

# PLANNING COMMITTEE



**WEDNESDAY, 10 OCTOBER 2018 - 1.00 PM**

**PRESENT:** Councillor A Miscandlon (Chairman), Councillor S Clark (Vice-Chairman), Councillor Benney, Councillor D Connor, Councillor S Court, Councillor Mrs M Davis, Councillor Mrs D Laws, Councillor P Murphy, Councillor Mrs F Newell, Councillor W Sutton and Councillor Mrs S Bligh,

**APOLOGIES:** Councillor Mrs A Hay,

Officers in attendance: Jo Goodrum (Member Services & Governance Officer), Nick Harding (Head of Shared Planning), David Rowen (Development Manager) and Stephen Turnbull (Legal Officer)

## **P32/18      PREVIOUS MINUTES**

The minutes of the meeting of the 12 September 2018 were confirmed and signed.

## **P33/18      F/YR16/1168/F 10 DWELLINGS LAND NORTH EAST OF 53 THE CHASE LEVERINGTON,ERECTION OF 10NO DWELLINGS COMPRISING OF 4 X 3- STOREY 6-BED; 1 X 3-STOREY 5-BED, 2 X 2-STOREY 5-BED AND 3 X 2- STOREY 4-BED WITH GARAGES**

The Chairman advised Members that this item had been withdrawn from the agenda.

## **P34/18      F/YR16/1170/O CFC DISPOSALS LIMITED, UPWELL ROAD, CHRISTCHURCH,WISBECH ERECTION OF UP TO 16 NO DWELLINGS (OUTLINE MATTERS COMMITTED IN RESPECT OF ACCESS)**

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

The Chairman advised Members that due to the lengthy update report, which Members had received, he would allow them five minutes to consider its content.

Officers presented the application to Members and referred them to the update report.

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

- Councillor Sutton stated that he would like to ensure that if the Section 106 contribution is agreed, the open space contribution should be ring fenced to Christchurch. He also commented that it is not achievable to obtain policy complaint levels of Section 106 monies.
- Councillor Mrs Laws commented that she has read the report thoroughly and stated that if the site is developed, it will improve the surrounding site and also the street scene for the residents in close proximity. She added that any decontamination works required on the site must be completed prior to any development taking place and, with regard to flood risk, it is essential that there is an adoptable drainage system in place and the relevant agencies are involved to

ensure it is adequate.

- Councillor Murphy commented that, in his opinion, it is development in the open countryside and, as Officer's have pointed out, it is all linear development on that side of the road. He stated that in the Fenland District Council Local Plan under Policy LP3, it states that 'development in small villages will normally be of a very limited nature and normally be limited in scale to residential infilling or a small business opportunity' and, in his view the proposal does not fit any of that criteria.
- Councillor Mrs Bligh commented that houses will be an improvement to what is currently on the site and although it is out in the open countryside it will enhance the area. She stated that she agrees with Councillor Sutton with regard to the Section 106 contributions being ring fenced to the village, so that the residents benefit from those monies, and would be happy for the application to be approved subject to the Section 106 contributions.
- Officer's stated that the open space contribution would need to be identified for a particular use and would need to be within Christchurch.

**Proposed by Councillor Sutton, seconded by Councillor Connor and decided that the application be APPROVED as per the Officer's recommendation.**

**P35/18**

**F/YR18/0159/O**

**LAND EAST OF, STOW LANE, WISBECH, CAMBRIDGESHIRE**

**ERECTION OF UP TO 28NO DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)**

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

Officers presented the report to Members and informed them that no updates had been received.

Members received a presentation in accordance with the public participation procedure, from Gareth Edwards, the applicant's agent.

Mr Edwards stated that the proposal is for a maximum of 28 dwellings and would be accessible for vehicles by a small extension to the public highway on Stow Lane, with this section of road already being used by existing dwellings on Stow Lane and four of these will remain beyond the proposed access point. He stated that the proposal includes pedestrian and possibly cycle routes through the site to connect Stow Lane to Quaker Lane and could review the provision of further cycle and pedestrian routes to other areas if a condition was requested.

