

PLANNING COMMITTEE



23 MAY 2018 - 1.00PM

PRESENT: Councillor A Miscandlon(Chairman), Councillor S Clark(Vice-Chairman), Councillor D W Connor, Councillor S R Court, Councillor Mrs M Davis, Councillor Mrs A Hay, Councillor Mrs D Laws, Councillor Mrs F S Newell, Councillor W Sutton. .

APOLOGIES: Councillor P Murphy

OFFICERS IN ATTENDANCE: Nick Harding (Head of Shared Planning), Izzi Hurst (Member Services), David Rowen (Development Manager) and Stephen Turnbull (Legal Officer)

The Chairman stated that Agenda Item 13 (East Wisbech Strategic Allocation - Broad Concept Plan) would be heard as the first item of today's meeting.

P1/18 APPOINTMENT OF CHAIRMAN FOR THE MUNICIPAL YEAR

Izzi Hurst requested a nomination for Chairman of the Planning Committee for the Municipal Year. It was proposed by Councillor Mrs Laws, seconded by Councillor Sutton and resolved that Councillor Miscandlon be elected as Chairman of the Planning Committee for the Municipal Year.

P2/18 APPOINTMENT OF VICE- CHAIRMAN FOR THE MUNICIPAL YEAR

It was proposed by Councillor Miscandlon, seconded by Councillor Mrs Hay and resolved that Councillor Sam Clark be elected as Vice-Chairman of the Planning Committee for the Municipal Year.

P3/18 PREVIOUS MINUTES

The minutes of the meeting of 25 April 2018 were confirmed and signed.

P4/18 EAST WISBECH STRATEGIC ALLOCATION – BROAD CONCEPT PLAN

Members considered the East Wisbech Strategic Allocation - Broad Concept Plan report presented by David Rowen. He explained that a full public consultation was undertaken with over two-hundred people attending the consultation event at Walsoken Village Hall. He informed Members that the results of this are summarised in the report along with responses from the consultations with Statutory Bodies.

Members received a presentation, in accordance with the Public Participation Procedure, from John Maxey.

John Maxey made the Committee aware that the report has the endorsement of both Councils and Landowners too. He said the purpose of the East Wisbech Broad Concept Plan (BCP) is to aid delivery and he is working on delivery of the scheme with a Developer and has the support of Landowners on this. He highlighted the importance of the report and explained that approving it will allow a framework to be put in place prior to planning applications being submitted. He explained that delivery of all the areas in the report will be challenging in regards to viability as additional infrastructure will be required, however there is outside funding available for this. He said he fully

endorses the report and reiterated that it is fully supported by the Landowners and asked the Committee to approve the plan today.

Members asked John Maxey the following questions;

- Councillor Sutton agreed with John Maxey's comments and asked if the provisional drawings will be submitted to the Cambridgeshire Quality Charter Group as, even though there is a cost, their comments could be invaluable. John Maxey agreed to pass this request on.
- Councillor Connor asked John Maxey if provisions were in place for additional Doctor and Dentist Surgeries within the plan. John Maxey confirmed that discussions had taken place with the NHS regarding this and confirmed that the NHS had no plans to seek to provide additional Doctor Surgeries in Wisbech. He explained that they had tried to engage with the NHS and made it clear to them that there was scope to provide space for these within the plan however as Doctor Practices are private businesses that need the support and funding of the NHS, we cannot dictate that these are provided. He said that as a resident of Wisbech he is aware of the difficulties in obtaining doctor appointments however the NHS have said they will consider reinforcing services in existing practices as oppose to opening new ones. He reiterated that the provisions and space are available within the plan, if there is demand from the NHS.
- Councillor Laws thanked John Maxey for his comments regarding the NHS practices and said she hoped that the NHS would not suddenly ask for the provisions later on in the development process. She asked if John Maxey could provide assurance that he will continue to engage with the NHS throughout the process to avoid this happening. John Maxey said this would be difficult but when an outline application is submitted for the scheme, the NHS will be a formal consultee and this would be discussed with them again. He explained that if the NHS required this, it would form part of the overall Section 106 requirement for the scheme but highlighted that there will not be sufficient funding for all Section 106 requirements and said decisions will need to be made in regards prioritising these requirements. He said this can be discussed at the outline planning application stage and said viability will be considered at this stage too. He concluded that viability may have to be considered on a phase-by-phase basis as requirements can change during development.

