

PLANNING COMMITTEE



WEDNESDAY, 11 NOVEMBER 2020 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor I Benney, Councillor M Cornwell, Councillor Mrs M Davis, Councillor Mrs J French, Councillor A Lynn (Vice-Chairman), Councillor C Marks, Councillor N Meekins, Councillor P Murphy, Councillor R Skoulding and Councillor W Sutton, Councillor A Miscandlon (Substitute)

APOLOGIES: Councillor Mrs K Mayor,

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

P47/20 PREVIOUS MINUTES

The minutes of the meetings of the 23 September and the 7 October 2020 were approved.

P48/20 F/YR20/0363/F LAND NORTH WEST OF CEDAR LODGE, THE OLD DAIRY YARDS, WESTFIELD ROAD, MANEA. ERECT 1X4-BED SINGLE STOREY DWELLING, INCLUDING IMPROVEMENTS TO ACCESS.

David Rowen presented the report to members.

Members received a presentation in accordance with the public participation procedure, from Alan Melton of Manea Parish Council.

Mr Melton highlighted to members 5.4 of the officer's report which refers to the submission from the Cambridgeshire County Council Rights of Way Officer, and he expressed the opinion that it is a very ambiguous statement that has been made, as it states that the Definitive Map Team have no objection, but in the recommendation, it forms a reason for refusal. In his view, the Highways Officer and Definitive Rights of Way Officer have not visited the site and have only come to their conclusions by reviewing Google Maps.

Mr Melton referred members to LP15 of the Fenland Local Plan which states that development should be well designed, safe and have convenient access for all and made the point that the Planning Officer has already mentioned that the original suggestion was for two dwellings, but the applicant sought advice from officer's and reduced the proposal to one property. He stated that the main concern of the Parish Council is concerning the segregated pedestrian pathway, but he has visited the site and has driven down the roadway and, in his opinion, there is adequate room for a vehicle and pedestrians and that while it is a public right of way, which is not owned by the County Council, it is very unlikely that there will ever be a constant flow of traffic or pedestrians.

Mr Melton stated that a couple of years ago the Council approved an application, which was 100 yards away from the proposal before them today and this dwelling was between the two bends without adequate width or access and it was granted against the Parish Council's recommendation. He referred to the officer's report which refers to a single dwelling in a growth village with every planning permission granted helping towards the Council's housing targets and,

in the opinion of the Parish Council, the refusal is not justified and the Highway Authority do not direct planning refusals, they only advise.

Members asked Mr Melton the following questions:

- Councillor Mrs French asked Mr Melton for clarification regarding ownership of the public right of way? Mr Melton stated that nobody appears to know who owns it, but the County Council have advised that they do not own it and Manea Parish Council do not own it, but with the help of the applicant and the Parish Council's own team and by paying the County Council a sum of money each year, they do maintain it for the public to use. Councillor Mrs French stated that there is a new Public Rights of Way Officer at the County Council, and the intention is for all Public Rights of Way to be upgraded across Fenland. She added that if the application was approved what effect would it have on the Public Right of Way? Mr Melton stated there is an access off the road which leads to a field with horses and to three buildings and to the rear of the new estate, which some of the properties have access off. He added that there has never been an issue in Manea with the roadway and there has never been an accident. and if the need arose for pedestrians to step out of the way, due to an oversized vehicle they can step onto the verge, which is not an uncommon factor in rural areas.
- Councillor Cornwell asked Mr Melton if he was able to confirm the Parish Council's views on all the other developments that have taken place in this area as it appears it is the last remaining plot in the vicinity. Mr Melton stated that as far as he is aware the Parish Council have had no objection to any development in this area.
- Councillor Miscandlon asked Mr Melton why the developer has not looked to work with the Council to overcome the highway issues that have plagued the site for many years? Mr Melton stated that through the appeal process for previous applications the Highway Authority have not been prepared to engage. He added that in his position as the Parish Clerk he has been attempting to work with the Highway Authority on road safety issues for the past two years, but he does not think the Highway Authority have made any attempt to visit the site, either on foot or in a vehicle and have only referred to Google Maps.

Members received a presentation, in accordance with the public participation procedure, from Councillor Charlie Marks.

