

PLANNING COMMITTEE



WEDNESDAY, 27 JULY 2022 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor I Benney, Councillor Mrs M Davis (Vice-Chairman), Councillor Mrs J French, Councillor C Marks, Councillor Mrs K Mayor, Councillor P Murphy, Councillor M Purser, Councillor R Skoulding, Councillor W Sutton and Councillor D Topgood.

APOLOGIES: Councillor M Cornwell.

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

P23/22 PREVIOUS MINUTES

The minutes of 29 June 2022 were confirmed and signed as an accurate record.

P24/22 F/YR22/0217/LB
130 HIGH STREET, CHATTERIS
WORKS TO A LISTED BUILDING INVOLVING THE CONVERSION OF
SHOP/DWELLING TO 1 X DWELLING (2-STOREY, 2-BED) INVOLVING THE
PARTIAL DEMOLITION OF EXISTING DWELLING. F/YR22/0218/F
130 HIGH STREET, CHATTERIS
CHANGE OF USE OF SHOP/DWELLING TO 1 X DWELLING (2-STOREY, 2-BED)
INVOLVING THE PARTIAL DEMOLITION OF EXISTING DWELLING

David Rowen presented the report to members and informed members that 25 letters of support for the application had been received due to the perceived improvements to the appearance of the site from residents of March, Doddington, Wimblington and Chatteris.

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 Councillor Gowler of Chatteris Town Council. Councillor Gowler stated that Chatteris Town Council support this application and was delighted to see positive action regarding this property which is on the main route into the Town Centre and has been in decline for decades becoming an embarrassing eyesore to any visitors to the town. He expressed the view that it is visibly in a dangerous state of repair and is a major concern to neighbours of which one has submitted a comment on the Planning Portal requesting that urgent attention is given to action being taken to ensure the safety of their family.

Councillor Gowler expressed the opinion that the current owners of the property have made well documented efforts to renovate the property in conjunction with officers including offering to demolish the building and re-build it back to its original state, but this was deemed to be unacceptable. He expressed the view that the owners have invested considerable time and money into this project only to meet with what appears to be a wholly inflexible approach by officers.

Councillor Gowler stated that whilst the efforts of the Conservation Officer are fully appreciated and they have rules and regulations to adhere to the suggestions for the building appear, in his view, to be micro-managing potential renovation rather than considering the application presented. He feels the reply from the Council's Architecture displays a precise explanation and in some cases rebuttal of the Conservation Officer's comments and his professional assessment of the building should, in his opinion, be seriously considered.

Councillor Gowler expressed the view that consideration should also be given to the comments on the delays on any progress to this proposal, with Covid having a severe impact on the whole world and on many construction projects. He stated that the building has been deteriorating for the best part of 30 years despite attempts by the owners to start the renovation which has been disappointingly met with various obstructions and roadblocks by the Council.

Councillor Gowler stated that a major concern relating to this application is the potential message it portrays to anybody considering renovating any property within the Conservation Area in Chatteris and across Fenland, with these renovations needing to be highly encouraged and not discouraged as there are many properties in a similar condition across the District. He made the point that whilst enforcement action could be taken by the Council he feels it is obviously the case that it is impractical due to the sheer number of dilapidated buildings in the area, all of which will fall into further disrepair as months and years go on with the inevitable outcome for them to deteriorate beyond any potential possibility of recovery.

Councillor Gowler stated that the Town Council consider the application to be acceptable in terms of renovating the property which will result in giving it a practical purpose while maintaining its external aesthetics within the Conservation Area of Chatteris. He stated that the Town Council welcomes the resolution of this blot on the landscape in the Town and urged members to take this into consideration when making their decision.