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

- Councillor Sutton said that after over two years, it was brilliant to see the report finalised. He reminded members of another planning application where the NHS had had provisions provided but had no use for them and said Members should remember that we cannot do anything about this.
- Councillor Mrs Laws said that although most of the scheme is located in Flood Zone 1, there are areas in Flood Zones 2 & 3 and asked for assurance that each planning application will consider this. David Rowen confirmed this.
- Councillor Mrs Laws said a great deal of work has gone in to the scheme and thanked officers, agents and landowners for their work on this.
- The Chairman commended the work carried out by officers and agents.
- Councillor Sutton said it was pleasing to see the interaction between Kings Lynn & West Norfolk Council and Fenland District Council and said a common-sense approach had clearly been taken when considering policies within the plan. He hoped it would not be too long until the Committee consider the full planning application.

Proposed by Councillor Mrs Laws, seconded by Councillor Sutton and decided that the East Wisbech Broad Concept Plan be APPROVED as per the Officer's recommendation.

P5/18

F/YR17/1028/F

ELDERNELL FARM, ELDERNELL LANE, COATES, CAMBRIDGESHIRE

The Committee had regards to its inspection of the site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers) during its deliberations.

David Rowen presented the report and update to Members.

Members received a presentation in objection to the application in accordance with the Public Participation Procedure, from Roger Wilkin and Stuart Potts.

Roger Wilkin confirmed that he is joint owner of 140-142 Eldernell Lane which is the approximately 120 years old, the same age as the barns on the proposed development. He made members aware that the original application had received 13 letters of objection and the amended application, 11 letters. He highlighted that Whittlesey Town Council had also objected to the application and raised concern that the supporting documents submitted with the application infers that the proposed dwellings could be used as holiday lets. He explained that any conversion will affect the natural habitat and the area is ecologically sensitive. He highlighted the suggestion of adding a Wildlife Tower to accommodate the Barn Owls on site however indicated there was no evidence to suggest these owls would relocate to the tower once their nests are destroyed. He suggested that construction noise would be a disturbance to the Wildlife Tower, would offer no benefits and be a blot on the landscape. He questioned the Highways suggestion in the report point 5.1 of traffic being accommodated on Eldernell Lane and said the proposed extension linking the barns is contrary to the principle of development. He concluded that the barns are located in an area of special scientific interest and a conservation area.

Stuart Potts explained that Eldernell Lane is a single track lane with no provision for passing vehicles and is already congested with agricultural and industrial traffic. He said the application highlights parking for 6 vehicles however this could be substantially higher depending on the residents of the proposed dwellings. He explained that residents of the lane already suffer from very low water pressure which will only deteriorate further once new residents move in to the proposed site. He said the area was one of natural beauty and the large pond area near the proposed site will be negatively impacted by the development. He does not believe the Wildlife Tower will negate the damage caused by the development and raised concern that there is no waste management plan in place which is required due to the lane not benefitting from mains sewage. He concluded that the impact of the site on Eldernell Lane and its surroundings will be horrific and asked the Committee to refuse the application.

Members had no questions for Roger Wilkin or Stuart Potts.

Members received a presentation in support of the application in accordance with the Public Participation Procedure, from Andrew Middleditch (The Agent).

Andrew Middleditch explained that he is acting for the trustees of the estate who also own approximately 1500 acres of farmland within the area. He said the Applicants are aware of the sensitivity of the surrounding area and acknowledges the sites own interest in respect of conservation and are happy for this to be considered. He asked that the Committee take into account previous planning applications on the site which had approved the principle of conversion and although this previous application had regrettably been unviable, the current proposal represents the most viable means of redeveloping the buildings. He said the Applicant and himself have considered consultees comments and have amended proposals in light of these. They have removed proposals of a new build dwelling and instead opted to pursue the conversion of the barns as well as addressing ecological and conservation concerns by commissioning reports that

assessed the impact on the neighbouring wash-land. These proposals concluded that there would be no significant impact however plans are in place to protect the Barn Owl that currently uses the site by building a Wildlife Tower to the Barn Owl Trust's specification. He confirmed that the Applicants are happy to accept a planning condition securing the provision of a passing bay along Eldernell Lane to satisfy any concerns. He highlighted that following consultation, the majority of statutory consultees have now withdrawn their objections and provided assurance to local residents that the Applicants have no intention to use the dwellings as Holiday Lets. He asked members to acknowledge the steps taken to ensure compliance with conservation safeguards and development policies and highlighted that the officers recommendation is to approve the application.

Members asked Andrew Middleditch the following questions;

- Councillor Connor asked for confirmation that the dwellings will not be used for Holiday Lets. Andrew Middleditch said that that was not the intention for the application and explained that his clients are not planning on developing the site themselves and said conditions could be attached to the planning permission in regards to Holiday Lets, as the Applicants intention was to apply just for residential use.

