PLANNING COMMITTEE

WEDNESDAY, 6 MAY 2020 - 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 Mrs K Mayor, Councillor N Meekins, Councillor P Murphy and Councillor W Sutton,

APOLOGIES: ,

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

MINUTES SILENCE

Members observed a minute's silence in memory of Councillor Alan Bristow, a District Councillor and former member of the Planning Committee, who passed away on 19 April 2020, and Kit Owen, a former District Councillor, who passed away on 1 May 2020.

P75/19 PREVIOUS MINUTES

The minutes of the meeting of 26 February were confirmed as an accurate record.

P76/19 F/YR14/0977/O
PIKE TEXTILE DISPLAY LIMITED, 16 NORTH END, WISBECH, CAMBRIDGESHIRE. ERECTION OF 21 DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

David Rowen presented the report to members.

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

- Councillor Murphy stated that in his opinion, as long as officers are in discussions with the Lead Local Flood Authority to ensure any issues and concerns are resolved, as well as officers finalising the details with regard to the section 106 agreement, he can see no reason why this application should be refused, it will bring much needed housing into Wisbech.
- Councillor Sutton stated that he concurs with Councillor Murphy and added that whilst he appreciates it is an indicative plan, there needs some consideration given at the reserved matters stage with regard to the parking layout. He added that he will be supporting the officers recommendation
- Councillor Lynn stated that this site has been left empty and derelict for a considerable amount of time. He added that he is pleased to see a decision is being reached with regard to the section 106 contributions.
- Councillor Meekins stated that the development is in his ward and it is a good proposal which has been put forward. He added that with regard to flood risk the last time the River Nene flooded in Wisbech was in 1978. Since then a wall was built to alleviate the risk of flooding again with further improvements to the wall made 10 years ago and there are water tight flood gates in the vicinity of the proposed site. Councillor Meekins highlighted that the

proposed site is adjacent to the A1101, which is one of the main routes into Wisbech. It is a very heavily used route but does not feel that there would be a significant impact on the traffic as a result of the development but does have slight concerns with regard to the sharp bend in the road to the right of the proposed development, which could cause some issue.

- Councillor Meekins identified the commercial amenities adjacent to the proposed site and also the concerns, which have been highlighted to him, by local residents concerning the inconsiderate parking by customers visiting the businesses. He added that he is aware that there have been concerns raised concerning the additional increase in noise, as a result of the proposal, however in his opinion; he does not feel that this will be a problem.
- Councillor Meekins stated that with regard to the section 106 contributions, he noted that Peckover School and Ramnoth School will receive a financial contribution and asked officers to clarify why Ramnoth School is receiving a higher contribution than Peckover, especially as children from this development would be unlikely to attend this school. He concluded that he warmly welcomes the application.
- Mr Nick Harding, clarified that the site already has an existing access onto the highway and that was taken into consideration by the Highways Authority, who raised no concerns. He added that with regard to the section 106 contributions, both Peckover and Ramnoth Schools have both undergone significant extensions and under Government guidance the Authority can seek financial contributions for school extensions that have been forward funded by the Education Authority.

Proposed by Councillor Murphy, seconded by Councillor Meekins and decided that the application be APPROVED, as per the officer's recommendation

P77/19 F/YR19/0958/O
LAVENDER MILL, FALLOW CORNER DROVE, MANEA. ERECT UP TO 29 DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)

David Rowen presented the report to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure from Alison Hutchinson, the Agent.

Ms Hutchinson noted that the concerns of Parish Council have been stated but that there are exceptional circumstances with the redevelopment of this brownfield site which have removed the ability of the applicant to make S106 contributions.

She added that when outline planning permission was granted in 2016 the viability of the scheme was tight and it was agreed that the applicants could only make a partial contribution towards education and no provision for affordable housing.

Ms Hutchinson stated that following the grant of permission, the applicants sought to market the site but it was made clear that prospective purchasers were not willing to take on the costs of clearing the site and as a consequence, the applicants had to take on that work themselves. Before doing so, Natural England required additional surveys for bats to be carried out before they would agree to the demolition of the buildings in advance of any approved detailed replacement scheme which significantly delayed the project. However, the applicants have also had to carry out the archaeological and contamination surveys and to discharge the relevant conditions. All this has added to the costs and prevented the previous planning permission being able to be implemented.