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

- Councillor Murphy stated that everything he says is his opinion and thoughts only. He expressed the opinion that this shop/dwelling is classed as a Listed Building, but he would call it listing as the walls are only one brick thick and are all bowed outward so it is very unsafe as is the roof which is almost totally dilapidated beyond repair and the insignificant house attached to this building is also classed as Listed because of its attachment, but he wonders what would have been the outcome if it had been an outside loo attached. Councillor Murphy stated that the shop was owned by Miss Wool but in its later years was rammed in the front by a vehicle and was so damaged it was never any good. He made the point that the NPPF defines a heritage asset as a building, monument and an area or landscape as having a degree of significance, which he agrees with, but, in his view, this site does not comply with these three conditions at all. Councillor Murphy referred to the report containing 9 pages of comments from the Conservation Officer on why this application should be refused but there is not one paragraph helping to alleviate or helping to bring a positive conclusion, which he feels should work both ways. In his opinion, the building needs to be demolished and replaced with a modern dwelling to enhance the area and he agrees with Chatteris Town Council's recommendation for approval. Councillor Murphy expressed the opinion that the Council must be seen to be doing something positive in Chatteris or there will be eyesores in every road such as now in High Street, Bridge Street, Ash Grove, London Road and Victoria Street. He supports the proposal for reasons of visual impact, scale, character and appearance and referred to parts of the NPPF, 185C the desirability of new development making a positive contribution to the local character and distinctiveness, 191 he does not believe there is evidence of deliberate neglect or damage as developers are not going to throw money protecting this type of site not knowing if the outcome stands a chance of fruition; 192c the desirability of new development making a positive contribution to local character and distinctiveness; 195b no viable use of the heritage asset itself can be found in the medium term and 195d the harm or loss is

outweighed by the benefit of bringing the site back to use. Councillor Murphy stated that he will be recommending the proposal for approval.

- Councillor Benney echoed and agreed with the comments of Councillor Murphy. He stated that he has said at committee many times before that conservation gets in the way of conserving things and if these applications are not approved today this will be another building that is left until it falls down and if it does it could end up being a problem to the Council and he feels there is a positive application before members that will bring about a conclusion to a building that has been in a very poor state of repair for many years. Councillor Benney expressed the view that this is an opportunity to take this building off the At Risk Register as somebody has come forward with a scheme and is prepared to put their money into it and the Council should be supporting it. He feels that more of an earlier intervention would stop some of the latter intervention that this Council has to pick up and foot the bill for and he will be joining Councillor Murphy in supporting both applications for approval.
- Councillor Sutton stated that he does not fully disagree with either of the previous speakers but there are guidelines within the NPPF and the committee cannot be seen to be making decision against the law. He stated that having read through the report and information on the Planning Portal there has been the olive branch shown by the Council's officers for something better and that has not been taken up by the applicant or agent so he does not think he can vote to overturn officer's recommendation but would suggest the application is deferred to hang the olive branch out one last time and if they do not take it he feels it would have to be refused.
- Councillor Mrs French stated that she is glad to see that someone has come up with a planning application to actually bring a building back into use.
- Nick Harding stated that he has met with the building owner a number of times as has the Conservation Officer, even before the current owner the Conservation Officers were working hard to secure a positive future for this building and members can see from the report that officers have provided advice and guidance on making the property wind and water tight, making it safe, how an application could come forward and how this application could be revised to make it more acceptable and what change to the information submitted with the application is needed in order to look at it more positively so officer's have attempted to assist. He acknowledged that in terms of making the property wind and water tight work has been undertaken over what was required but the tarpaulin over the roof has not been adequately maintained and, in his view, there is a clear evidence base of the building having not been looked after appropriately and the national policy is quite clear that the dilapidation of the property should not be taken into account given that a fair degree of it has been deliberate. Nick Harding made the point, as detailed in the report, there is clear process that has to be gone through in the consideration of a development proposal in relation to this Listed Building before consideration is given to other aspects of the scheme. He referred to one particular issue which is the demolition of part of this structure being justified purely on the basis of it being needed for car parking and that does not satisfy the legislative requirements that officers have to work towards. Nick Harding made the point that the recommendation to the committee is not ill-considered or unfounded, officers have to set out quite clearly the national legislative and policy approach to this application.
- Councillor Mrs Mayor stated that she does not support deferring this application due to the amount of work already gone into this proposal by officers and they cannot keep going back and forwards asking the applicant to do more work and the proposal needs a decision.
- Councillor Benney made the point that the report talks a lot about the significant loss but that significant loss is a subjective view and, in his opinion, the loss of part of this building is going to save the rest of it and inaction will mean this will drag on for years and it will deteriorate more until it comes back with a demolition order on it. He expressed the view that the site will be conserved by approving the application, there is someone who is prepared to pay for the development and to find people who are willing to take on a Grade II Listed Building to the grade of a Grade II Listed Building comes at a great cost and is prohibitive and this applicant has invested time and money getting to this point which means

he will go forward with its redevelopment. Councillor Benney stated that he would rather see a positive development like this one is than let the opportunity go as the building could be lost forever.