Councillor Marks stated he is the Ward Councillor for Manea and this site has had numerous applications refused in the past and he expressed the view that this proposal should be granted as it mirrors the need of the village of Manea, with little or no adverse impact. He added that the applicant is known to him in a business capacity and is also known to him regarding an issue with a public right of way which borders his land and over the years, due to poor maintenance by Cambridgeshire County Council, villagers had been using his land instead of the designated footpath, however, this issue has now been dealt with by the repair of the footbridge and reinstatement of the path. He stated that he knows the land that the application refers to, as his daughter kept her horse on it for 18 months.

Councillor Marks referred to the reasons for refusal in the past and the reasons contained within the officers report which appear to be in the main, a highways issue regarding no segregation for pedestrians walking down the lane where vehicle movements also take place, but he has walked down the lane on numerous times and cannot remember any occasion where he has met any other pedestrians. He expressed the opinion that most pedestrians use the footpath less than 75 metres further on towards the S bends which takes them straight onto the open field behind Westfield Road and the lane is used by people visiting a hair salon at the end of it and to access the small number of dwellings that are situated down there.

Councillor Marks referred to the concerns regarding accessing Westfield Road from the lane, but he has used the lane in many different types of vehicle without any issue regarding vision. He made the point that the road to the right is a straight road and in a 30mph area and drivers heading

into the village are already reducing their speed for the right hand bend and drivers travelling from the High Street are driving under 30mph having just come out of the S bend. He added that a previous application was granted planning permission 2 years ago which was located on the S bend which the Parish Council did not support but was approved.

Councillor Marks concluded by stating that the application has negated the concerns made by the Highway Authority by placing passing places on the lane and for all off site vehicles to have parking provision during the building works. He expressed the opinion that it is a good application and referred to a previous point made by Councillor Sutton in that the Committee should always look favourably to an application if it is supported by a Ward Councillor as they have the local knowledge of their area.

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

Mr Hall stated that members will note that there is one reason for refusal of this application, which is regarding access concerns, but the existing access already serves several dwellings and a further dwelling which is partly constructed. He explained that where the access joins Westfield Road, it is a 30mph road and the visibility splays of 2.4 metres by 43 metres can be achieved at the junction, with the proposal being to widen the top of the access with Westfield Road and provide a permanent tarmacked surface 10 metres by 5 metres.

Mr Hall stated that in 2014, the Highway Authority commented on a single plot which is 25 metres north of the proposal and said ideally that the track should be a minimum width of 5 metres by 10 metres distance from Westfield Road and have the visibility splays of 2.4 metres by 43 metres and both of these recommendations on that application form part of the proposal in the current application with the Highway Authority having confirmed that there is no 5-year accident data available for the junction. He stated that if planning permission is granted then temporary facilities can be placed on the application site, clear of the access as there is adequate room for storage of materials and that there is adequate room on the frontage of the site to include a passing bay which can be agreed with officers and if required can be brought forward.

Mr Hall highlighted to the committee on the presentation screen, a map of the Old Dairy Yard and pointed out a plot which is 25 metres from the proposal site, which received planning permission in 2014 for a single dwelling and at that time it was recommended for refusal by the Officer and by the Highways Authority, but was approved by the Planning Committee. He added that the Appeal Inspector has stated that the proposal will not harm the character of the area and there are not concerns with regard to overlooking, over shadowing with the site being large enough to accommodate a single storey dwelling in Flood Zone 1.

Mr Hall added that following discussions with the Highway Authority, it is his understanding that they would not be able to propose a favourable recommendation due to the fact that the owner of the Old Dairy Yard is unknown and on various deeds of the Old Dairy Yard there is always an indemnity taken out to ensure that all persons accessing off the Old Dairy Yard will keep the access. He stated that the Public Rights of Way Officer have not raised any objection and are not against any improvements.

Members asked Mr Hall the following questions:

- Councillor Benney stated that in previous applications the County Council had asked for road improvements along the Old Dairy Yard but the costs of that would be prohibitive to the development. He asked Mr Hall to clarify the comment he made with regard to the widening of the first ten metres of the Old Dairy Yard so that there is room for two cars to pass and then the inclusion of the passing space to be introduced if permission was granted. Mr Hall stated that at the top of the access of Westfield Road it will be improved to be 5 metres by 10 metres this is achievable as the land at the top of the road is owned by the applicant and

with regard to the passing bay, the site frontage is about 35 metres in width and the applicant is happy for this to be included and can easily be accommodated and officers have agreed its location.

