

# PLANNING COMMITTEE



**WEDNESDAY, 6 AUGUST 2025 - 1.00 PM**

**PRESENT:** Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French and Councillor E Sennitt Clough, Councillor P Murphy (Substitute)

**APOLOGIES:** Councillor R Gerstner and Councillor N Meekins,

Officers in attendance: David Rowen (Development Manager), Stephen Turnbull (Legal Officer), Jo Goodrum (Member Services & Governance Officer) and Gavin Taylor (Principal Development Officer)

**P31/25**

**F/YR22/1256/F**

**LAND NORTH EAST OF MEADOWGATE ACADEMY ACCESS FROM SANDY LANE, WISBECH**

**HYBRID APPLICATION: FULL PLANNING PERMISSION FOR THE ERECTION OF 294 X DWELLINGS WITH ACCESS OFF SANDY LANE, PUBLIC OPEN SPACE, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE. OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS FOR A COMMUNITY HUB/LOCAL CENTRE COMPRISING CONVENIENCE STORE 300 SQ M, OTHER RETAIL/SERVICES/HEALTH 200 SQ M, PARKING/SERVICING, PLAY AREAS/OPEN SPACE, 60 X BEDROOM CARE HOME/EXTRA CARE ACCOMMODATION AND RESIDENTIAL DEVELOPMENT**

Gavin Taylor presented the report.

Members received a presentation, in accordance with the public participation procedure, from John Jowitt who addressed the committee on behalf of the Agent. Mr Jowitt explained that the scheme marries with the Seagate Homes development which the committee approved earlier in the year, with the current application being vital to the delivery of the entire site. He stated that the allocation including the earlier approval principally through the major road works to the east that will come forward as part of the scheme.

Mr Jowitt added that the application has had the added complications of four authorities being involved due to the split nature of the site and he thanked officers for all their help. He explained that the technical challenges which have been experienced have affected the viability of the scheme with the key challenges being the access points and the presence of a high-pressure gas main across that element which needs to be diverted, with the adjacent drainage ditch also being a key issue in the area as well as the need to relocate other services such as telegraph poles and safety barriers.

Mr Jowitt added that as well as the social infrastructure provided on the Seagate site such as education there are a considerable number of shop and healthcare opportunities. He made the point that there has been a limited number of objections given the size of the scheme and there have been no statutory objections.

Mr Jowitt stated that the proposal results in benefits including the delivery of housing including the focus on elderly care accommodation on the allocated housing site in outline as well as community

facilities and amenities. He explained that a significant area of trees are being protected, and the site will include areas of open space and with transport infrastructure upgrades it will not only benefit the site but will benefit businesses and residents.

Members asked Mr Jowitt the following questions:

- Councillor Mrs French stated that she is disappointed to see the lack of Section 106 contributions with the planning application as well as no affordable homes. She asked Mr Jowitt whether there was likely to be any contribution towards education? Mr Jowitt stated that he does not believe that any contributions will be made. Gavin Taylor added that through the viability assessment included in the officer's report and presentation it states that due to primarily the significant upfront infrastructure costs necessary to deliver the scheme it was decided that it will not be viable to secure contributions for social infrastructure or affordable housing.
- Councillor Connor stated that he agrees with the views of Councillor Mrs French that the lack of contributions is disappointing. He made the point that the committee have approved the development of a school recently for six hundred places for children and for children with additional needs and with an additional 294 houses and an average of two children per dwelling then the whole allocation of places for the newly approved school will be used. Councillor Connor expressed the view that things are moving backwards instead of progressing as far as infrastructure is concerned and it should not be allowed to continue.
- Councillor Sennitt Clough asked Mr Jowitt to confirm at what point were the upfront costs realised and foreseeable to the developers? Mr Jowitt stated that the key issues are the points with regards to access into the site which is a considerable cost and the original policy requirements considered the potential for a roundabout into the site but following discussions it was deemed not to be necessary because had the roundabout been provided then the viability would not have worked at all. He added that he appreciates that it is disappointing that more infrastructure cannot be provided and the issue of viability has been discussed with officers and independently assessed by the Council. Mr Jowitt explained that within the proposal there is a review mechanism within the proposed conditions at 80% occupation which states that any surplus which is found along the way can be then used for appropriate contributions. He explained that the Broad Concept Plan (BCP) documentation did make the point itself that the viability at the start of the development was likely to be difficult due to the costs of developing a green field site with the access issues.
- Councillor Sennitt Clough asked Mr Jowitt to clarify at what point was it realised that the costs were going to be prohibitive and would, therefore, affect all the contributions? Mr Jowitt stated that at the time that the application was made, the viability assessment was submitted and the viability got worse due to the discussions over the access point. He explained that the applicants' consultants considered that a major junction improvement considered by the policy was not required. Mr Jowitt stated that it was sought by the County Council, and he explained that a negotiated approach reduced the requirements and the costs but unfortunately it has not improved anything from the viability appraisal which was submitted with the application.
- Councillor Marks stated that with regards to viability he has heard that there is no money available for Section 106 contributions at the present time and he questioned why the planning application is being progressed if that is the case. He expressed the view if it is not viable then it does not make business sense to do something which is not viable. Councillor Marks stated that there must be a profit made at some point otherwise an application would not have been made, and the profit should negate back to Section 106 monies as well. Mr Jowitt stated that the issue is not that there is no profit at all because if there was no profit then there would be no reason to develop but there does need to be sufficient profit in any scheme. He explained that the issue is that there is an agreed level of profit above which any additional monies should go towards contributions and that is the basis on which the independent appraisers who are appointed by the Council assess the viability.
- Councillor Mrs French questioned that if the application were to be approved are there any homes which will be affordable dwellings or are they all going to be market price? Mr Jowitt

