

# PLANNING COMMITTEE



**WEDNESDAY, 11 SEPTEMBER 2019 -  
1.00 PM**

**PRESENT:** Councillor D Connor (Chairman), Councillor A Hay (Vice-Chairman), Councillor I Benney, Councillor S Clark, Councillor A Lynn, Councillor C Marks, Councillor N Meekins, Councillor P Murphy and Councillor W Sutton, Councillor R Skoulding (Substitute)

**APOLOGIES:** Councillor Mrs S Bligh and Councillor A Bristow,

Officers in attendance: Nick Harding (Head of Shared Planning), Izzi Hurst (Member Services & Governance Officer), Bob Power (Legal Officer), David Rowen (Development Manager) and Gavin Taylor (Senior Development Officer)

## **P26/19      PREVIOUS MINUTES**

The minutes of the meeting of 14 August 2019 were confirmed and signed subject to the following comment;

1. Councillor Hay stated that minute P25/19, the bottom of page 7 of the agenda pack should read; 'There are no substantive reasons to go against the planning policies'

## **P27/19      F/YR19/0158/RM RESERVED MATTERS APPLICATION RELATING TO DETAILED MATTERS OF LAYOUT, SCALE, APPEARANCE AND LANDSCAPING PURSUANT TO OUTLINE PERMISSION F/YR15/0134/O AND F/YR17/1231/VOC FOR THE ERECTION OF 220 DWELLINGS AND GARAGES COMPRISING OF 4 X 1-BED; 34 X 2-STOREY 2-BED; 127 X 2-STOREY 3-BED; 47 X 2-STOREY 4-BED AND 8 X 3-STOREY 4- BED WITH ASSOCIATED WORKS, PLAY AREA, SUBSTATION AND PONDS;LAND NORTH OF WHITTLESEY EAST OF, EAST DELPH, WHITTLESEY, 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)) during its deliberations.

Gavin Taylor presented the report to members and drew their attention to the update report which had been circulated.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Anne Dew (Persimmon Homes) and Rob Hill (Infrastructure Design Ltd)

Anne Dew introduced herself as Planning Manager for Persimmon Homes and introduced drainage expert, Rob Hill, from Infrastructure Design Ltd. She stated that the site benefits for outline planning permission with part of the outline consent requiring consideration for drainage. A subsequent Flood Risk Assessment was submitted and approved. This application is submitted to agree the reserved matters relating to layout, scale, appearance and landscaping of the proposed development as well as the discharge of a number of conditions, including the condition relating to surface water drainage.

She explained that throughout the process Persimmon Homes had engaged with the Council, Cambridgeshire County Council (CCC) Highways, the lead Flood Authority and North Level Internal Drainage Board (IDB) and the scheme has been amended throughout the planning process to consider the comments made by these consultees. She highlighted that the report raises no concerns in relation to access, density, amenity or safety and accords with policies in the Local Plan.

In relation to the drainage, condition 12 of the planning permission deals with this issue and requires that this is carried out in accordance with the approved Flood Risk Assessment. She added that the lead Flood Authority and North Level IDB support this.

Anne Dew highlighted that the scheme will bring many benefits to Whittlesey, with the provision of 20 affordable homes being agreed with the Council. The scheme will provide 1.95 hectares of open space and a network of paths that will benefit existing residents of Whittlesey too. She explained that as part of the Section 106 (S106) associated with the outline consent, the development will provide contributions towards bus shelter improvements, cycle plans, school travel plans and enhancements to Whittlesey Train Station. Contributions will also be made in relation to primary and secondary schools and Whittlesey Library.

In conclusion, this is a policy compliant scheme which complies with the National Planning Policy Framework (NPPF) and the Local Plan and has the support of consultees.

Rob Hill explained that since the original Flood Risk Assessment, amendments have been made that the final outfall is now west of the B1040 into the IDB-managed watercourse system.

He highlighted that originally a Pond was proposed to be adjacent to the Play Area on the site but this has now been removed and the development will benefit from buried pipes and crates throughout the site. He informed members that the design has been modelled for a variety of 'storm events'.

Rob Hill explained that to manage the issue of flooding the properties are all set 600ml above sea level and whilst pumps were initially considered, this solution was deemed a better alternative as overspill will be taken to the existing ditches and pumps can be subject to mechanical failings.

He informed members that the maintenance of the site's pipe network will be managed by Anglian Water as part of the Section 104 Agreement and the maintenance of the Ponds will be the responsibility of a management company.