Ms Hutchinson added that the result is that the costs of demolition and clearance are now known and were considerably larger than previously anticipated in the original application. When combined with the significant costs of drainage and the highway works required by the highway authority, as well as normal house build costs, this has led to fact that the scheme cannot now be

made viable with any contributions. This is regrettable but is a direct result of the very significant and known costs of removing the old and dilapidated Lavender Mill. These costs have been made known to the Council in the latest viability assessment and are agreed by the Council's own experts.
Ms Hutchinson concluded by stating that the applicants now have a prospective purchaser and asked members to approve the application in accordance with the officer's recommendation to allow the site to be built out and complete the removal of what is termed a '*blot on the landscape*' by the Parish Council.

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

- Councillor Hay asked for clarification with regard to one of the objections raised by Manea Parish Council, who have stated that the proposal does not include public open space. Councillor Hay stated that at 3.2 in the officer's report it states that the proposal includes an area of children's play area and asked for confirmation as to whether this would be classed as public open space. David Rowen confirmed that the indicative layout plan shows an area of open play space and that would be secured under condition 13 on page 42 of the agenda.
- Councillor Murphy stated that at 5.11 of the officer's report, it states that the Council would not wish to adopt any more open spaces or play areas and they should be managed and maintained by the developer or offered to the Parish Council.
- Councillor Marks stated that he does not believe the Parish Council would look to adopt any open space at the present time. Councillor Murphy stated that it does say it 'could' be offered to the Parish Council.
- Councillor Sutton expressed the opinion, that he is not surprised by the frustrations raised by the Parish Council however it is Central Government who give the directive that viability has to be taken into consideration. He added that he is pleased to see the pavement linking to Westfield Road is still included, and has to be constructed before any occupancy takes place on the site. He stated that he is concerned with the comments raised by Leisure Services who do not want to adopt any further open space.
- Councillor Hay expressed the opinion that she can see no reason for this application not to be granted. She added she is pleased to see that there is already somebody interested in building the site out. She stated that she would like to see added within the conditions, a reference made with regard to restrictions of the hours of work, within condition 12, where it clearly sets out when work can be carried out on the site.
- Councillor Benney stated that he is frustrated with the absence of a section 106 agreement. He stated that if the play area is going to be managed by a management company, could a bond be taken against them, in case of bankruptcy.
- Councillor Marks expressed the view that he agrees with the comments raised by both Councillor Hay and Councillor Benney. He added that he also has concerns with regard to Anglian Water being able to supply all the additional dwellings. The villagers of Manea have noticed that water tankers have been visiting the area since the Covid 19 lockdown already, and due to the proposal of the additional houses, it is a worry whether the village has the capacity to cope with an additional number of dwellings.
- Nick Harding stated that with regard to the question concerning a bond, this is something that could be put in place however there could be associated problems if one was included, as it could have further implications and the Council would end up adopting the area.
- David Rowen added that if members are minded to approve the application, then it would be possible to add a clause to condition 12 with regard to operating hours.
- David Rowen stated that with regard to the concerns raised in relation to water issues. It would be down to Anglian Water to ensure that they have the infrastructure which is fit for purpose and they have an obligation to do that under drainage legislation.

Proposed by Councillor Benney seconded by Councillor Hay and decided that the application be APPROVED, as per Officer's recommendation. (to include the clause

alongside condition 12, with regard to hours of work)

P78/19 F/YR19/1028/F
LAND NORTH OF MARCH BRAZA CLUB, ELM ROAD, MARCH, CAMBRIDGESHIRE. ERECT 6 NO DWELLINGS (2 X SINGLE STOREY 3-BED AND 4 X 2-STOREY 3-BED) INVOLVING FORMATION OF A NEW ACCESS

This item was withdrawn from the agenda.

P79/19 F/YR19/1075/F
LAND SOUTH OF 1, OTAGO ROAD, WHITTLESEY, CAMBRIDGESHIRE. ERECT 1NO DWELLING (2-STOREY, 3-BED) AND BOUNDARY CLOSE BOARDED FENCE APPROX 1.8M HIGH

David Rowen presented the report to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure from Councillor Chris Boden.