Mr Edwards stated that an access point from Quaker Lane had been considered, however, this did not meet the required visibility splay requirements due to a tree obscuring the view and the provision of a footpath through the site to link with the public highway at Quaker Lane will allow access to the town centre facilities, school and college. He expressed the view that there have been no technical issues with the application, which is supported by Wisbech Town Council and is also within flood zone 1.

Mr Edwards expressed the opinion that this site fits with the existing build form of the area and will not impact on any future development in the area. He stated that all aspects raised by Highways will be dealt with as part of the reserved matters stage and the proposal will retain the majority of the existing hedges and trees and further planting will also be incorporated. In his view the proposal will be of interest to local small and medium sized developers due to size of the development as it will not have the cost implication of larger sites which would require greater infra-structure, and the benefit of local developers is that they have a tendency to use local professionals and trade and builders merchants, which will promote jobs and is also a benefit to the local economy.

Mr Edwards stated that if the application is supported, then the absence of the Section 106 contribution could be reassessed, this has not been included to date to save the associated costs to both the applicant and Fenland District Council. He stated that the proposed site has not been farmed for many years due to its shape, with the proposal maintaining all the existing natural boundaries, whilst allowing access through, and will provide 28 dwellings which will go towards the 5 year land supply and will not impact on any future development in the area.

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

- Councillor Mrs Laws commented that she has read the Officer's report and, in her opinion, this development will change the character of the area, due to the increase in traffic. She referred to the Broad Concept Plan (BCP) which has been approved and is only 12 to 18 months away from commencement, stating that under LP7 it seeks to safeguard and enhance Stow Lane both for pedestrians and cyclists, identifying Stow Lane as a quiet country lane and, therefore, in her opinion, she agrees with the Officer's recommendation for refusal.
- Councillor Connor stated that he is pleased that the BCP is only 12 to 18 months away from the planning process and he feels that the area and landscape should be left as it is.
- Councillor Mrs Bligh stated that it is a very quiet lane and the increase in traffic from the 28 proposed homes will impact on the existing residents. She questioned why the proposal is not connected to the BCP and she cannot see any benefit to the proposal agreeing with the Officer's recommendation.
- Councillor Sutton stated that, in his opinion, if approved, the site would be deliverable almost immediately and it would not impede on the BCP. With regard to the BCP, he expressed concern that it is communities that are supposed to be being developed, not homes and we should be building homes and communities and ensuring the current dwellings are not isolated from the rest of the area. In his opinion the location of the proposal is acceptable, if it had been in the middle of the BCP area it would not have been appropriate but the proposal of 28 homes will go towards the 5 years land supply issue and he believes the application should be approved.
- Councillor Murphy stated that it is a piece of land that will be developed, however, it should not be developed piecemeal.
- Councillor Mrs Laws stated that with regard to the 5 year land supply as of March 2018 the Authority had supplied 5.9 years and our target should be 760 per annum. The figure of completions as per April 2018 is 550 dwellings, so although we have to be mindful of the land supply issue it should not be considered in this case.

**Proposed by Councillor Mrs Laws, seconded by Councillor Connor and decided that the application be REFUSED as per the Officer's recommendation.**

**P36/18**

**F/YR18/0165/F**

**LAND NORTH AND WEST OF ELLIOTT LODGE, ELLIOTT ROAD, MARCH,CAMBRIDGESHIRE**

**ERECTION OF A SINGLE-STOREY RETIREMENT COMPLEX BLOCK COMPRISING OF 13 X 1-BED UNITS WITH COMMUNAL FACILITIES, AND A 1.1M HIGH (MAX HEIGHT) RAILINGS TO FRONT BOUNDARY INVOLVING DEMOLITION OF EXISTING DWELLING**

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

Officers presented the report to Members and informed them that no updates had been received.

Members received a presentation in accordance with the public participation procedure from Mr

Lee Bevens, the applicants Agent.

Mr Bevens stated that the applicant currently runs a retirement complex, Elliot Lodge, which is adjacent to the application site and one of the key aspects of the application is to relocate the community hub of the complex to a more central area, which would be on the ground floor with improved access for all residents. He advised Members that due to the increase in ownership of mobility scooters by residents in Elliot Lodge, there is now the requirement for storage and charging points for the scooters with this application considering the need for corridors to be able to accommodate mobility scooters.

