

# PLANNING COMMITTEE



**24 MAY 2017 - 1:00PM**

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

**APOLOGIES:** Councillors M G Bucknor and Mrs A Hay.

Officers in attendance: Nick Harding (Head of Shared Planning), David Rowen (Development Manager), Louise Humphreys (Legal Officer) and Elaine Cooper (Member Services).

The committee observed a minute's silence as a mark of respect for the victims of the tragic events that had occurred in Manchester on 22 May 2017.

## **P1/17      MINUTES OF 26 APRIL 2017**

The minutes of the meeting of 26 April 2017 were confirmed and signed.

## **P2/17      F/YR16/1000/F LAND SOUTH OF 19 BLACKMILL ROAD, CHATTERIS ERECTION OF A 2-STOREY 4-BED WORKPLACE HOME AND WORKSHOP STORAGE SHED FOR OFFICE/HORTICULTURAL USE**

Members considered objections.

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.

Members received a presentation, in accordance with the public participation procedure, from Andy Brand, on behalf of the applicant. Mr Brand expressed the view that it is clear from the report that officers' have been grappling with application's planning policy in relation to this proposal, with the reason for this being that the type of business that the applicant runs does not fall squarely into a single-use class category. The applicant's business, in his view, is mainly horticultural, but also has other elements to it as set out in the report.

Mr Brand expressed the opinion that there are obvious substantial benefits to the house being adjacent to the business, one example being minimising unnecessary travel. Officers seem to suggest that the business can operate from three different locations, but he made the point that the applicant knows his business best. With it being in operation for over three years, disagreeing with officers and feels that one location is necessary in order for the business to viably continue and splitting into three sites is unsustainable in planning terms.

Mr Brand referred to Policy LP4 which permits up to 249 dwellings around the edge of Chatteris and is, in his view, material. Officers imply that it is not, which he disagrees with as the policy permits new housing adjacent to the built up area of Chatteris and this site for one dwelling would qualify under this policy. With regard to the effect on the amenities of occupiers of nearby houses, he expressed the view it would not be in the applicant's interest to operate a business which creates unnecessary disturbance or harm as the applicant intends to live at the site with his family.

Mr Brand referred to a number of conditions that have been suggested in the event that permission is forthcoming to mitigate concerns, with the officers' report suggesting that other alternative dwellings have been ruled out, but this is not correct as the submitted statement identifies that those sites could not accommodate all of the development, ie the storage shed. He made the point that the applicant's business is Chatteris based and approval of the proposal would result in new employment together with additional spin off trade and business, with the applicant having worked hard to develop his business and if approved would allow him to move it on and continue to be successful.

Mr Brand expressed the opinion that the applicant deserves a chance to succeed and if the application is approved today he will, and the proposal deserves to be determined by the committee given the lack of any fitting planning policy which applies to it providing for a common sense decision. He made the point that the Town Council support the proposal, there are no objections from the Local Highway Authority and there are limited neighbour objections all of which will be addressed with suitable planning conditions as set out in the report. He urged members to approve the application.

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

- Councillor Murphy asked for clarification regarding a workplace home policy as he believed this policy no longer existed due to issues in Manea and Doddington Road, Chatteris where it was being abused. Officers advised that there is no policy specifically for workplace homes and these types of dwellings are considered under housing and countryside policies.
- Councillor Mrs Newell expressed the view that she knows this area extremely well and does not have an issue with the proposal. It backs onto a former garden centre and is, in her view, an ideal place for a business of this description.
- Councillor Mrs Laws referred to the Site Inspection and that from her perspective of viewing the site the road access is the width of a gravel track and it is development in the open countryside.

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

**Refused, as recommended.**

*(Councillors Murphy and Mrs Newell registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they were present at Chatteris Town Council at which this application had been discussed, but had taken no part)*

**P3/17**      **F/YR17/0139/F**  
**346-348 CREEK ROAD, MARCH**  
**ERECTION OF 1NO 2-STOREY 3-BED DWELLING AND 2NO 1-STOREY 3-BED**  
**DWELLINGS**

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.

Members received a presentation, in accordance with the public participation procedure, from Ted Brand, the applicant's agent. Mr Brand referred to the officers' report stating that the reasons for refusal on policy grounds is only in relation to LP16, character of the area, and although parking and amenity space are mentioned these have been dealt with by the revised proposal but are still mentioned in the body and recommendation of the report. In relation to parking, paragraph 9.10 of the officers' report says the Highways Authority does not object, 9.3 mentions garages and sizes but this is irrelevant as there are no garages and, in his view, there is no evidence that the parking

is sub-standard.