- Councillor Miscandlon asked whether the first ten metres which are going to be improved are as a result of the Highways recommendation in 2014? Mr Hall stated that is correct. Councillor Miscandlon queried why if the Highways Authority deemed it as acceptable in 2014, they are not in support of it now? Mr Hall stated that it is his understanding that they felt with that application in 2014 and with the proposal today that the remainder of the access is inadequate and with the application in 2014, they did not propose a passing bay. He added that with the 2014 application, the applicant at the time, did not own the property at the top of the road, whereas this applicant does and can therefore implement the change and the visibility splay.

Members asked officer's the following questions:

- Councillor Mrs Davis asked officer's why there was no Highways Officer at the meeting? David Rowen stated that an officer was invited but was unable to attend but had confirmed that he had no further comment to add to that already provided in the application. Their opinion is that the access is a substandard arrangement to serve an additional dwelling. Councillor Mrs Davis added that it is unfortunate that he has been unable to attend.
- Councillor Cornwell asked for clarification that all the landowners adjacent to the footpath appear to have access rights to it and asked whether his understanding is correct? David Rowen stated that in terms of the access rights, it is more of a legal issue, however, it appears that the properties have access and use the Old Dairy Yard and presumably have a right of access across the track. Councillor Cornwell added that it includes the applicants site together with all the others, which is a confusing situation as there is another footpath at the back of the property that runs from Westfield Road at the back of the plots, to the fields at the back, and joins up with the Old Dairy Yard at the bottom. He added that to his knowledge both of the footpaths have existed for 70 years and he expressed the view as to why there has never been a problem in the past when people have wanted to build there and now suddenly since 2014, it has become an issue. David Rowen added that there has been a consistent stance from the County Council since 2014 regarding the concerns of over intensification of the use of the Old Dairy Yard with additional development coming forward and he stated that the situation has arisen historically, with it being a question of whether the exacerbation and the intensification of the use of the Old Dairy Yard is acceptable or not, the Highway Authority are against it as is the previous Planning Inspector who both consider it as unacceptable. Councillor Cornwell stated, so even though approval was given in 2014, an additional dwelling is now considered as wrong? David Rowen quoted from the 2015 appeal decision which stated "With regard to the house further north on Old Dairy Yard the fact that the Council deemed it appropriate in highway terms does not mean further development should be accepted. The appeal proposal would exacerbate the cumulative harm to pedestrian and highway safety from the increased vehicular use of a public footpath as a substandard access ". David Rowen added that the Inspector had regard to what was already in Old Dairy Yard together with a planning permission which was granted in 2014 and concluded that the addition of a further dwelling would be unacceptable and that stance has not changed since the date of that appeal decision.
- Councillor Miscandlon stated the right of access in that lane has historically been a bone of contention and the people that live and work down there have always had the right of access through all of the time that he was the Chairman of the Planning Committee.
- Nick Harding stated that Members need to separate the issue of the planning application and the right of access. He added from a planning decision point of view we are not interested into rights of access as that is a private matter. He added that if planning permission was granted it does not convey to the applicant or subsequent occupiers of the site, the right to use the access and it is something that they need to secure by other means than that of a planning application.

- Councillor Cornwell asked that if the right of access is not a planning issue, how does it become a material element for County Highways when they do not own the area? Nick Harding explained that an adopted road in a rural setting, can mean that the Highway Authority does not necessarily own the land underneath, the highway right of way in a public right of way perspective is the ability to go across the top of that land and what is underneath could be owned by a third party. The comments in this application are with regard to the width of the access given its length, the fact that it is shared with pedestrian traffic on whether the access is considered to be safe or not and the Highway Authority have stated over a number of years that it is not satisfactory as have the Planning Appeal Inspectors.
- Councillor Cornwell made the point that the access is not an adopted road, it is a public footpath and it is not owned by anybody and therefore the County Council are raising highway safety matters on land that does not belong to them. Nick Harding stated that because there is a public right of way and vehicular traffic in the lane, there is a risk of pedestrian and vehicle conflict and that is why there is interest and it is relevant for the County Council to comment.