Mr Bevens expressed the opinion that the new building has considered the needs of the residents, many of which have mobility issues, and it will be well lit as well as having good levels of natural daylight and provide a secure living environment. He stated that he has worked with Planning Officers to overcome issues and made design changes to make the best use of the site minimising the impact on neighbouring properties.

Mr Bevens stated that until recently the site was overgrown and, if approved, this brownfield site will be redeveloped. The relevant pre-commencement conditions for the application and the Section 106 contributions relating to affordable housing and commuted sum payments have been agreed with the new building having substantial community benefits for residents of both Elliot Lodge, being compliant with all Local Plan policies. He feels the proposal will provide a positive contribution to the economy of Fenland and be a positive addition to the area, including new employment opportunities.

Members asked Mr Bevens the following questions:

- Councillor Mrs Laws referred to the surface water strategic flood risk assessment within the Officers report, where it states that the applicant should liaise with Anglia Water and the Local Lead Food Authority (LLFA) questioning whether this has been done? Mr Bevens stated that he is working with consultants with regard to the surface water aspect and a satisfactory resolution will be reached which will probably result in a condition being added. Councillor Mrs Laws stressed that it is an important issue.
- Councillor Mrs Laws asked for clarification on what roof materials will be used? Officers confirmed that there is a condition on the application which states the colour of materials to be agreed.

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

- Councillor Connor stated, in his opinion, that it is a good application is not overbearing and he cannot see why March Town Council have recommended refusal. He would support the application, subject to soil testing, a drainage strategy being put in place and the liaison with Anglia Water concerning the flood risk issue as previously mentioned.
- Councillor Mrs Laws stated that Fenland has an aging population, the design proposed makes allowances for mobility scooters and wheelchairs and she welcomes the application.
- Councillor Mrs Bligh agreed with Councillor Laws that Fenland is an aging population and the application will serve to provide accommodation that is needed, will improve the area and is not over development. As long as the roof is in keeping with the surrounding area, she would support the application.
- Councillor Mrs Newell asked for clarification that the ecological and archaeological surveys will be completed and Officers confirmed that the surveys form part of the conditions.
- Councillor Sutton stated that he agrees with the proposal and would ask that the recommendation to grant subject to the Section 106 Agreement should have a time limit added to it of possibly 3 or 4 months. Councillor Sutton added that from the road the visual street scene appearance could be improved with a couple of false dormer windows.
- Councillor Mrs Laws stated that it is unfortunate that we are going against the views of March

Town Council;, however in her view this proposal will enhance the area.

- Councillor Sutton stated he has no issue with going against the views of March Town Council if they cannot bring forward a material planning reason for either approval or refusal.
- Councillor Court questioned whether March Town Council brought forward the issue of drainage being a problem with the proposal. The Chairman clarified that it is part of the conditions that the applicant has to approve a flood strategy with Anglian Water.
- Councillor Court commented that March Town Council have also stated that they believe the proposal is over development. The Chairman stated that Officers have considered that it is not over developed and if Members considered that it is, there needs to be a substantive reason to support that.
- Councillor Connor commented that there are no grounds for refusal demonstrated.

**Proposed by Councillor Murphy, seconded by Councillor Sutton and decided that the application be APPROVED as per the Officer's recommendation.**

*(Councillor Court registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a Member of March Town Council but takes no part in Planning Matters).*

**P37/18**

**F/YR18/0386/O**

**LAND WEST OF SUNSET ROOMS. STATION ROAD, WISBECH ST MARY, CAMBRIDGESHIRE**

**ERECTION OF UP TO 3 X DWELLINGS (OUTLINE WITH MATTERS COMMITTED IN RESPECT OF ACCESS)**

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 presented the application to Members and informed them that the recommendation is to grant planning permission incorporating the revised condition outlined in the update report.

Members received a presentation in accordance with the public participation procedure, from Mr Gareth Edwards, the applicants Agent.

Mr Edwards advised Members that the site has remained unused for some time, having been owned by several different owners over a period of time with the site already benefitting from approval of a bungalow, which is served from the existing entrance and, in his view the current proposal is a better use for the site and can provide an additional 2 dwellings. He made the point that the site lies within flood zone 1.