Members asked Anne Dew and Rob Hill the following questions;

1. Councillor Murphy asked for confirmation that there will be Play Areas on the development. Anne Dew confirmed this.
2. Councillor Murphy asked for confirmation that these Play Areas will be managed by a management company and their maintenance will not be the responsibility of the Council. Anne Dew confirmed that this was correct. Councillor Murphy asked that this assurance was noted in the minutes.
3. Councillor Connor explained that Councillor Mrs Kay Mayor had submitted representation to the Planning Committee as she was unable to attend today's meeting. He asked for assurance that there will be on-site parking for construction workers to avoid any issues with parking in neighbouring streets. Anne Dew confirmed that as part of the Construction Management Plan, an area will be identified in the development and set aside as a parking area for construction vehicles.
4. Councillor Connor asked if there would be a wheel-wash facility and sweeper provided to ensure the existing highways remain clear from mud and debris during construction. Anne Dew confirmed that the Construction Management Plan would include this provision too.

5. Councillor Connor asked that at the entrance of the site, the developer's contact details are displayed so members of the public can report any issues where necessary during construction. Anne Dew agreed to this.
6. Councillor Connor asked for confirmation of the site's opening hours. Anne Dew confirmed that no work will take place on Sundays or Bank Holidays with work only taking place on weekdays and Saturday mornings.

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

1. Councillor Lynn said whilst he had had concerns over the volume of access traffic to the site, housing is a necessity and as long as the conditions are met, he supports the proposal.

**Proposed by Councillor Lynn, seconded by Councillor Meekins and decided that the application be GRANTED; as per officer's recommendation.**

**P28/19      F/YR19/0518/F  
ERECT 4 DWELLINGS (2 X 2-STOREY 4-BED AND 2 X 2-STOREY 3-BED) WITH  
GARAGES;LAND EAST OF TINDALL MILL, KIRKGATE, TYDD ST GILES,  
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)) during its deliberations.

David Rowen presented the report to members and drew their attention to the update report which had been circulated.

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

James Burton explained that the site had previously benefitted from planning permission for two larger dwellings however this application proposes an alternative housing mix which would provide Tydd St Giles with more affordable housing. He added that the proposal complies with both the NPPF and Local Plan.

James Burton stated that whilst the Parish Council have objected to the proposal based on over-development, the current planning permission allows for two much larger dwellings and this application not only proposes less visual impact but also a reduced build frontage and larger gaps between dwellings.

He informed members that he has engaged with officers throughout the process and there have been no objections received from technical consultees. The scheme will allow for affordable, family homes in Tydd St Giles and he asked members to support the application.

Members had no questions for James Burton.

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

1. Councillor Hay highlighted that Highways had requested an amended plan for the dropped kerb (5.5 of the report). She asked if this had been completed. David Rowen drew member's attention to 10.15 and 10.16 of the report which provides further information on this. He explained that any work to the highway would require the Highway Authority's consent and any issues would be raised at that stage.
2. Councillor Hay raised concern that Highways had requested this plan and it has not been submitted. Nick Harding informed members that there are two options available to remedy this, if members decide to grant the application; the application could be approved subject to

an amended plan being received before planning consent is issued or attach a condition to the planning permission requiring a revised dropped-kerb design plan being submitted.

3. Councillor Connor supported the application.
4. Councillor Lynn agreed and stated that development is taking place in close proximity to the site and the proposal would be within keeping of the area.
5. Councillor Sutton congratulated officers and the Agent for proactively working together on this application. He stated that he supported a condition being added to the planning permission in relation to the dropped kerb design plan.

**Proposed by Councillor Murphy, seconded by Councillor Sutton and decided that the application be GRANTED subject to an additional condition being attached to the planning permission regarding access details; as per officer's recommendation.**

**P29/19      F/YR19/0636/FDC  
ERECT 1 DWELLING (OUTLINE APPLICATION WITH ALL MATTERS RESERVED); LAND SOUTH OF 18, ROWAN CLOSE, WISBECH, CAMBRIDGESHIRE**

Councillor Benney, Councillor Sam Clark and Councillor Murphy left the Chamber.

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

David Rowen presented the report to members and drew their attention to the update report which had been circulated.

David Rowen informed members that part of the site sits within the boundary of the Borough Council of Kings Lynn and West Norfolk. He confirmed that they had delegated this planning decision to Fenland District Council.