- Councillor Sutton referred to Councillor Benney's comments about the applicant investing time and money and whilst he recognises they have it does not always give the right outcome as on Ash Grove committee overturned officer's recommendation there and that property still stands as it is and nothing has happened so it does not mean to say that if this proposal is approved today that the development will take place.
- Councillor Connor stated that he does tend to agree with Councillor Murphy's and Benney's comments and he can see Councillor Sutton's point but there are not many applicants that are going to bring these Grade II Listed Buildings back into use as they do cost lots of money and if the finances do not stack up nothing is going to happen. He queried what would happen if nothing were done and, in his view, it would be nice to conserve these buildings, but the applicant is trying to make an effort and if nothing is done it will deteriorate and fall down eventually. Councillor Connor stated on balance he is going to go against officer's recommendation.
- The Legal Officer pointed out that given the shortcomings as highlighted in the report of the heritage assessment that should members approve the applications, and should somebody challenge that approval there is a risk of a legal challenge which would involve time and costs.
- Councillor Sutton expressed the opinion that this is good advice from the Legal Officer, and this is the exact reason why he does not think the applicant has given fair play in refusing to look at what officers are suggesting and why he thinks a deferral would be best way forward.
- Councillor Murphy stated that he is against a deferral as the issue has been going on for 30 years now, another period of time will make no difference and it needs approving now.
- Councillor Marks questioned why, if the Council could be legally challenged in approving the application, has no one legally challenged why the building has stood there and gone derelict over a long period of time? He expressed the view that the building is an eyesore, it is not going to get any better and expressed disbelief why the committee is discussing it. Claire Fidler, the Conservation Officer, responded that there is no legal duty on an owner to maintain their building and when a building reaches the condition such as this property has the Council does have statutory powers where they can take action but this inevitably comes with cost and resource which is something the Council would have to agree to. She made the point that officers would always wish to work more proactively with an owner, which has clearly been demonstrated in this case and over the past 30 years the Council has funded the internal propping that is there and provided endless advice and guidance as to a positive way forward. Claire Fidler advised that the owner was threatened with legal action in order to get the tarpaulin over the roof after it was stripped under a Building Control Notice and that is something the Council would rather have not done but it came to this just to make the building wind and weather tight, which has not been maintained. She stated that the Council never wants to take legal action as it is not a friendly or proactive way of approaching things, officers encourage a Listed Building Consent application which has taken a significant amount of time to be submitted.
- Councillor Marks accepted the comments made by the Conservation Officer but stated that it is now four years down the line and if the money had been spent at that time it would probably cost less than if this is approved now. Claire Fidler responded that costs for legal action are significant and there are reports showing those indicative costs if members wish to see them at another time.
- Councillor Mrs French stated that the committee took tough action last month to serve Section 215 and 216 notices and she said at the time it is well before time that the Council started doing this instead of these building falling into disrepair, lets put Section 215 and 216 notices on these properties and the owners might start doing something with them before they get into a dreadful state. Nick Harding responded that he welcomes this approach but has no budget for this action. Councillor Mrs French expressed the view that

he needs to speak to the Portfolio Holder who is sympathetic to this issue.

- Councillor Purser made the point that the building is dilapidated and if the building is taken down safely that is the best way forward, if it is left as it is it could damage the properties around it or be a danger to people. Nick Harding reiterated that officers have worked with or tried to work with the applicant, along with colleagues from CNC Building Control, to make the building safe and stop further dilapidation and not all of that has been successful.

F/YR22/0217/LB

Proposed by Councillor Murphy, seconded by Councillor Benney and agreed that the application be GRANTED against officer's recommendation of refusal with authority delegated to officers to apply suitable conditions in association with Councillors Connor and Murphy.

F/YR22/0218/F

Proposed by Councillor Murphy, seconded by Councillor Benney and agreed that the application be GRANTED against officer's recommendation, with authority delegated to officers to apply suitable condition in conjunction with Councillors Connor and Murphy.