Mr Brand referred to paragraph 9.9 and amenity space, which, in his view, is not contrary to policy, but again is mentioned in the reason for refusal. In his opinion, the only reason for refusal is in relation to the character of the area as officers' feel that this is out of character as the proposal is backland in nature. He referred to paragraph 9.2 which states that there are some pockets of development to the rear off Creek Road and from aerial photographs that were displayed he feels that this is not the case and that the whole of this area, apart from a small area on the left hand side, is built up and this flawed analysis has led to a flawed decision. His analysis of the area, only looking at the area of Creek Road beyond the level crossing, is that 87% of the land between Creek Road and Estover Road is developed land, with only 13% having some undeveloped land to the rear, and that the majority, 60%, of Creek Road frontage beyond the railway crossing has been developed to the rear.

Mr Brand expressed the opinion that the aerial view 2 shows the area immediately surrounding the site as being mainly garden to the rear, but there are backland properties within 85 metres of the site indicating on the aerial view where these sites were. He questioned what have officers' judged as being the area that this proposal is not being in character with? In his view, this is an ideal site, the concern of officers' cannot be justified by any evidence and sustainable development in this location should be approved.

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

- Councillor Connor referred to the Site Inspection and, in his view, whilst the site is ripe for development, three dwellings is too many and does create backland development.
- Councillor Mrs Laws expressed concern over the Highways report in relation to visibility and this is something that should be taken into account.
- Councillor Murphy stated that he would call this linear development along this part of the road, he has counted 14 properties with nothing behind them and asked officers' if this was not a large enough linear development area or not? Officers' stated that in their view this part of Creek Road is characterised as a linear development pattern and this development would be contrary to this pattern.
- Councillor Sutton expressed the view that he considered this section of Creek Road in isolation and the committee must look at applications on their merits and be consistent, referring to a similar application that was considered in Manea at the last meeting. He feels that this area is linear in nature.

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

**Refused, as recommended.**

**P4/17      F/YR17/0163/O  
LAND SOUTH OF 64A MILL ROAD, WHITTLESEY  
ERECTION OF UP TO 2NO DWELLINGS (OUTLINE APPLICATION WITH  
MATTERS COMMITTED IN RESPECT OF ACCESS)**

Members considered letters of objection and support.

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.

Members received a presentation, in accordance with the public participation procedure, from Craig Brand, the applicants' agent. Mr Brand stated that this proposal seeks approval for a modestly sized backland development in an area of mixed character. Following refusal of the

previous full application for a much larger intensified scheme, the Inspector for the subsequent appeal dismissed the appeal due to the bulk and scale of the proposed dwelling and the effect on the outlook of 64, 64A and 70 Mill Road the same reason that Councillors Mrs Laws and Hay gave as their objection to the proposal in November 2015, with the Inspector raising no objection to the access way or the increase in usage proposed. He stated that after considering the Inspector's reasons on the application site and looking at similar backland approvals in Whittlesey, the scheme has been reviewed to seek a modest development which, in his opinion, retains the positive contributions the site makes to the visual appearance to the area.

Mr Brand made the point that the proposal seeks outline permission for simple single-storey dwellings with three indicative layouts; two alternative layouts for two dwellings and a third for a single dwelling, to allow the Local Planning Authority to have as much constructive input as possible. He stated that having calculated the height of the garage at 64 Mill Road, this proposal does not exceed this height, with the drawing on Page 6 of his handout clearly showing the dramatic reduction in bulk achieved by the single-storey schematic proposal reducing the height by over 3.8 metres. He feels that this reduction in bulk height and overall scale overcomes the Inspector's reason for dismissing the appeal and drastically reduces the visibility in the street, retaining the openness and separation between the Mill Road and New Road properties and would not result in any material harm to the character or appearance of the area.

Mr Brand made the point that Highways have considered that the access for a maximum of two new dwellings would cause no harm to highway safety and support the scheme, with the number of vehicle movements not creating noise and disturbance that would affect neighbouring amenities. He expressed the view that development of back gardens has been common practice in Whittlesey under the previous Local Plan and continues under the new Local Plan referring to sites where development has taken place on rear gardens of properties, which are single-storey in nature and found to be acceptable in backland sites, and the height of the proposed development would be far less than these approvals.