Councillor Boden stated that he is one of the local members for Bassenhally Ward where this application is situated. He added that this is the third attempt to gain planning permission for a dwelling on this small plot and stated that the Council refused both previous applications and the applicant appealed both times to the Planning Inspectorate in 2016 and in 2019. Councillor Boden made reference to the ruling from the Planning Inspector and quoted the findings from the decisions in 2016 and 2019 where both the appeals were refused.

Councillor Boden highlighted the main reasons for the refusal at appeal which included the effect of the proposal on the character and appearance of the area. Councillor Boden stated that he believes the Planning Inspectors were right in 2016 and in 2019 and, for the very reasons given in the Officers' Report today, and asked members to refuse this current application.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Mr Tim Slater the Agent.

Mr Slater stated that by resubmitting this proposal, the applicant and Peter Humphrey Associates have been mindful of the planning history on this site and the previous appeal decisions. He stated that this application is a direct and considered response to the recent appeal decision- addressing the inspectors' objections to the previous scheme. The findings of the appeal were that the previous scheme which was a substantially larger chalet home would have adversely impacted on residential and visual amenity.

Mr Slater added that the scale of the dwelling has been significantly reduced to a modest 2 bed bungalow reducing the impact on the character of the area and the scale and form and appearance of the bungalow is similar to the bungalows opposite. He stated that the new proposal will not adversely impact on the amenities of adjoining properties and this is reflected in the officer's report. There is only one objection from a neighbouring property indicating that the issues with the previous scheme have been resolved.
Mr Slater stated that officers are only concerned with a single aspect of the development:, tandem development and its perceived impact on visual character. He stated that whist tandem

development is often difficult to accommodate it is usually due to its adverse impact on amenity of the surrounding dwellings- be that overlooking, overshadowing or noise and disturbance and in this instance this is frontage development and it is not the application property that would be non-frontage. He added that the officer report acknowledges that there are no amenity or technical constraints to the development and the refusal rests on a judgement as to whether the proposed bungalow causes significant harm to the character and appearance of the immediate locality as set out in the policy.
Mr Slater stated that he respectfully disagrees with the officer's assessment and conclusion and added that this is a matter of judgement and members are requested to use their independent judgement. He added that whist it is accepted that the proposal would have an impact; this is in part beneficial- bringing this unused and untidy plot back into use, and secondly it is considered that the proposal will not cause significant harm; it is a modest small bungalow in keeping with surrounding properties .and will not cause significant harm to the character of the surrounding area.

Members asked Mr Slater the following questions:

- Councillor Sutton expressed the view that there is considerable history relating to this plot. He asked for clarification with regard to the site plan as to why the bungalow had been switched around 180 degrees and had that been discussed with the case officer or for other reasons? He also asked about the location of the dwelling that had been there previously which had been demolished? Mr Slater stated that the revisions to the current application had been in discussions with the case officer at the time. Mr Slater added that the dwelling that had been on the site previously which had been demolished was in his recollection somewhere which is central on the site.

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

- Councillor Sutton asked officers for clarification with regard to the location of the dwelling that had been demolished and also over amendments to the application. Nick Harding stated that by looking at Google Earth images and Google Street View the new build properties sit parallel to a longstanding bungalow next door and by looking at street view the bungalow that was demolished to make room for the 2 new dwellings was cited in the same position as the new houses.
- David Rowen stated that it is also his understanding of the site. He added that the intention of tweaking the scheme was to make it more suitable and to try to overcome reasons for highways refusal and also to overcome reasons for amenity reasons for refusal.
- Councillor Sutton stated that in the officer's report, there is a great deal of emphasis made on tandem development. He added that he is looking on Google Earth and next door to the proposal; there is already tandem development in situ.
- Councillor Hay stated that she understands Councillor Suttons point with regard to the property next door. She added that in her opinion, this application is the reverse of tandem development and tandem development is something that is discouraged and in her opinion, this is a badly thought out plan.
- Councillor Benney stated that in his opinion, officers have made the correct recommendation. He added that looking at the planning inspectors view on this site and the impact it will have on the neighbourhood he cannot support the application and he will refuse it.
- Councillor Hay stated that there must be consideration given to the rest of the residents of the area.

Proposed by Councillor Hay, seconded by Councillor Benney and decided that the application be REFUSED, as per Officer's recommendation.

(Councillor Mrs Mayor declared that she is a member of Whittlesey Town Council and has

previously raised an objection to this item and therefore will take no part in determination of this application and left the meeting at this point.)

2.12 pm Chairman