Members do not support officers recommendation of refusal as they feel the proposal is not contrary to the NPPF as the new development will make a positive contribution to the local character and distinctiveness, there is no viable use of the heritage asset in the medium term, the harm and loss is outweighed by the benefit of bringing the site back into use and there is not evidence of deliberate neglect or damage as a developer would not spend money on a site not knowing if the outcome stands a chance of fruition.

(Councillors Benney and Murphy declared, under Paragraph 14 of the Code of Conduct on Planning Matters, that they are members of Chatteris Town Council, but take no part in planning matters)

(Councillor Mrs French clarified that, due to comments that had been received in relation to observations she had made at a previous Planning Committee meeting in relation to this building, she was not pre-determined and would be approaching the applications with an open mind)

P25/22

F/YR22/0083/F

W H FELTHAM AND SON LIMITED, ESTOVER ROAD, MARCH
ERECT A CARE HOME (2-STORY 56 X BED) AND ASSOCIATED WORKS

Nikki Carter presented the report to members.

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 Liam Shelton on behalf the applicant. Mr Shelton stated that the applicant is pleased to receive the support of the Planning Team in respect of this application for a new 56-bed care home and accept all the pre-commencement conditions therein. He made the point that approval for a 56-bedroomed care home on the site has already been given under F/YR21/0284/F and this application changes the vehicular access from Cawood Close to Peterhouse Crescent, with the building being otherwise identical in footprint, scale, location and features.

Mr Shelton stated that this new application allows direct access into the care home from Peterhouse Crescent in contrast with the right of way access that they have over the land to the entrance of the site from Cawood Close, with the revision giving them full authority and rights over the entrance to the site ensuring that the boundary, entrance and roadway outside the home remain safe and free from disruption. He made the point that they had limited right over the

entrance to Cawood Close and Peterhouse Crescent entrance will allow them to monitor the safety and well-being of neighbours and residents at all times.

Mr Shelton explained that pre-application advice was sought from the Council and the Highway Authority prior to submission of the application in December 2021, with the new entrance providing a more welcoming space with increased visibility and provides easier access to public transport links on Station Road. He stated that the proposed care home replaces the previous unsightly portal frame asbestos clad building already demolished and whilst trees will be removed as part of the preliminary works under the previous permission, there will be an ecological assessment to ensure that there is a bio-diversity net gain to the site once complete.

Mr Shelton stated that the scheme has received positive comments from all statutory consultees and throughout the application they have updated the design to reflect any comments made by each of the parties including the local drainage board, Middle Level, as well as Anglian Water and the Local Flood Authority. He expressed the opinion that they have attempted to pre-empt issues that neighbours of Peterhouse Crescent would raise and during the application have duly responded to the collective concerns, including:

- 'risk of devaluing neighbouring properties'. He does not believe the modern contemporary design of the new care home will devalue neighbouring properties and feel the opposite will occur with removal of the previous cladded warehouse.
- 'increased disruption from construction traffic'. He stated that it is their intention to utilise the rights of way they have over the Cawood Close entrance as its construction entrance for all activities other than a few activities that affect the Peterhouse Crescent boundary, therefore, mitigating any nuisance.
- 'there is insufficient parking and there will be an increase in traffic'. He referred to the transport statement provided in the application, which concludes an insignificant impact on Peterhouse Crescent from the care home activities, but he does recognise neighbours' concerns. He stated that the new entrance will allow them to have far greater authority over the access and to deal with any parking and traffic infringements that may very occasionally occur, with the building and car park being under 24/7 CCTV surveillance and the management and maintenance team will ensure the neighbours concerns are addressed in the event they are ever raised. He made the point that number of car parking spaces now available for staff and visitors is far greater than would be typically expected of a care home.
- 'security at Cawood Close'. He reiterated that the site will have 24/7 CCTV covering the boundary and to alleviate this concern they will ensure the previous entrance is covered by the security system, with the CCTV layout to be agreed with planning officers and registered with the Police prior to completion.
- 'greater impact on local facilities'. He made the point that a care home in its nature provides care for the local residents and it is their intention to provide the town with a facility where its elderly residents are taken care of, and in doing so, reduce the likelihood of trips to the surgeries.