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

- Councillor Benney stated that he cannot find any issue with the site, it is a country road in a rural setting and if Mr Hall is prepared to work with the applicant to add a passing place, it will be made safer than it is today. He added that by granting the application it will make a safer road for everyone to use. Councillor Benney stated that the comments made by Mr Melton are correct in that there is room for both pedestrians and vehicles to pass, it is a straight road, has no blind corners and, in his opinion, it would be remiss not to grant the application as it is a good proposal. He added that both the local Parish Council and the Ward Councillor are in support of the application and he will be going against the officers' recommendation and supporting the application.
- Councillor Mrs Davis expressed the view that she agrees with several points raised by Councillor Benney and added that she is disappointed a Highways Officer is not in attendance to answer members questions. She expressed the opinion that she believes the application should be granted with the inclusion of the passing bay and the condition to include the provision of the necessary storage on site.
- Councillor Cornwell stated that the application should be supported as it is a sustainable site and it is already surrounded by other properties. He added that he likes the fact that the agent has put forward solutions to make the access safer on to Westfield Road, which include the passing bay to increase the level of safety for the mixed use in the area and he will be voting against the officer's recommendation.

Proposed by Councillor Benney, seconded by Councillor Skoulding and decided that the application be APPROVED against the officer's recommendation subject to delegated authority be given to officers to apply reasonable conditions to include assisting the developer with the design specification for the passing bay and also to include the storage of all materials on site.

Members did not support the officer's recommendation of refusal of planning permission as they feel that the proposal would not create a harmful impact in relation to highway safety as it is in a rural area and safety measures, such as a passing place will be added to the benefit of the people of Manea and for the people who use it.

(Councillor Marks declared an interest in this item as the applicant is known to him and he took no part in the discussion on this application and voting thereon)

P49/20

F/YR20/0824/F

16 PARK STREET, CHATTERIS, DEMOLITION OF REAR ANNEXE AND WORKSHOP AND ALTERATIONS AND REFURBISHMENT OF EXISTING

DWELLING TO FORM A 4-BED DWELLING. F/YR20/0854/F
25 VICTORIA STREET, CHATTERIS ERECT 3 X 2-STOREY DWELLINGS
COMPRISING OF 1 X 3-BED AND 2 X 2-BED INVOLVING DEMOLITION OF
EXISTING BUILDING WITHIN A CONSERVATION AREA,

David Rowen presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from Councillor James Carney of Chatteris Town Council.

Councillor Carney stated that Chatteris Town Council believe that both applications should be seen in a favourable light and with regard to the Park Street application, which is in a prominent position along Park Street, the Town Council are pleased to see that the original frontage would be restored and in keeping with the rest of the street. He expressed the view it is a fine old house and it is encouraging to see the main part of the house being retained adding that at the rear of the house through the archway are the workshops which were an addition at a later stage and do not form part of the main fabric of the house.

Councillor Carney stated that on a previous occasion he has been inside the property and it is clear that the buildings to the rear do not add to the attractiveness of the dwelling and therefore, the Town Council do not feel that the comments raised by the Conservation Officer are valid, stating that the buildings detract from the street scene and the Conservation Area as you do not actually see the old workshops from the street itself. The Town Council are very pleased to see the proposal for the main building is to be kept and restored and have noted the comments made with regard to the lean to at the back of the building, which has different types of glass in it and a representative from the design company visited the Town Council to present on the proposals and it was asked whether the old glass could be used in some form or restored, but if that was not possible could it be gifted to the museum.

Councillor Carney added that regarding parking there were no concerns raised by the Town Council, as there would be parking through the archway and to the rear of the house and there is on street parking in the Town Centre.

Councillor Carney stated that regarding the Victoria Street aspect of the application, the developer has stated that regarding parking there are four spaces in place plus two additional spaces for visitors and made the point that there are other developments in Chatteris which have been approved which have no on-site parking at all. He expressed the view that the proposal has been designed to replicate other properties along Victoria Street and this has been welcomed by the Town Council as it will not be out of keeping with the rest of the street and area.

Councillor Carney added that the point regarding the site requiring an archaeological investigation may be raised later, but overall, the Town Council are of the opinion that the proposals will be an improvement on what is currently in place.