Mr Brand expressed the opinion that this proposal is appropriate development for a backland location, which complies with Policy LP16 (d) and NPPF Paragraph 53. In his view, the building of two bungalows would provide much needed high quality retirement bungalows, which will assist with the provision of dwellings in a sustainable location and within easy walking distance of the town centre. He feels this backland development will complement the existing surroundings and cause no visible harm to the street scene or the outlook from existing properties, believing that the previous reasons for refusal have been overcome hoping members shared this view.

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

- Councillor Mrs Laws referred to the Site Inspection, and whilst several plans have been submitted, one point in the Inspector's report that hasn't been overcome is that this is backland development. The Town Council recommends refusal and she feels that little has been changed from the point of view of it being a backland site.
- Councillor Sutton agreed. He complemented the agent for the work he has undertaken and the information in the handout provided is both helpful and unhelpful, but, in his opinion, it is not acceptable to build on this particular site.

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

**Refused, as recommended.**

*(Councillors Mrs Laws and Miscandlon registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they had been present at Whittlesey Town Council at which this application had been discussed but had taken no part)*

(Councillors Mrs Laws, Miscandlon, Murphy and Sutton registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that they had been lobbied on this application)

**P5/17**

**F/YR17/0308/F**

**4 BENWICK ROAD, DODDINGTON**

**ERECTION OF A 2-STOREY SIDE EXTENSION, DETACHED DOUBLE GARAGE,  
AND THE TEMPORARY SITING OF A MOBILE HOME (DURING CONSTRUCTION)**

**INVOLVING THE DEMOLITION OF EXISTING REAR SINGLE-STOREY BUILDING  
IN A CONSERVATION AREA**

Members considered objections.

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.

Members received a statement from Councillor Mrs Davies who had declared a non-pecuniary interest in the application. Councillor Mrs Davies stated that she called in the application because it has taken the applicant, the agent, Conservation Officer and Planning Officer eighteen months to get to this stage and whilst she respects the officers' comments, it does appear that the Conservation Officer supports the design of the extension and, in her opinion, it is a subjective judgement. She stated that the applicant is a young family man and needs to increase the size of the existing property to accommodate a modern family lifestyle, feeling that the house in its present state will never lend itself to being lived in and will only be improved by a sympathetic extension.

Councillor Mrs Davies expressed the view that the position of the house on the plot makes any extension difficult and it has to be on the side rather than on the back, with this particular attempt going a long way in supporting the original house and keeping the approach from the High Street centred on the original house. She feels that the placement of the box hedge garden complements the whole plot and when fully grown will help to partially screen off the more modern extension.

Councillor Mrs Davies made the point that Doddington Parish Council fully support the proposal and whilst there have been no letters of support there has been discussion on social media to suggest that there is a lot of support for the application.

Members received a presentation, in accordance with the public participation procedure, from Mr Swann, the applicants' agent. Mr Swann stated that this is a householder application for the extension and alterations to the existing house, which is recognised as a house of local interest and lies within the Doddington Conservation Area. He expressed the view that the current building is modest in scale, does not lend itself to the modern living requirements of the family, with the applicants' having owned the property for over a year and a half, and would like to breathe new life into it. The applicants' have a young family and would like to become an integral part of Doddington community.

Mr Swann stated that the applicants' are aware of the importance of the building to the local community and wish to preserve it. He stated that initial informal discussions were carried out with the Council's Conservation Officer with the contemporary approach agreed. Subsequently a planning pre-app was submitted and various meetings held with the Planning Officer with the design being amended throughout the process, with the current proposal reflecting the positive outcome of these discussions. In January 2017, he received a telephone call from the Planning Officer who conveyed that the Development Manager did not agree with the conclusion formed from the pre-app process and that he would not allow the Council to support the proposal. A subsequent meeting was held with the Planning Officer, Conservation Officer and Development Manager along with his client, with this meeting concluding that the Development Manager did not

like contemporary architecture and the design was a subjective issue, neither the Planning Officer or Conservation Officer agreed with this.