Mr Edwards stated that the access had originally served the Sunset Rooms, which originally housed 25 car parking spaces at the front with a further 100 spaces mostly accommodated on the proposed site, and the car park which serves the sports hall shows 22 spaces, but there is no formal layout on site, so it can be varied. In his opinion the proposal reduces the amount of vehicle movements on the existing access and drive and any issues of overdevelopment and overlooking can be addressed in the reserved matters application.

Members asked Mr Edwards the following questions:

- Councillor Mrs Bligh asked that for clarification over the ownership of the car park and asked whether it is that land which is proposed for development?. Mr Edwards stated that the car park will remain and the boundary shown is the boundary according to Land Registry.
- Councillor Connor commented that if the erected fence was the boundary there would be a greater number of parking spaces available.
- Officers highlighted to Members on the presentation slide, a fence which runs along a boundary

and the gravel car park which currently serves the sports hall. On the western side of the fence is the application site which Members are considering.

- Councillor Mrs Bligh asked again for clarification that the existing car park will not be affected and Officers reiterated that the application site is to the west of the fence and the car park will be retained.
- Councillor Connor asked whether the new fence that was observed on the site visit forms the boundary and will the gravel car park remain. The Chairman stated that the Agent had confirmed that as far as he was aware it would remain. The Chairman referred Members to the presentation slide which outlined the 22 car parking spaces and pointed out that there are substantial turning in and out facilities for vehicles.
- Officers stated that the land that is outside of the ownership of the sports hall is not part of the application. Officers have attended the site and are assured that the boundary fence which has been erected is in the correct location which concurs with the application drawings which Members have seen.

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

- Councillor Sutton stated that he is still uncertain with regard to the fence line, however, in his opinion it is irrelevant and as long as the ownership according to Land Registry is correct then that is fine.
- Councillor Murphy stated that within the update it states that the access of the most westerly plot will be surfaced with an 'appropriate' material and asked what would be deemed appropriate in this case? Officers confirmed that they would be looking for a bonded surface rather than a loose material and if the proposal was approved a condition could be added to be more specific.
- Councillor Sutton stated that with regard to the addition of the condition concerning the appropriate surface, there may be a difference in opinion and he does not think that Members should be determining the site specifics.
- The Chairman stated that Officers and the developer should be able to consider and determine the appropriate surface to be used.
- Officers mentioned that there have been cases where dwellings have been added into an existing residential area where there have been issues with residents suffering from noise nuisance as a result of vehicle movements over gravel. In the proposal before Members, it could be that the first part of the road which is adjacent to existing properties could be a bonded or paved surface and the rest could be gravel.

**Proposed by Councillor Connor, seconded by Councillor Sam Clark and decided that the application be APPROVED as per the Officer's recommendation.**

*(Councillor Mrs Bligh registered in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a Member of Wisbech St Mary Parish Council, but takes no part in Planning Matters).*

**P38/18**

**F/YR18/0496/PLOBBA**

**WESTHAVENNURSERY, PETERBOROUGH ROAD, WHITTLESEY, MODIFICATION OF PLANNING OBLIGATION ATTACHED TO PLANNING PERMISSION F/YR14/0183/O**

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

Officers presented the application to Members and informed them that no updates had been received.

Members received a presentation in accordance with the public participation procedure from Mr

Mel Baker from Axiom Housing Association.

Mr Baker stated that the housing strategy consultation for the application highlights the continued shortage and high demand for low cost housing in Fenland. In his opinion, the Westhaven Nursery site is an important development that will deliver 58 affordable homes for rent to buy, rental and shared ownership to meet a range of housing needs and this will assist in building sustainable communities.

Mr Baker expressed the view that the site has been identified as a good opportunity to increase on the 25% policy compliant housing delivery, with the development having secured a grant for 1.5 million pounds, which is a fixed sum of money, to facilitate the actual build of the development rather than other services. He stated that the site has produced a number of unusual costs including ecological mitigation works and an expensive drainage solution that have added pressures onto the budget.