Mr Shelton expressed the opinion that the new entrance at Peterhouse Crescent will increase likelihood of its use by local residents and staff when travelling to the home by foot or cycle as the distance is significantly shorter than the previous route and the management team will promote commuting to work by walking or cycling aided by keeping the existing pedestrian entrance at the north-west of the site. He feels the care home itself presents a valuable opportunity for employment in the town with varying job opportunities available across the care, management, catering and maintenance team, with it being their intention to work closely with the immediate and wider town to ensure that the services the care home can provide are utilised not only by its residents but by their families and friends.

Mr Shelton believes that the new care home offers March the opportunity for its elderly residents to be cared for in a modern, warm and caring environment that is reflected by the design and construction of a state of the art facility run by local professionals who have investment in the town.

Members asked questions of Mr Shelton as follows:

- Councillor Mrs French asked for assurances that when this development starts and is constructed that vehicles delivering materials will not be permanently parked on Peterhouse Crescent, Cawood Close or even Elm Road. Mr Shelton responded that he has reached out to the football club on Estover Road and is trying to arrange parking for construction traffic there, with deliveries to be made via Cawood Close at all times apart from the occasional one via Peterhouse Crescent. Councillor Mrs French stated that she hopes this is the case as they have just started building 118 homes in Wisbech Road and there have been 10 lorries on Wisbech Road causing havoc over the last few days and she would hate this to happen for the residents who live in Peterhouse Crescent and Cawood Close.

Members asked questions of officers as follows:

- Councillor Mrs French asked if it is possible to have a condition attached to this application to ensure that residents do not suffer what has occurred in Wisbech Road this past week, not only has there been the hold up in the traffic, bearing in mind the whole of March has been gridlocked due to roadworks, but there has also been an issue with dust. She made the point that there are elderly residents in Peterhouse Crescent, Cawood Close and Elm Road and she would not like them to suffer what the residents of Wisbech Road have. Nick Harding responded that they are unable to lawfully impose any planning conditions that conflict with matters off-site such as the use of the public highway, with the only exception being vehicle routing agreements. He stated that, notwithstanding what the agent has said, a planning condition cannot stop people from parking on the highway in a lawful way so you may get a stack of vehicles queuing to enter the site which is unfortunate but cannot be controlled through a planning condition.
- Councillor Connor referred to Councillor Mrs French mentioning dust and dust is a big problem in Bellmans Avenue, Bellmans Road and Diana Close in Whittlesey and he has had numerous complaints about it and asked if a condition could be applied that a bowser or water supply is required to stop the dust. Nick Harding responded that dust suppression is part of the construction management plan and what often happens is there is a period of dry weather dust starts to become a problem and officers have to remind the operators of the site that they need to deal with their dust suppression as per their plan. He stated that if there is a report of dust the operator is not complying with their construction management plan and if this is a significant ongoing issue on site a breach of condition notice can be served.
- Councillor Connor referred to issues with mud on the road, which happened outside the Taylor Wimpey site in Whittlesey and Highways accompanied him to the site asking them to take action, but this Council's Enforcement Officer said the conditions on the site were not strong enough, which he found concerning. Nick Harding responded that there is a wheel wash/road sweeping condition but again more often than not it is a case of reminding the site operator that they need to put this in operation and the poorly worded condition issue has been addressed.
- Councillor Mrs French stated that as long as conditions are applied regarding dust and mud on the road she is satisfied. Councillor Connor expressed the opinion that these conditions should be worded in the strongest possible terms.
- Councillor Mrs Davis asked, whilst looking at a construction plan, should there not be set times when they can work due to the residential properties surrounding the site as a lot of these sites start at 6, 6.30, 7am which is not fair to the residents. Nick Harding responded that the work hours are standardised throughout the country and that would be applied to the construction management plan condition. He stated that members will be aware through the training he has provided that one of the Covid measures the Government put in was to allow working up until either 9 or 10pm on six days a week but this has now come to an end.

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

- Councillor Mrs French stated that this site lies in her County Council area, and she will be

monitoring it very carefully but she is more than happy to support the application.

- Councillor Topgood expressed the view that officer's have the recommendation completely right on this application and he will be supporting it as care homes are needed.
- Councillor Mrs Davis stated that she will be supporting the application, there is an increasing elderly population and not all can be cared for by their family and she also does not think the proposal would be detrimental to the area.

Proposed by Councillor Topgood, seconded by Councillor Mrs French and agreed that the application be GRANTED as per the officer's recommendation.