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

- Councillor Mrs Hay asked if the application requires planning permission purely for the small linked area that will be built and not conversion of the barns in general. David Rowen confirmed that the only reason the development requires planning permission is due to the small area being built to link the existing buildings together.
- Councillor Mrs Hay said the current buildings on the site look an eyesore and said as long as the character is retained during conversion, the development would enhance the area. She asked if a condition could be added in regards to the potential drainage issue. David Rowen confirmed that there is a draft condition relating to a treatment plant and management regime for the site.
- Councillor Mrs Laws asked for confirmation on the potential sewage issue and highlighted that there are other developments locally that have had major issues with treatment plants on their development. She added that a condition should be added in relation to Holiday Lets and agreed with the concerns of local residents in relation to this. She explained that she understands residents and Whittlesey Town Councils concerns relating to the impact on the character and appearance of the site but said by restoring the buildings sympathetically, this would be better than new development in the area.
- Councillor Sutton noted Councillor Mrs Laws concerns however Condition 10 of the proposed conditions does cover concerns relating to drainage. He said in his view, the barns are ripe for conversion and should be supported and whilst he takes on board concerns regarding the owls on site, provisions are in place to minimise this and the owls will simply relocate their nests. He stated his support for the application.
- Councillor Connor asked if a condition could be added in relation to Holiday Lets. Nick Harding confirmed that a condition could be added however asked members to consider an appropriate reason why Holiday Lets should be refused on the site. He told members that they must consider the reason for refusing this and have strong enough evidence for this. He asked members to consider if the application was submitted as Holiday Lets, what planning reasons they would have to refuse the application.
- Councillor Mrs Newell noted that the report stated that the 'Newt Survey' had taken place at the wrong time of the year and asked if this had been carried out again. David Rowen said comments had been received from ecological experts, Peterborough City Council, Natural England and RSPB and they were happy with the application subject to the conditions noted in the report.
- Councillor Mrs Laws asked for confirmation that a construction-traffic plan was in place for construction vehicles on the site during development. The Chairman suggested that the

passing bay would need to be constructed prior to development starting on site to allow construction traffic to access the site without creating a danger for existing vehicles. He said the lane would benefit from two passing bays as oppose to the one proposed due to the number of residents already residing in the lane.

- Councillor Mrs Laws said regarding the potential traffic to the site, we must be mindful to the existing residents in Eldernell Lane and highlighted the importance of a construction management plan and asked it to be considered that construction vehicles do not work unreasonable hours. She added that Holiday Lets would add a lot more traffic to the road and said members should be mindful of this.
- Councillor Sutton highlighted that the lane is in a good enough condition presently to accommodate agricultural traffic and added that construction vehicles would only be on site for a short period of time.

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

Councillor Mrs Laws asked after the vote if conditions could still be added to the planning permission in relation to Holiday Lets. It was confirmed that the proposal did not include the condition discussed and therefore this could not be added.

(Councillor Mrs Davis abstained from voting on this item)

(Councillor Connor and Mrs Davis declared that they know one of the speakers on this item, Roger Wilkin, but have not taken part in any discussion in relation to this application)

(The Chairman and Mrs Laws registered in accordance with Paragraph 14 of the Code of Conduct on Planning matters, that they are members of Whittlesey Town Council but take no part in planning matters)

(The Chairman registered in accordance with Paragraph 14 of the Code of Conduct on Planning matters, that he had been lobbied on this application)

P6/18

F/YR18/0263/O

LAND NORTH OF, 16A - 22 HIGH STREET, MANEA, CAMBRIDGESHIRE

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.

David Rowen presented the report to Members.

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

- Councillor Mrs Laws said the Highways and Infrastructure report covers all the issues relating to the access and said the site does not have an appropriate access point for development.
- Councillor Connor agreed and said the access is far too narrow to use as an entrance.
- Councillor Sutton said it was a shame as the site could support a nice development however the access is not acceptable. He suggested the applicant should try and approach neighbouring properties to find a solution to the access issue.

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

P7/18 **F/YR17/1211/F**
1 LARHAM WAY, CHATTERIS, CAMBRIDGESHIRE, PE16 6PH

The Chairman confirmed that this item had been withdrawn from Committee.

P8/18 **F/YR18/0078/F**
LAND EAST OF 13, CLARE STREET, CHATTERIS, CAMBRIDGESHIRE

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.