Members asked Councillor Carney the following questions:

- Councillor Lynn asked Councillor Carney to clarify whether he had stated that the applicant had stated that they would be willing to keep some of the parts of the site that are historical and give them to a museum to reuse them? Councillor Carney stated that, in relation to the Park Street site, the developer has stated that the main part of the house will be kept as it is, with improvements to the windows and front door. He added that amongst the application there is some scope to try and use some of the salvaged materials. Councillor Lynn stated that he would hope the developer will contact the Heritage Team to review this further including discussions concerning the workshop. Councillor Carney added that the Town Council did not have any objection with the workshop being taken down and if there is scope for material to be reused then the developer will do. He referred to the last page of

the Conservation Officer report, where they have stated that the principle of development in reuse is supported.

- Councillor Cornwell asked for clarification that Chatteris Town Council are not interested in saving the workshop and Councillor Carney confirmed this was the case.

Members received a written representation, in accordance with the Public Participation Procedure, from Mr Lawrence Weetman, an objector to the proposal, read out by David Rowen, the Development Manager.

“As chairman of Chatteris Past, Present & Future - the civic society for Chatteris - I would like to draw councillors' attention to the remarks submitted by the Archaeological Officer. Councillors should note that several apparently medieval human remains were found during a nearby archaeological dig that took place in 2011. That discovery was just 20m east of the proposed site, to the rear of 19 Victoria Street. Additionally, the proposed development will be on the site of the former medieval Chatteris Abbey. Due to the archaeological sensitivity of the area, and the likelihood of a burial site being present at this location, we believe that an archaeological dig must be required if councillors are minded to give approval for this application”.

Members received a presentation, in accordance with the Public Participation Procedure, from Mr Tony Welland, the Agent.

Mr Welland thanked the committee for allowing him to speak in support of the application and also to Chatteris Town Council for speaking in support. He stated that the application relating to 16 Park Street, which is not a Listed Building but within the Conservation Area, is for permission to demolish the old workshop to the rear of the main house and not for replacement windows or shop front, but the proposals would facilitate the refurbishment of the property that has seen little if any repair to it the last 50 years. He accepts that this needs to be done sympathetically to enhance the Conservation Area and setting of adjacent Listed Buildings and stated that he does not require permission for this aspect of the proposal and, therefore, the officer comments regarding layout and parking are not relevant to the application before members.

Mr Welland stated that he wholeheartedly agrees that there is an opportunity to improve this part of Chatteris Conservation Area and this is what he is trying to achieve, supported by the Town Council. He advised that he sought advice originally through a pre app to convert the existing building into flats which included the rear range of workshop buildings, however, when he looked in detail at the former workshops, which had never been used for living accommodation, he realised that, to bring the building up to building regulations standards it would be cost prohibitive and almost impossible to achieve.

Mr Welland expressed the opinion that the solution offered by officers is not at all practical and ignores the harsh reality of economics, with the timber first floor being in poor condition, the ground floor is brick over earth, there are no stairs and the ladder used for this has missing rungs, the external flank wall has brick bonding issues due to later repairs and the gable wall is unstable and bowing out due to the introduction of 3 window openings, the windows need major repairs or replacement, there is no roofing felt or ceilings or insulation and, therefore, the out building the Conservation Team are looking to retain and refurbish would need to be demolished and completely rebuilt, but their proposal would at best create two compromised dwellings akin to flats with no private amenity or garden space for a family townhouse or the dwelling behind. He stated that he does not think the town needs this sort of accommodation, which is also the view of two local estate agents, and he does not believe it would be in the long-term interest of the Conservation Area, with the only practical and viable use for the retention of 16 Park Street being as a single dwelling

Mr Welland stated that regarding the application off Victoria Street, he has designed a scheme that reflects the comments made at the pre application stage with a detached frontage plot off Victoria Street and a L shape pair of dwellings mid plot with Plot 2 having a gable fronting the parking area to reflect the linear development suggested by officers which provides an interesting focal point. He has

retained the existing entrance which was used for the previous business use and has allowed for 2 parking spaces per plot which is acceptable to the Highway Authority.

Mr Welland stated that he is proposing a mix of two and three-bedroom homes to meet local need with designs that reflect the character of Chatteris and there are no significant overlooking issues for a central town location with all three new homes having good size gardens and private amenity space and will be built to a high standard of finish. He concluded that the two applications allow for the regeneration of a run-down town house which will improve the Conservation Area and setting of adjacent Listed Buildings and for the removal of an existing commercial use in favour of three, low energy sustainable homes in the centre of Chatteris and added that in discussion with the Town Council, should the applications be approved, the side window to the main house and the small pieces of glass used in the conservatory will be gifted to the Chatteris Museum to celebrate the Angel Family who previously lived at the address and any materials that can be reused will be.