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

1. Councillor Lynn explained that as a local resident, he supports development as the site has previously been subject to fly-tipping and other issues.
2. Councillor Sutton agreed that the best use of the land would be for development purposes and whilst he believes the site is too large for just one dwelling, he supports the application.

**Proposed by Councillor Lynn, seconded by Councillor Sutton and decided that the application be GRANTED; as per officer's recommendation.**

*(Councillor Benney, Councillor Sam Clark and Councillor Murphy declared an interest by virtue of the fact that at they are members of Cabinet and had been involved in a decision in relation to this proposal. They left the Chamber for the duration of this agenda item)*

*(Councillor Lynn declared that he is a member of Wisbech Town Council but takes no part in planning matters)*

*(Councillor Meekins declared that he is a member of Wisbech Town Council but takes no part in planning matters)*

**P30/19      F/YR19/0179/VOC  
VARIATION OF CONDITION 4 OF PLANNING PERMISSION F/YR17/0685/VOC  
(ERECTION OF 6 X 3-STOREY, 3-BED DWELLINGS WITH BALCONY TO FRONT**

**AND INTEGRAL GARAGE AND 4 X 3-STOREY, 2-BED DWELLINGS) IN  
RELATION TO ACCESS;LAND SOUTH WEST OF, QUEEN STREET CLOSE,  
MARCH,CAMBRIDGESHIRE**

Councillor Benney, Councillor Sam Clark and Councillor Murphy returned to the Chamber.

Councillor Skoulding left the Chamber.

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

David Rowen presented the report to members and drew member's attention to the additional drawings submitted by the Agent. He explained that the decision to install a turning head accessing the site had been imposed following an appeal to the Planning Inspector and today's application seeks to remove the condition associated with this.

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

Richard Brown introduced himself to members as a planning consultant appointed by Elmside Limited. He informed members that the application being considered is for an amendment to the access arrangements previously approved. This is due to land ownership issues with CCC who own part of the land that would be required for the turning head.

Richard Brown explained that a planning application had been submitted in 2011 for 8 dwellings with similar access arrangements. When access plans were submitted CCC Highways had responded that if the application was to be approved, they would require a condition to be added to the planning permission creating a turning area at the end of Queen Street Close which would serve as access to the site and a turning facility. At that time, CCC had agreed to adopt this turning head as part of a Section 38 agreement and stated that the turning head would benefit both road users and themselves as it would improve access to their land which sits adjacent to the site. The application was initially refused but subsequently granted planning permission following an appeal with the Planning Inspector.

Richard Brown informed members that following this, CCC have both refused to sign over their piece of land required to create the turning head or enter into a Section 38 agreement as per the original proposal due to the differing aspirations of the CCC Property Team and Highways department. He stated that CCC have not considered the public interest of this proposed development and have put both himself, the Applicant and Fenland District Council in a difficult position.

Richard Brown drew member's attention to the swept-plan analysis drawings included in David Rowen's presentation. He highlighted that the drawings show that vehicles will be able to both enter and exit the site in forward gear without the need of a turning head. He urged members to consider the valuable contribution this site will bring to the area and asked that members go against officer's recommendations and approve the application.

Members asked Richard Brown the following questions;

1. Councillor Meekins asked for confirmation that CCC will not release their piece of land to enable the construction of the turning head. Richard Brown confirmed this and explained that as part of the initial application, Highways had raised concerns in relation to access and had suggested a turning head subject to the Applicant constructing this at their own cost. This was agreed however the Property Team at CCC have since refused as they have different aspirations for this piece of land. He stated that the turning head was initially

- suggested by CCC and they had agreed to enter into a Section 38 agreement.
2. Councillor Meekins raised concerns with refuse vehicles entering and exiting the site in the absence of a turning head. Richard Brown stated that there are no provisions for this currently in Queen Street Close and the development would not add to an already existing problem.
  3. Councillor Hay asked if the Applicant or Agent had approached the Assets Team at CCC in relation to potentially purchasing the piece of land required. Richard Brown confirmed they had not specifically discussed purchasing this land as it was intended that a Section 38 agreement be signed and the turning head adopted as part of the public highway. He suggested that as CCC own land adjacent to the proposed turning head; they have differing aspirations for this land.
  4. Councillor Hay said as Vice-Chairman of the Commercial and Investment Committee at CCC, she would suggest that the Applicant contacts the Assets Team at CCC to discuss the potential purchase of this land.
  5. Councillor Benney asked if the Applicant would consider reducing the number of dwelling on the site to allow for a turning head to be installed without the need for CCC land. Richard Brown agreed that consideration would have to be given to this, if the application is refused today.
  6. Councillor Hay asked if Richard Brown could indicate on a plan where CCC's land is located. Richard Brown indicated that approximately half of the proposed turning head is land owned by CCC.