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

- Councillor Mrs Laws stated that it is important that, with regard to this site, there must be no risk with regard to a viability study. The site will deliver 58 homes, is an ideal site meets all the requirements, with Axiom being used to delivering this type of complex and she strongly supports this application.
- Councillor Connor stated that this will bring much needed affordable housing to Whittlesey and he will be supporting the application.
- Councillor Sutton stated with regard to section 5.3, bullet point 9 and also in 5.4 in the officers report, it mentions that Cambridgeshire County Council have accepted the reduced level of S106 contributions, however, advice from Senior Management was still required, and he questioned whether there was an update on this. Officers stated that, to the best of their knowledge, the information contained in the report is an up to date position in terms of comments received.

**Proposed by Councillor Mrs Laws, seconded by Councillor Connor and decided that the application be APPROVED as per the Officer's recommendation.**

*(Councillors Mrs Laws and Councillor Miscandlon registered in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they are both Members of Whittlesey Town Council, but take no part in Planning Matters).*

**P39/18**

**F/YR18/0626/F**

**29A MAPLE GROVE, MARCH, CAMBRIDGESHIRE, PE15 8HT**

**ERECTION OF A PART 2-STOREY/SINGLE-STOREY SIDE/REAR EXTENSION AND PORCH TO FRONT OF EXISTING DWELLING**

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

Officers presented the application to Members and informed them that no updates had been received.

Members received a presentation in accordance with the public participation procedure from Mr Matthew Hall, the applicants Agent.

Mr Hall advised Members that along Maple Grove there are other examples of 2 storey side extensions on the same side of the road as the proposal. He made the point that there are no objections to the proposal or concerns raised by any statutory consultees with 17 letters of support

submitted all from people who reside in Maple Grove.

Mr Hall referred to the Officer's report stating that the proposal does not have a detrimental impact on neighbouring properties and there are no concerns regarding overlooking. He feels there are numerous properties in Maple Grove, that have converted their front gardens, whilst still maintaining their fences for parking areas, and the proposed extension is set back from the road by 5 metres, leaving enough room of 4.8 metres for a car parking space.

Mr Hall drew Members attention to the two photographs which he had submitted and highlighted the left hand side property, which is a 2 storey extension, approved in 2015, and is 0.5 metres from the adjacent building, being built on the boundary, whereas the proposal before Members will be built 800mm back from the boundary. In the second photograph, Mr Hall highlighted to Members that it covers the full width of the plot and is closer to the footpath than the proposal before Members today.

Mr Hall advised Members that the proposal will be built 1 metre away from the neighbouring building and not 0.8 metres as it states in the Officer's report. He stated that the applicant wishes to enlarge her property as others on the same road have already done.

Members asked Mr Hall the following questions:

- Councillor Benney stated that when the site visit took place, Members were advised that the boundary of the extension was going to be built level with the front of the dwelling, but he can see it is now set back and queried whether the plans have been amended? He added that they were advised on site that there was insufficient space on the frontage for a vehicle to park and if the extension is to be built further back then it changes the application. Councillor Benney highlighted to Members that there are properties of a different age adjacent to each other, and therefore, questioned where the consistency is on what is acceptable for the road. Mr Hall stated that the extension proposal has always been set back at approximately 0.9 metres.
- Councillor Murphy stated that, on the site visit, it was felt that the proposal was not set far enough back, which would mean that if a vehicle was parked it would overhang the pavement. Mr Hall stated that on the drawings the proposal is 5 metres from the front and the back edge of the pavement to the front of the garage, a car parking space is 4.8 metres, so parking for a normal size car is achievable.
- Officers stated that the plan was submitted as part of the application process and from the back edge of the footpath to the front of the garage is 5 metres, however it would mean that a vehicle would be right up to the garage and it is unusual to park that close to a garage door. In the parking standards set out in the Local Plan, it states that the distance from the garage door to the back of the footpath should be six metres to allow a car to park adequately clear of the footpath.
- Councillor Sutton commented that Mr Hall had stated that the drawing that was presented was submitted with the application but on the planning portal there is an amended drawing. Mr Hall responded by saying that initially the extension was to be set further forward, however, adjustments have been made following discussions with Officers.
- Councillor Mrs Laws stated that if the front fencing was removed, then it would be likely that the property would have more than one vehicle, and it was also the angle a vehicle would have to manoeuvre to access the frontage and also the width.
- Councillor Mrs Laws asked Mr Hall whether the applicant has considered moving their proposal to come in line with the neighbouring property? Mr Hall stated that this had been initially considered, however, it was decided to keep the extension in line with the adjoining property at the rear.