Members asked Mr Welland the following questions:

- Councillor Benney asked why the proposal includes the retention of the old office in the middle of the plot, whereas if it was removed it would provide an additional parking place or a bigger garden for one of the dwellings? Mr Welland stated it was going to be retained and used for the garden shed of number 16.

Members asked officers the following questions:

- Councillor Benney asked for clarification regarding the controlled parking that officers had referred to in Park Street as he was aware that there was a 30 minutes restricted parking area and asked whether this was what officers were referring to? David Rowen confirmed that this was he was referring to.
- Councillor Cornwell asked whether the doors that front onto Park Street are wide enough to allow a vehicle through? David Rowen confirmed that they do appear narrow, but he was unsure of the width. Councillor Cornwell referred to the allocated parking for Park Street as being through the archway. David Rowen stated that the plans for 16 Park Street do not indicate any parking spaces and it is assumed that the because the two sites are in one ownership, 16 Park Street can utilise the access from Victoria Street and park in there, rather than try to take vehicles from Park Street itself.
- Councillor Mrs French stated that there is no controlled parking at this time and added she does think it is a material planning consideration for this application.
- Councillor Mrs Davis added that obscure glass was mentioned and asked where this was going to be? David Rowen added it would need to be included at first and second floor levels due to the inclusion of ensuite bathrooms proposed and some consideration will need to be given from a practical point of view to the bay window to safeguard the privacy of the occupants in the living room area.
- Councillor Benney added that the width of the driveway is narrow, but he is aware a small car can access it.

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

- Councillor Cornwell stated that he is normally reluctant to say that history should be ignored, however, regarding the old workshop, the advice of the Town Council appears to be that they are not worried about protecting it. He added that Victoria Street, in his opinion, appears to be somewhat over developed and he will be interested to hear the views of other members.
- Councillor Murphy stated that the building has always been an old building and nothing of heritage status with it having deteriorated over several years and requiring renovation. He added that people have complained over several years that nothing has been done and expressed the view that the report contains a large response from the Conservation Officer, which, in his view, needs to stop and developers should be left to develop the areas instead of bringing expensive ideas and ways of bringing the buildings back into use. Councillor Murphy stated that Chatteris has many redundant buildings which are becoming an eyesore

because nobody can afford to renovate and repair the buildings because of the costs put on them by the Conservationists and he sees no reasons for the refusal of the application. He stated that he likes the style and appearance of the proposal and he cannot see why it has been recommended for refusal especially as the town of Chatteris want to see this go ahead and it should be approved.

- Councillor Meekins expressed the opinion that it is a shame that the two applications are being determined together and he expressed the opinion that the Park Street application is a good application which he will support although it requires work. He stated that he also feels that Victoria Street is over developed, and it would be better suited to two dwellings rather than three.
- Councillor Sutton expressed the opinion that he respects the comments of Councillor Murphy, however, there cannot be a policy in place where there is no consideration for old buildings. He stated the officer's recommendation is correct and he agrees with the comments made by Councillor Meekins and Cornwell that Victoria Street is over developed, and he will be supporting the officer's recommendation for both proposals.
- Councillor Benney stated that the old workshop at the back of 16 Park Street is falling down, the brickwork is poor and if it is taken down to rebuild it, the footings would not be suitable and the whole building appears to be falling apart. He stated that the building has reached the end of its life and to remove it would be the best course of action. Councillor Benney expressed the opinion that by making it a 4 bedroomed house with a long narrow plot with a garden, it will become a quality dwelling, rather than a block of flats which would be over development. He stated that an archaeological dig has been requested and he expressed the opinion that it should not be added as a condition as it would be a costly exercise. He stated that a body was found in one of the adjacent plot previously, which was dealt with appropriately and reburied and it dates to the Middle Ages and there is not the requirement to carry out archaeological digs, which will add additional costs to the proposal for the developer. Councillor Benney stated he agrees with Councillor Murphy that Chatteris has too many old buildings that are trying to be conserved and instead of doing that there should be the want to concentrate on the buildings that really need looking after, with this proposal bringing 16 Park Street back to life and it will no longer be derelict or full of vermin.
- Councillor Miscandlon stated that he agrees with the comments made with regard to Park Street and stated that although it is in a Conservation Area, it will be brought back to a useable standard. He referred to the comments made by Councillor Benney and stated that when the foundations for the workshops at the rear were laid surely there was an archaeological dig carried out at that time. Councillor Miscandlon referred to the comment made by Councillor Meekins regarding the parking issues in Victoria Street and, in his opinion, that can be resolved. He stated that three dwellings could be classed as over development as the dwellings would be cramped, but there could be two very nice dwellings constructed on the site.