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

1. Councillor Sutton questioned Councillor Hay's position on CCC's Commercial and Investment Committee. Councillor Hay clarified that the Committee had not discussed this particular application or site. Bob Power confirmed that this is not a planning issue but rather a land transaction issue therefore there are no concerns.
2. Councillor Lynn raised concern with the proposed turning heads proximity to the primary school adjacent.
3. Councillor Benney raised concern that without the turning head, access would be very difficult and residents will have issues. He said members must consider the future users of the site as whilst the swept-plan drawings show access is possible, this is dependent on a number of parking bays being unoccupied.
4. Councillor Sutton stated that he is disappointed that CCC have put both the developer and the Council in this position and as a result, the scheme will not be delivered. He added that there are too many issues to grant planning permission but he is very disappointed that he cannot support this application.
5. Councillor Benney agreed that as no turning head can be secured, members have no option but to refuse the application. He endorsed Councillor Sutton's comments.
6. Councillor Murphy said he was disappointed that the applicant has been put in this position by CCC. He said it was a disgrace that the delivery homes have been prevented due to this issue.
7. Councillor Hay reiterated that the applicant needs to re-approach CCC and make them aware of what they had initially promised. Unfortunately the only other alternative is to reduce the amount of dwellings to incorporate a turning provision on-site.
8. Councillor Murphy disagreed and said the applicant should not have to reduce the number of dwellings proposed as the turning head had been agreed with CCC.
9. Councillor Sutton asked if Councillor Hay and Councillor Connor could attend the forthcoming Commercial and Investment Committee meeting at CCC and make a representation on behalf of the applicant in support of the application. Councillor Hay disagreed with this approach and reiterated her previous comments.
10. Councillor Sutton said reluctantly, he cannot support the application due to the ongoing land ownership issues.

**Proposed by Councillor Sutton, seconded by Councillor Sam Clark and decided that the application be REFUSED; as per officer's recommendation.**

*(Councillor Skoulding declared a personal interest by virtue of the fact that he owns land opposite the site at Queen Street Close and left the Chamber for the duration of this agenda item)*

**P31/19      F/YR19/0501/F  
ERECT 5 DWELLINGS (COMPRISING OF 3 X 1-BED AND 2 X 2-BED FLATS) AND  
ASSOCIATED PARKING,NELSON HOUSE, 22 NORWOOD ROAD, MARCH,  
CAMBRIDGESHIRE**

Councillor Skoulding returned to the Chamber.

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

David Rowen presented the report to members and drew member's attention to the update report which had been circulated.

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

Adam Sutton thanked members for the opportunity to speak at today's Planning Committee meeting. He explained that officers had considered the objections raised by neighbouring residents and supported the application.

Adam Sutton stated that concern had been raised regarding vehicles parking to the front of the property due to the current access gates to the site being locked. He explained that these gates have been locked for security purposes and if the application is approved, the gates will be removed to allow parking to be provided on site, which should alleviate the concerns of local residents.

He explained that a previous application for the site had been withdrawn earlier this year as officers could not support the application. Following this, both he and the applicant have taken officers comments on board and have submitted a redesigned proposal incorporating the comments made. He praised the officers for their proactive approach to facilitating development on this site and asked that members support their decision to approve the application.

Member had no questions for Adam Sutton.

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

1. Councillor Benney highlighted that there was no footpath to the front of the site and asked if a condition could be attached to the planning permission in the interest of public safety. David Rowen explained that as Highways had not raised this as a concern, it could be seen as an unreasonable request. He highlighted that to install a footpath would require the floor level of the adjacent property to be lifted in order to accommodate this.
2. Councillor Hay asked if the opposite side of the road benefits from a footpath. David Rowen confirmed this.
3. Councillor Sutton praised officers for their engagement with the applicant and agent in relation to this application.
4. Councillor Connor endorsed Councillor Sutton's comments and supported the proposal.

**Proposed by Councillor Connor, seconded by Councillor Lynn and decided that the application be GRANTED; as per officer's recommendation.**

*(Councillor Sutton declared a personal interest by virtue of the fact that the Agent of this application is a relative. He abstained from voting on this agenda item)*

**P32/19      PLANNING APPEALS.**

David Rowen presented a report to members with regards to appeal decisions in the last month.

2.48 pm

Chairman