David Rowen presented the report to Members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, by Matthew Hall (the Applicant's Agent)

Matthew Hall clarified that pre-application advice was sought on this application and showed members a slide showing the original site plan submitted at pre-application and the site plan submitted with the application being considered today. He highlighted that the plans are almost identical to one another. He explained that Highways were in favour of the application and pre-application advice was received from Fenland District Council in October 2017 stating that officers favoured the application subject to consideration of the points raised. Discussions continued between officers and the Applicant and following this, changes were made to the garden areas, the driveway and clarification given regarding windows on the existing dwelling. He added that concerns had been raised regarding the provision for refuse collection and following correspondence, officers suggested indemnity insurance would need to be provided in relation to site entry, which was agreed by the Applicants. He highlighted that the concerns officers had during the pre-application stage had been addressed and all statutory consultees (including Highways) support the application.

Members asked Matthew Hall the following questions;

- Councillor Mrs Laws asked for the date in which pre-application advice was sought. Matthew Hall confirmed this was 19 October 2017 with the full application being submitted in January 2018.

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

- Councillor Mrs Hay highlighted that Clare Street has issues with on-street parking and raised concern that the access is not suitable for entry to the development. She suggested access be considered from Haighs Close, Chatteris instead and suggested the Applicant explore this option.
- Councillor Connor agreed and said he had serious concerns about the access and therefore does not support the application.
- Councillor Mrs Laws highlighted that the pre-application advice indicated there was no concern with the development however this conflicts with the officer's recommendation today. David Rowen said the pre-application advice did mention the issue of the relationship between the access and existing properties and said this still needs to be addressed in order for the application to be supported by officers.
- Councillor Mrs Laws said that the Agent had indicated that nothing had changed between the pre-application advice received and submitting the full application, that would suggest the application be refused. She highlighted that the Agent had made the appropriate changes as per the pre-application advice given.

- The Chairman allowed Matthew Hall to comment. Matthew Hall explained that during the pre-application stage, the issue regarding neighbourhood amenity related to concern over the orientation of Plot 3 which has been amended accordingly. The pre-application advice also stated that the impact from the road on the amenity to 13 Clare Street, Chatteris needed to be addressed and Matthew Hall explained that he had amended the surface of the road to alleviate this and reiterated that the existing dwelling will have no additional windows overlooking the site either.
- Councillor Connor said he had concern over the side entrance to 15 Clare Street, Chatteris and the overall narrowness of the access.
- Councillor Sutton said members need to consider the grounds for refusal in case of an appeal. He said if the original pre-application advice had been negative towards development, the applicant may not have submitted a full application.
- Councillor Mrs Newell stated that Clare Street is very narrow already and further issues would arise with the addition of another access. Whilst she supports the principle of development, the access is not right for the site.
- Nick Harding clarified that no objection had been received from Highways in relation to the design of the access and reiterated that this was not the reason why officers recommend refusal. He said that officers recommend refusal based on the access having a negative impact on the adjacent properties amenities.
- Councillor Mrs Laws said she takes on board Councillor Sutton's comments regarding previous appeals and said she is mindful of this.
- Councillor Mrs Davis thought construction traffic would have a big impact on the neighbouring property and highlighted the proximity to the adjacent property.
- Councillor Mrs Hay agreed and said the neighbouring properties front door opens very close to the access road which will impact the residents of this property greatly.

Proposed by Councillor Mrs Hay, seconded by Councillor Connor and decided that the application be: REFUSED as per officer's recommendation.

(Councillor Mrs Newell and Councillor Mrs Hay registered in accordance with Paragraph 14 of the Code of Conduct on Planning matters, that they were members of Chatteris Town Council but take no part in planning matters)

**P9/18 F/YR17/1115/F
LAND NORTH OF THORNBURY HOUSE, HIGH ROAD, GUYHIRN,
CAMBRIDGESHIRE**

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.

David Rowen presented the report and update to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Shanna Jackson (the Applicant's Agent).

Shanna Jackson said the scheme was for four-dwellings located on a built up frontage of High Road, Guyhirn and highlighted that there were existing dwellings to the north of the site and garages that serve these too. She said in relation to concerns about the character of the area, the site is located in a built-up residential area and development would bridge the gap between existing buildings creating continuous development along the road. She explained that Policy LP3 allows infill development in Guyhirn and this application represents this as it is positioned within the existing build form. She said members had previously agreed an application at Mole End, Guyhirn and had noted the sustainability of the village and excellent transport links. She added that there is a continuous footpath across the road from this site which would serve as access to the village centre, local school and public transport. Although the site lies within Flood Zone 3, it is clearly in

the building limits of Guyhirn and no objections have been received from the Environment Agency. She concluded that this is a logical, infill plot between existing dwellings and will support the continuous sustainability of the village and asked members to grant planning permission.