F/YR20/0824/F

Proposed by Councillor Sutton to refuse the application as per the officer's recommendation, however there was no seconder to the proposal.

Proposed by Councillor Murphy, seconded by Councillor Benney and decided that the application be APPROVED against the officer's recommendation, with delegated authority being given to officers to apply appropriate conditions in consultation with Councillor Murphy and Councillor Benney.

Members did not support the officer's recommendation of refusal of planning permission as they feel that the style and appearance of the proposal will enhance the area and will not adversely affect the amenity of neighbouring users and future occupiers and the demolition of the rear annexe and workshop and proposed changes to the front elevation would not be

detrimental to the character and appearance of the Chatteris Conservation Area and adjacent Listed Buildings.

F/YR20/0854/F

Proposed by Councillor Sutton, seconded by Councillor Cornwell that the application be refused as per the officer's recommendation. This proposal was not supported on a vote by the majority of members.

Proposed by Councillor Murphy, seconded by Councillor Lynn and decided that the application be APPROVED against the officer's recommendation with delegated authority being given to officers to apply suitable conditions.

Members did not support the officer's recommendation of refusal of planning permission as they feel that the style and appearance of the proposal will enhance the area and will not adversely affect the amenity of neighbouring users and future occupiers, the car parking facilities are not deemed inadequate and the design, scale and siting of the proposal would not be detrimental to the character and appearance of Chatteris Conservation Area.

(Councillors Murphy and Benney declared an interest by virtue of the fact that they are both members of Chatteris Town Council but takes no part in planning matters)

P50/20 PLANNING APPEALS.

David Rowen presented the appeals report to members.

Members asked question, made comments and received responses regarding the appeal on planning application F/YR20/0107/F as follows:

- Councillor Mrs French asked what the associated costs were regarding the appeal decision? Nick Harding stated that the costs were £1650 and added that he was disappointed with the costs award as the Inspector agreed the access was substandard, however, he appeared to penalise the Council with those costs even though he agreed that the access was substandard and was a reason for refusal.
- Councillor Sutton asked whether the cost award was negotiated? Nick Harding stated that he reviewed the invoice and there was nothing that he could contest.
- Councillor Mrs French expressed the view that she did not think that the Council had acted unreasonably in this case and she asked whether there was any right of appeal when costs are awarded? Nick Harding stated that the only right of appeal that the Council would have would be to make a legal challenge to the decision made and given the costs involved in this appeal it would not be financially worth doing. A complaint could be made to the Planning Inspectorate regarding a poor decision, but that would not make any difference to the award of costs.
- Councillor Cornwell asked for an explanation regarding what the material differences are in this case compared to the earlier discussion with regard to the planning application in the Old Dairy Yard in Manea? Nick Harding stated that the application that members considered earlier was the pedestrian vehicular conflict that would possibly take place along the length of the track to the application site, whereas in the appeal decision it was the adequacy of the visibility splay where the track met with the adopted highway. David Rowen added that there is also a significant difference in that the Old Dairy Yard was a Public Right of Way which Causeway Close was not.
- Councillor Marks asked how the costs awarded are calculated? Nick Harding stated that in order to contest the appeal, the applicant, employs somebody to make the appeal, provide the evidence and it is that consultants invoice that the Council pays. Councillor Marks asked whether there is a ceiling figure? Nick Harding stated that there isn't and added that he assesses the invoices and reviews the time that they have indicated that they have spent on

dealing with the appeal is fair and reasonable and if he is of the opinion that it is unreasonable then he will challenge the amount of the invoice, but in this case he could not identify any points of argument.

3.14 pm

Chairman