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

- Councillor Murphy asked Officers to confirm whether the issue is that the actual plot is not big



enough for an extension? Officers advised that the extension that is being considered by Members does not have adequate car parking space and the extension does not relate well from a visual perspective with the neighbouring property.

- Councillor Sutton commented that he appreciates that the Agent has highlighted other properties that have less space than the proposal before them today, however, in his opinion, had a proposal been submitted which is level to the neighbouring property then it would have been acceptable. He added that he also has issue with regard to the internal space of the garage, in relation to the absence of the inner skin and also the length of the garage, which he understands should be 7 metres. Officers stated that recommended dimensions are 7metres by 3 metres.
- Councillor Mrs Davis stated that she has no issue with regard to the garage as nowadays people do not use a garage for their vehicle, however, the street scene does need to be considered and if the applicant would consider moving the extension back in line with the neighbouring property then it would be acceptable.

**Proposed by Councillor Sutton, seconded by Councillor Mrs Davis and decided that the application be REFUSED as per the Officer's recommendation.**

*(Councillor Court registered in accordance with Paragraph 14 of the Code of Conduct in Planning Matters, that he is a Member of March Town Council but takes no part in Planning Matters).*

**P40/18**

**F/YR18/0648/F**

**ANAEROBIC DIGESTION PLANT, SOMERSET FARM, CANTS DROVE, MURROW**

**FORMATION OF A DIGESTATE LAGOON WITH A 4.5M HIGH SURROUNDING EARTH BUND AND A 1.2M HIGH CHAIN LINK FENCE**

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

Officers presented the application to Members and drew their attention to the update report in respect of the application.

Members received a presentation in accordance with the public participation procedure from Mrs Yvonne Gunner, in objection to the application.

Mrs Gunner stated that in 2011 she received notification of the anaerobic digester and 1 slurry pit and at that time contacted the planning team to advise them that Cants Drove is not suitable for heavy goods vehicles (HGV).

She was advised that the cattle waste would be fed into the digester there would be a reduction in traffic making the point that the road is used 24 hours a day, 364 days a year by HGV and tractors towing slurry tractors and carrying cattle feed, with there being no passing places on this single track road, and, therefore, the frontage of her property is being used as a passing place.

Mrs Gunner stated that under the proposal the maximum extra vehicle movements will be 5 per day, which, in her view, is already too many and if you consider a return journey for those vehicles it will mean 10 extra vehicles per day. She stated that the surface of the road is breaking up and is in an appalling condition, there are tracks on either side and although highways have resurfaced 200 metres of the road, it is actually 2 miles long.

Members received a presentation in accordance with the public participation procedure from Mr Derek Burgoyne, the applicant.

Mr Burgoyne explained that the requirement for the new lagoon is due to the necessity of being able to control when the muck spreading takes place and there are certain times of year when

crops do not need the material and also when there are inclement weather conditions. He stated as a business, the digestate needs to be kept moving and the extra capacity will mean that the material will be able to be stored on these occasions.

Mr Burgoyne acknowledges the concerns of the neighbouring properties and concurs with the points raised concerning Cants Drove but made the point that the farm has been in situ for almost 30 years and farms 1500 beef cattle. He outlined the process that takes place explaining that the changes involve the removal of waste from open backed tractor and trailers and the on field storage of manure and bedding to a liquid digester. The Vehicle Operator and Services Agency (VOSA), have requested that tractors and tanker trailers should not be used and instead to use HGV to carry materials.

Mr Burgoyne agreed that at certain times of the year there is an increase in vehicle movements, as there is a limited timeframe when it is harvest season and the materials have to be moved when crops require it. With regard to the first lagoon, Mr Burgoyne stated there were irregularities with it, but it was built in accordance with the Environment Agency permit.