Members had no questions for Shanna Jackson.

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

- Councillor Mrs Laws asked if any comments had been received from North Level Internal Drainage Board. David Rowen confirmed they had and they had no objections to the principle of the scheme.
- Councillor Mrs Laws said she was concerned regarding the flood risk to the site as it is located in Flood Zone 3.
- Councillor Connor said due to the risk of flooding, he agrees with Councillor Mrs Laws and officer's recommendation to refuse the application.
- Councillor Sutton agreed and said if this site was located in Flood Zone 1, he would have a different view and encouraged officer's to consider applications in locations such as this one, in order to fulfil the demand in the district's villages.

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

P10/18 F/YR17/1242/VOC

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.

David Rowen presented the report and informed members that all three dwellings are now built on the site.

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

- Councillor Mrs Laws agreed with the officer's recommendation to approve the application and highlighted that gravel will assist with surface water drainage on the site.
- The Chairman agreed and said gravel also provides additional security for residents as approaching vehicles can be heard.
- Councillor Sutton disagreed with March Town Council's reasoning for recommending refusal of the application and said their point had no relevance to planning consideration.

Proposed by Councillor Sutton, seconded by Councillor Mrs Laws and decided that the application be: APPROVED as per officer's recommendation.

(Councillor Court abstained from voting on this item)

(Councillor Court stated that he is a Member of March Town Council but takes no part in any Planning decisions)

(The Chairman explained that this Item had been added to the agenda as an urgent item by Nick Harding. The Chairman stated that he has known the owners of the land in question for many years and left the room for the duration of the item. He took no part in the discussion or voting. In his absence, Vice-Chairman Councillor Sam Clark chaired this item)

Nick Harding informed the Committee that following the recent approval of planning permission at Land South East of Mole End, Gull Road, Guyhirn (F/YR16/0194/F Minute P/73/17) it was necessary to bring this item back to the Committee for further approval of a condition attached to the planning permission. He made members aware that Cambridgeshire County Council had requested an archaeological trial-trench condition be added to the planning permission as nearby evidence had shown this was an area of archaeological interest. He proposed that members consider this and decide whether that condition can be added.

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

- Councillor Mrs Laws stated that she believed the condition should be added as Cambridgeshire County Council have requested this based on evidence of nearby activity.
- Councillor Sutton reminded members that when the planning permission was granted, it was agreed that himself and Councillor Sam Clark decided the conditions. He considered other applications granted nearby and felt it was unreasonable to add this condition to the planning permission as no other applications had been subject to this. He believed it was unfair to the developer to have this condition attached as the areas of interest were located a distance away from the site and trenching could be costly. He confirmed that no discussions had taken place between himself, the Applicant or Agent.
- Councillor Connor asked officers an estimated cost of the proposed trial-trench work and said if the cost was high it may prevent the site being developed. Nick Harding confirmed that he has no knowledge of this area and therefore cannot estimate the cost.
- Councillor Connor agreed that applying a condition to this site is unfair to the developer as other applications have not had to carry out this work.
- Councillor Mrs Laws disagreed and said the fact that Cambridgeshire County Council had requested this suggests it should be applied to the planning permission and is necessary. As we do not know the costs involved we are unaware if this will affect the development or not.
- Nick Harding highlighted that Cambridgeshire County Council's comments were noted in the report members received when considering the original planning application and a draft set of conditions were proposed based on the consultee's comments.
- Councillor Sutton said from past experience the cost of trenching can be high and highlighted that money may need to be spent rectifying the site after the dig has taken place. Whilst he said the cost is not members concern, he believes the condition should not be added as it has not been applied to other local sites and is not fair to this developer.
- Councillor Mrs Hay said the cost is irrelevant and is not something members should consider. She clarified that if officers had recommended approval in the first instance for this a set of draft conditions would have been proposed by them after taking in to account Cambridgeshire County Council's comments and members would have agreed to this condition being added. She said in regards to other sites, knowledge changes and something may have changed in regards to archaeological interest in the area meaning this site requires trenching. Therefore, she would like the condition to be added.
- Councillor Mrs Davis and Councillor Mrs Newell agreed with Councillor Mrs Hay.

Proposed by Councillor Sutton, seconded by Councillor Connor that planning permission is granted without an archaeological condition. A vote was taken which resulted in the need for a casting vote by the Chairman for this Item, Councillor Sam Clark, resulting in the application being GRANTED without an archaeological condition; against officer's recommendation.

2:54 PM

Chairman