stated that there will not be any affordable units as it is a market scheme.

- Councillor Sennitt Clough stated that the provision for elderly accommodation is mentioned a number of times throughout the officer's report and formed part of the presentation, but it is not part of the committed scheme as it is outline. She asked Mr Jowitt to explain how realistic is it that the accommodation referred to will be delivered when taking into consideration the points which have been raised? Mr Jowitt explained that the basis of the scheme that was submitted as part of the outline was discussed with various elderly accommodation providers including the number of units and it was based on discussions that had taken place with those providers. He added that no provider will commit to the development until planning permission is given but he is aware that there are two companies interested to progress and move the scheme forward. Mr Jowitt explained that the provision of elderly accommodation does meet the specific need which is identified in the area.

Members asked officers the following questions:

- Councillor Mrs French asked what contributions are going towards Kings Lynn and West Norfolk Borough Council (KL&WN) with regards to CIL. Gavin Taylor stated that he is not certain of the CIL arrangements operated by KL&WN but through any discussions he has had with them, any properties that have come forward which sit within their boundary would be CIL chargeable which is calculated on floor space. He added that any of the outline elements which have not come forward will require a CIL charge to be secured as well if they are CIL applicable.
- Councillor Marks stated that with regards to the point made concerning the roundabout and the fact that had it been there it would have made the proposal unviable. He added that comments are often received by the Highway Authority with regards to road safety and he asked what the initial idea was concerning a roundabout and why now has it been discounted? Stuart Blake, from Norfolk County Council's Highways Team, explained that when he reviewed the planning application, he was only presented with a priority junction for the site and that is what he has based his consideration on. He added that he is aware that the land which comes forward as part of the allocation to the north may bring forward a roundabout in the future. Stuart Blake expressed the opinion that when considering this development on its own it is not felt that a roundabout would necessarily be required for the level of traffic that will be coming into it especially when considering the access off Broadend Road to the east as well. He added that if further development to the north does come forward then it is certainly something that highways would consider.
- Councillor Marks stated that appears to conflict with the point made by the Agent who had advised the committee that initially there was a roundabout proposed at the start and, at Planning Committee, road safety is always the primary consideration as opposed to what could happen in the future. He expressed the view that Norfolk Highways appear to differ with the Highways in Cambridgeshire because, in his view, it sounds as though the roundabout was discounted because on financial grounds as opposed to anything else. Stuart Blake stated that he did not see any proposals for a roundabout on Sandy Lane for the site access when the planning application was initially reviewed. He added that he is aware that there could be a roundabout that will come forward, however, he is not clear as to whether that would be part of the access for this development or if amendments were to be made to the access of the Seagate Development. Stuart Blake confirmed that he has not seen any proposals for a roundabout on Sandy Lane whilst he has dealt with this planning application.
- Gavin Taylor explained that the discussion which has taken place with regards to roundabouts was the original roundabout which was proposed potentially on the A47 at the junction of Broadend Road. He explained that over the years that has been a project-based discussion with regards to a potential roundabout being located on the A47 to mitigate impacts of development. Gavin Taylor added that this would have been through discussion with National Highways and that would have had a cost impact which would have meant a significant impact on viability though. He made the point that following discussion with