Members asked Mr Burgoyne the following questions:

- Councillor Mrs Bligh asked whether the company are prepared to invest in the upkeep of Cants Drove? Mr Burgoyne replied that he has been asked this before and he has obtained a quote of £182,000 to upgrade Cants Drove and that is a question for the investors involved with the company. He added that they have offered to gift land for passing places in Cants Drove and have also constructed passing places to ease the burden on traffic. He regularly complains to the Highways Authority and has been told that due to budget constraints works are prioritised, however, highways have recently tarmacked a stretch, but only a small area.
- Councillor Mrs Bligh stated that highways have only resurfaced a 200 metre stretch and advised Mr Burgoyne that he could pay to have the passing places made. Mr Burgoyne replied that it needs to be considered as part of the overall investment process and due to the expensive costs that would be required, no high street bank would support it.
- Councillor Mrs Davis asked how long the Anaerobic Digester has been in place?. Mr Burgoyne confirmed that it received planning permission in 2011 and was operational in 2012.
- Councillor Mrs Davis asked if there is a second lagoon being constructed then there is the opportunity to take on more slurry and that will mean more digestate will be produced, and therefore, there will be more vehicle movements. Mr Burgoyne stated that one tanker will replace every three tractor and trailers and, therefore, there will be less traffic movements by processing the waste as opposed to taking it and transporting it by conventional means.
- Councillor Connor asked Mr Burgoyne why his company has not considered taking steps to address the local residents' concerns regarding lack of passing places with highways permission?. Mr Burgoyne responded that he has already mentioned that they have already added six passing places at the cost of the business and on their land. Mr Burgoyne stated that land has been offered to highways to widen the road and no feedback has been received.
- Councillor Connor agreed that Highways do have other priorities, however, as a profit making business it would not have an adverse effect on the business annually to add an additional 1 or 2 passing places along the road. Mr Burgoyne stated that the addition of passing places will not assist with the foundations of the road.
- Councillor Mrs Bligh asked whether Mr Burgoyne's company carry out any consultation with the residents?. M Burgoyne advised that he has met with the Parish Council to discuss their concerns. Councillor Mrs Bligh has attended the meetings and it is the traffic issue that is always raised and she is concerned that the original lagoon is bigger than the planning permission that it was granted for and asked whether, if permission is granted, the second lagoon will also be greater in size? Mr Burgoyne stated that the Environment Agency prescribed the permitted area and he would wholeheartedly welcome any communication with the local residents.
- Councillor Sutton asked for clarification on the number of passing places that have been made?

Mr Burgoyne stated that there have been six introduced, however, these have been subject to criticism as they haven't been tarmacked.

- Councillor Sutton commented that, as he understands it, by installing the extra lagoon will not alter the amount of traffic, as the addition of the facility will provide extra storage, so the traffic frequency will not be as often. He added that the suggestion of a business spending money on a highway maintained road is outrageous.
- Councillor Mrs Laws asked Mr Burgoyne to clarify whether the six passing places that have been introduced have actually been signed over to highways? Mr Burgoyne confirmed that the business has offered to gift them the land, however, they are not prepared to accept it.
- Councillor Mrs Davis commented that if the second lagoon produces double the amount of the slurry and then it cannot be used what will happen. Mr Burgoyne stated that slurry can always be used as it is a better substance than manure and bedding.
- Councillor Benney asked whether it would be possible to pipe and pump away any of the slurry to a better location in order to be transported away? Mr Burgoyne said that 40% of the digestate is spread on the land in Cants Drove and the surrounding area and not everything is transported out.

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

- Councillor Murphy commented that the business should be able to expand and grow.

Proposed by Councillor Sutton, seconded by Councillor Mrs Laws to APPROVE the application which was not supported on a vote by the majority of the councillors.

**The Chairman asked for an alternative proposal and Members were reminded of the need to provide substantive reasons for refusal. No alternate proposal was put forward.**

**Proposed by Councillor Sutton, seconded by Councillor Mrs Laws to APPROVE the application, as per the Officer's recommendation.**

(Councillor Mrs Bligh registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a Member of Wisbech St Mary Parish Council, but takes no part in Planning Matters).

3.20 pm

Chairman