(Councillor Connor declared that his son owns a property in Peterhouse Crescent, but this would make no difference to his decision making and he would approach this application with an open mind)

(Councillor Skoulding declared that he owns a retirement home and retired from the meeting for the duration of the discussion and voting thereon)

(Councillor Sutton declared that he owns a property in Peterhouse Crescent and retired the meeting for the duration of the discussion and voting thereon)

(Councillors Connor, Mrs French and Purser declared, under Paragraph 14 of the Code of Conduct on Planning Matters, that they are members of March Town Council, but take no part in planning matters)

P26/22 F/YR22/0240/F
LAND WEST OF 1 KING EDWARD ROAD, CHATTERIS
ERECT 2 X 2-STOREY 3-BED DWELLINGS AND 1 X 2-BED FLAT ABOVE TRIPLE GARAGE AND FRONT BOUNDARY WALL WITH 1.3M HIGH PIERS

Nikki Carter presented the report to members.

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 Councillor Gowler of Chatteris Town Council. Councillor Gowler stated that Chatteris Town Council support this application as this piece of land just off the Town Centre has been an eyesore for many years, with the proposal providing two good quality houses, a flat and garages in a prime location in town. He stated that the Town Council did not consider this proposal to be overdevelopment, which they feel is a subjective opinion.

Councillor Gowler expressed his surprise that parking is being taken into consideration within a Town Centre location when in many cases, despite concerns raised by the Town Council, little to no consideration is made with other applications including the very recent acceptance of an application on the former Baptist Chapel in West Park Street to convert it into flats with little to no provision being made for the many vehicles that will inevitably result from it. He asked members to take these observations into account when making their decision on the application.

Members received a presentation, in accordance with the public participation procedure, from Lee Bevens, the agent, and Darren Smith, the applicant. Mr Bevens stated that he has been working on this site now for 8 years with different proposals for the site from various clients but no application to date has been implemented for good reason. He expressed the view that the main reason is due to the associated costs with getting a scheme that is financially viable to implement

as not only are there associated costs with the former barn on site and regular anti-social behaviour until the site was more recently secured, but also additional costs associated with archaeology and contamination both of which have yet to be carried out as well as escalating costs of materials and labour.

Mr Bevens made the point that there is extant consent for a 4-bedroomed detached dwelling with detached garage on the site, but, in his view, this is the wrong site for this type of property in the centre of town where you would expect smaller properties and goes against National Planning Policies including the NPPF in not making the best use of land. He expressed the opinion that this application makes the best use of the site and is not overdevelopment as it makes best use of the land available and will make this eyesore of a site attractive to live at, offer a good variety of housing types, provide passive surveillance to both King Edward Road and the car parks at the Conservative Club and the George Hotel and an overall positive contribution to the town.

Mr Bevens expressed the view that the proposed development will make a positive impact on the character of the area both visually, economically and sustainably being in the centre of town with access to public transport and local shops and amenities. He referred to officers suggesting that there are additional impacts on surrounding heritage assets over and above the extant scheme, but he feels there are no heritage assets affected by the proposal either by overlooking or visual impact, with 12 and 14 High Street being completely out of view and Chatteris House being largely obscured by Bramley Cottage and Spectacular Opticians and made the point that the Conservation Officer has made no objections to the scheme or raised concerns against heritage assets.

Mr Bevens referred to officers stating that there is inadequate parking provision but made the point that there are 5 parking spaces provided on site, which he feels is more than sufficient for this type of development and more than some recently approved schemes such as the Baptist Church and South Park Street which are further away from local amenities and public transport. He stated that his client could have challenged the parking provision but felt it was better for the residents and locals if parking was secured on site and a diagram was provided which showed that there was sufficient manoeuvrability on site for the proposed parking as tracking diagrams offer little flexibility for irregular shaped sites such as this.

Mr Bevens stated that the vast majority of comments online and from locals have been positive about the proposal, including the Town Council, and it will see low-cost housing delivered into the centre of Town which will support the local economy and meet the aspirations of local people looking to get onto the property ladder. He does not agree that the proposed scheme is contrary to any Local Plan, NPPF or National Design Guide policies but in fact embraces them and asked members to reject the officer's recommendation and approve the scheme.