National Highways they have accepted that a roundabout is not required at this time and a travel plan of mitigation will be sufficient to deal with impacts of the development. Gavin Taylor added that because of the views of National Highways it did mean that the development was, therefore, in a potentially viable position of being able to secure some contributions and affordable housing but as a result of further discussions concerning the transport impacts, Norfolk County Council Highways Officers have identified that the Broadend Road works are necessary and those works are significant. Gavin Taylor referred to the timeline where originally there was the potential roundabout at a cost £1.5 to £2 million pounds, however, those monies are now removed enabling them to be reinvested into the scheme to potentially provide for social infrastructure. He added that, through further assessment of transport impacts, the Broadend Road works have been identified and are required to be undertaken which will cost in the region of £1.5 million to £2 million pounds which has eradicated the viability in terms of being able to contribute towards social infrastructure and affordable housing. Gavin Taylor explained that is the current position and the scheme has evolved through the last three and a half years starting with the need for a roundabout with the decision being taken that it would not be required and now the conclusion being that the Broadend Road works are needed.

- Councillor Marks asked for clarification that there are two different roundabouts which have been referred to with one initially being referred to on the A47 and now Stuart Blake from Norfolk County Council Highways has advised that it is a roundabout which is closer to the site and not off of the A47.
- Shane Luck, from Cambridgeshire County Council Highways, explained that the planning application has only ever proposed a priority junction onto Sandy Lane, with the BCP for the allocation referring to a four-arm roundabout on Sandy Lane for the purpose of safeguarding access to the land parcel to the north. He stated that through the application the applicant has demonstrated that access to the north could be safeguarded in another form, negating the underlying reason for the roundabout being proposed in the BCP on Sandy Lane originally.
- Councillor Murphy referred to the non-viability of the application, and he asked officers why they are not surprised that there is no money available for S106 contributions from anybody as that has always been the case for many years. David Rowen stated that officers are not particularly surprised about the situation and in the officer's report as well as the agent's presentation, the BCP for this strategic allocation has always raised the issue of viability being extremely marginal particularly on the earlier phases of delivery where infrastructure would be needed. He added that to some extent the application which members are determining is almost entirely consistent with how the BCP envisaged viability.
- Councillor Sennitt Clough referred to the 80% occupation late-stage viability test, and she asked officers how the figure of 80% is determined? Gavin Taylor explained that the viability consultant has recommended that 80% is a reasonable percentage figure of occupations as by that time there would be sufficient delivery of properties and occupations in order to get an understanding of what the profit margin is looking like in reality compared to what has been modelled in the viability. He explained that it would be difficult to do that at early stages and as this is a build out which could take many years it is considered that 80% of occupations based on the quantum is a reasonable point of when a reasonable idea can be achieved as to what sort of profits are being made against house prices at that time versus build costs.
- Councillor Mrs French asked for confirmation on the number of car parking spaces which are going to be included for the 294 proposed dwellings. Gavin Taylor stated that the three bedroomed properties will have 2 parking spaces, four bedroomed properties there will be 3 spaces, two bedroomed properties will have 2 spaces, and one-bedroom properties will have a single space plus provision for visitors. He explained that the parking provision accords with the Council's parking standards.

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

- Councillor Mrs French stated she is not shocked or surprised as the BCP has been in place

for several years, with the application not including any affordable housing, no education contributions, nothing for the NHS and Sports England have commented that there are no contributions for them. She expressed the view that it appears that the only person who is going to benefit from the application is Norfolk County Council due to the road improvements. Councillor Mrs French stated that recently the committee approved a new school for Wisbech and with the likelihood of 588 additional children living in this development, in her view, all that school allocation of places will be used up. She added that the developers will make profit but give nothing back to the local community and she is not happy with the proposal.

