conservationists like to conserve things. He added that there are no objections to the proposal and whilst he accepts the professionalism of the Conservation Officer it is only their opinion and he has a different opinion.

It was proposed by Councillor Sennitt Clough to refuse planning permission, however, that proposal was not supported by the committee and therefore failed.

Proposed by Councillor Mrs French, seconded by Councillor Benney and agreed that the application be GRANTED against the officer's recommendation with authority delegated to officers to apply conditions.

Members do not support officers' recommendation of refusal of planning permission as they feel the proposal will not detrimentally harm the setting of the Listed Building.

(Appendix 2 to the report involved the disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))

(Councillor Connor took no part in the item in its entirety as he was not present at the meeting when the application was originally determined. Councillor Marks chaired this item)

(All members present declared that the applicant is a fellow councillor, but they do not socialise with him and will consider the application with an open mind)

(Councillor Mrs French declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of March Town Council but takes no part in planning)

P40/25 CONFIDENTIAL: PREVIOUS MINUTES

The confidential minutes of the meeting of 23 July 2025 were confirmed and signed as an accurate record.

2.55 pm

Chairman