Mr Swann made the point that the comments of the Conservation Officer on the formal application, which were only received Thursday, accept the extension is the correct approach to the proposal, however, suggest the garage part is too dominant, but due to receiving these comments so late in the day, he has not had the opportunity to resolve these concerns, but he is happy to remove the garage from the proposal should members be inclined to deem the extension is acceptable. He expressed the view that the intention is to make clear to the viewer what is new and what is old, whilst respecting and understanding the historic building, with the new extension being designed to sit in harmony respecting the existing building's scale, form and materials. In his opinion, the new extension is bespoke design and is meticulously detailed, the glass link between the old and new ensures the extension doesn't adversely affect the proportions and symmetry of the existing building.

Mr Swann referred to the Conservation Officer's pre-app response stating that the extension makes no attempt to mimic the historic building's individual style and is considered an appropriate and clever approach to extending this building. He feels that the modest design of the extension seeks to allow the main 19th century dwelling to stand out and the extension extends around the site to create a formal front garden reflecting what was previously on the site, seeking to create a semi-public space that is formal and focused on the central access to the existing building, with new trees being proposed along with box hedging and additional planting.

Mr Swann made the point that it is accepted by the Development Manager that this proposal complies with LP2 and LP16, but he feels that it will conflict with LP18, which is not the view supported by the Conservation Officer, making reference to her comments. He expressed the view that the Chair of the Parish Council wanted to speak in support of the application, but had a prior appointment, and asked him to convey her support and that the application has the support of the Parish Council, District Councillor, Conservation Officer and Cambridgeshire County Council's Archaeology. He asked members to approve and support the proposal with any conditions they feel appropriate with or without the garage building.

Councillor Sutton asked Mr Swann that if he had been given more time he would have reduced the size of the garage or removed it altogether? Mr Swann stated that this was the case, they are happy to negotiate to either reduce or remove it.

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

- Councillor Mrs Laws expressed the opinion that this proposal is to be applauded, it is a beautiful building that needs tender love and care. She noticed that there is another property in March Road, Wimblington that has a glass frontage and is a contemporary modification to that property. She feels that this brings, as the Conservation Officer says, an old house to breathe back life, but also distinguishes the age of that property where probably the materials, craftsmanship or workmanship are not available to extend this sympathetically and, in her view, the only way forward with any of these properties is to make the distinction between the old and the new. She also made the point that lifestyles have changed and need to look at family environments and modern living, and she feels that this proposal should be supported, taking into account the Conservation Officer's comments.
- Councillor Connor stated that he used to live at 48 Benwick Road and always thought it would be lovely if someone would do something with this property and bring it back into use. He feels this proposal ticks a lot of boxes, cleans up the site and will enhance the village.
- Councillor Murphy asked what percentage is the extension over the original building? Officers stated that the footprint of the existing house is approximately 38 square metres and the extension is just under 80 square metres, however, this does not take account of

the 40 square metres of the existing single storey element to be demolished. However, the issue with the proposal is about design and appearance within a Conservation Area, with the Council not having a policy that restricts scale of developments.

- Councillor Mrs Laws expressed the opinion that what is currently on site is an eyesore, this is a beautiful, prominent property and she would recommend approval as is. Officers stated that if members are minded to approve the proposal that delegated authority be given to officers' to identify suitable conditions and resolve the issue of the design of garage, given the Conservation Officer's comments, and if an agreement could not be reached the proposal would come back to committee.
- Councillor Sutton expressed the view that whoever was responsible for ruining the small area of garden should be ashamed of themselves, he grew up in Doddington, used to visit this property and it used to be a beautiful garden. He stated that he has researched how architects across the country approach old to new and he does believe that contemporary development against old does work and does not think it should be shielded as the agent has suggested as it stands out on its own. He thinks that he can support the extension, but does have concern over the garage element, with it being a balance of what harm this does, and thinks on balance he can support the whole application, but that the garage is just a little over the top.

Proposed by Councillor Mrs Laws, seconded by Councillor Sutton and decided that it be:

**Delegated to officers to grant planning permission, in conjunction with the Chairman/Vice-Chairman, subject to formulation of appropriate conditions and amendments in relation to the garage. If the garage is not suitably addressed, the application be referred back to committee.**

(Councillor Mrs Davies declared a non-pecuniary interest in this application, by virtue of calling in the application and being ward councillor. After making her statement, she withdrew from the committee)

(Councillor Connor declared a non-pecuniary interest in this application, by virtue of being ward councillor. He stated that he did not attend the Parish Council meeting when the applicant made a presentation, he will listen to the report and make a decision based on the evidence put to him today)

2.00pm

Chairman