- Councillor Marks expressed the view that the developer only seems to be interested in themselves and not for Wisbech and the surrounding area. He added that if the application is approved, it will mean that Wisbech will suffer from several issues including education and health. Councillor Marks expressed the view that it would have been nice for the developer to have offered something at the start of the development as opposed to 80% which could be several years away and when Fenland District Council is no longer in existence. He expressed the view that he is very undecided about the application as he believes that if approved then further issues are going to be created in the future which he feels should be stopped today.
- Councillor Benney stated that the application is policy compliant, and the committee have no grounds on which to refuse it. He added that officers have made the correct recommendation and the site forms part of the BCP meaning that there is 80% to 90% certainty that the land will be built on. Councillor Benney stated that faults can be found with the scheme and with regards to viability whilst contributions would be welcomed there is the need to work with the policies and the constraints that are in place. He expressed the view that should the committee choose to refuse the application then it is likely to go to appeal. Councillor Benney added that he welcomes the housing in Wisbech as March has 2500 homes planned, Chatteris 1700 homes and as Wisbech is the biggest town in Fenland it should have more housing than it has. He questioned where the children and grandchildren of the residents who live in Wisbech expect their children to live if there are no houses built. Councillor Benney expressed the view that he understands the concerns over the lack of school places, but the committee and officers must work with the constraints put before them and, in his opinion, officers have made the correct recommendation, and the application needs to be approved.
- Councillor Connor added that Whittlesey has already had a fair share of new homes and looks likely to have more development going forwards as have the villages of Manea, Wimblington and Doddington.
- Councillor Connor stated that he is disturbed that there is no infrastructure and he finds it difficult to envisage. He added that he concurs with the point made by Councillor Marks that if approved, there will be problems created for the future, however, the application is policy compliant.
- Councillor Sennitt Clough stated that the Local Plan and the National Planning Policy Framework require housing as a core component and, in her view, the application is leaning on early-stage viability constraints to create further scope in the future. She added that officers and the agent have provided an explanation, and she appreciates that there are upfront costs but concept plans often highlight potential cost pressures but that does not equate to automatic exemption. Councillor Sennitt Clough stated that she has concerns because in the future it could set a precedent for other large developments.
- Councillor Marks stated that he agrees with Councillor Benney that the application is policy compliant and the officers have worked tirelessly to bring the application forward and to provide a good solid report. He added that the issue he has is with the developers who, in his view, are trying to shy away from a commitment by stating at the current time that the application is not viable for Section 106 monies. Councillor Marks added that he has concerns that they have stated that at 80% occupancy then they will review the financial situation. He made the point that he agrees with Councillor Benney that Wisbech does need homes and children do need school places but now it is only properties that are being

proposed with no additional funding. Councillor Marks added that in Chatteris and March, there have been applications where there has been Section 106 money and affordable homes but, in this case, there is uncertainty as to whether any additional monies will come forward in the future. He expressed the view that officers have presented an exceptionally good report and the application is compliant, however, he does have issues with the developer who should be looking at the application a little closer.

- Councillor Benney stated that the developers work with the policies and procedures in place and if the developer cannot make profit then he will not build the houses and when considering the changes coming forward to Local Government and to planning, in his view, there may be an issue of landowners who are going to be prepared to bring their land forward. He stated that the costs of applying to planning and getting it through the planning process are increasing and, in his view, the changes are going to have an impact. Councillor Benney made the point that the application will provide work for local people, and he knows of a development of seven bungalows which is going to provide three years' work for fifteen men, with this application bringing a great deal of employment opportunities to the Wisbech area. He added that the viability document which was approved is a live document and it stated that developers do not pay any sort of contributions north of the A47. Councillor Benney added that he is unsure as to what weight the document carries and it can be interpreted in different ways but that is why there are no contributions associated with the development. He added that Wisbech is a cheap area, and he questioned how much an already discounted area can be discounted even further. Councillor Benney stated that build costs will be the same regardless of where they are built in terms of materials and labour costs will be the same, with it being the land values that set the profit and what you can achieve for them and with a low retail price on the houses, that is where the viability issue falls over and that is why the money is not coming forward. He added that the people who live in Wisbech who have children and grandchildren need somewhere to live and they should not be made to move to Norfolk or Lincolnshire to find a home if they wish to live in Wisbech they should be able to and that is why the houses are needed.
- Councillor Marks stated that he does not disagree with any of the points made by Councillor Benney and whilst he agrees that employment is a major factor to consider so is quality of life going forwards when considering school places or the inability to get a GP appointment, which is what he is considering for the future. He expressed the view that Norfolk is going to gain and Fenland is not.
- Councillor Mrs French stated that the application is policy compliant, and referred to LP8 of the Local Plan explaining that the BCP was approved several years ago, with it also being agreed that anything north of the A47 would not get any affordable housing. She made the point that she is not happy with the application, but it is policy compliant.
- David Rowen stated that when looking at both sides of the viability argument, recognising that the application is a policy compliant scheme as the officer's report sets out, it is recognised that there is a lack of viability. He explained that when looking at the planning balance the conclusion is that the negative element to the application is balanced out by the delivery of the housing and the potential unlocking of the wider allocation and the benefits that it brings as well as the road improvement works.

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