Mr Smith stated that his grandfather, Percy Smith, and his father, Trevor Smith, ran a building company Percy Smith (Chatteris) Ltd for over 40 years building and maintaining houses, schools and Council buildings in Chatteris and the surrounding areas but he did not join the family business when he left school much to their disappointment. He expressed the opinion that, 30 years on after building up his own company, Agrimech Ltd, he now has the opportunity to do them proud by building quality homes in his home town to help local people remain within Chatteris.

Mr Smith stated that he is also moving his company from West Norfolk into Cambridgeshire.

Members asked questions of Mr Bevens as follows:

- Councillor Sutton referred to their being zinc surround on the bay windows and asked what a zinc surround is? Mr Bevens responded that it is adding a slightly contemporary detail and visual interest to the houses, with it being a form of cladding to those bay windows, with zinc being a sustainable material and long lasting.

Members asked questions of officers as follows:

- Councillor Mrs Davis asked for confirmation that the amenity space for the flat and the two houses meets the requirements? Nikki Carter responded that the amenity space for the houses does meet the requirements albeit in an awkward configuration due to the design but there is no set amenity space for the flat, however, without a garage serving that plot it has no internal storage it just has a small external amenity area.

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

- Councillor Murphy stated that he does know this site and lived 30 yards away from it for over 60 years. He feels the request for an archaeological dig is ridiculous and unnecessary as it puts the costs up and makes the site unviable to develop and is why various sites across Chatteris remain undeveloped. Councillor Murphy stated that personally he would have preferred to see 2 dwellings on this site and made the point that the previous owner when he put in an application had an argument with the officer because he wanted the gardens at the front and the 2 properties at the back but everything along that road is frontage so officers wanted it the other way around and the previous owner would not accept this so it never got developed. He expressed the view that 3 is slightly too many and made the point that 'buyer beware' as if you buy a property like this you know exactly what is next to it, which is car parks essentially, but people do buy and live in these places. Councillor Murphy stated that whilst he has reservations he is erring on the side of approval as it is a Town Centre location.
- Councillor Mrs French expressed the view that it is a bit crammed but her issue is parking as the Council is trying to introduce Civil Parking Enforcement and it is all very well saying you do not need parking in a town centre location but it is going to get to a stage where all town centres are not going to have enough car parking with Fenland having free car parking across the district and will continue to do so unless the Government make local authorities provide paid parking but there is a limit on what the Council can afford to maintain as car parks and it is not the Council's statutory duty to supply free car parking for people who build in and around the town centre. She stated she is concerned about overdevelopment and is not sure she is able to support the application.
- Councillor Topgood stated that he is torn between two choices on this proposal as whilst he would like to see lots more new houses built as there is the need he does think this does constitute too many on the plot, with 2 being preferable.
- Councillor Sutton agrees that the plot would suit 2 much better than 3, which seems to be the general consensus. He does not like the design of the rear gardens and if there were 2 properties the gardens would be better designed with plenty of parking and on balance thinks it is overdevelopment and he does not like the relationship between one of the dwellings close to the car park of the Conservative Club.
- Nick Harding stated that the concerns with this scheme can be narrowed down to the relationship of the plots on the front to those opposite, so the impact on its neighbour not the other way round so the 'buyer beware' issue does not quite apply in this instance and also in relation to the car parking the point made by the Case officer is the internal sides of the car parking garages is below the standard that is required so what is the point of providing a car parking space if you cannot park a car in it.
- Nikki Carter added that also in respect of the car parking the agent did provide a plan that indicated allocated spaces for each plot but there is no guarantee that this would be adhered to and with more cars parked within that parking area there is a concern that you are unable to manoeuvre within the area or turn to get out of the narrow pinch point of the access successfully.

Proposed by Councillor Mrs French, seconded by Councillor Mrs Mayor and agreed that the application be REFUSED as per the officer's recommendation.

(Councillor Benney declared that the applicant is known to him and retired from the meeting for the duration of the discussion and voting thereon)

(Councillor Marks declared that the applicant is known to him through his role as a company director and retired from the meeting for the duration of the discussion and voting thereon)

(Councillors Murphy declared, under Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Chatteris Town Council, but take no part in Planning Matters)

P27/22

F/YR21/0713/F

CEDAR ROSE STABLES, HORSEMOOR ROAD, WIMBLINGTON

**CHANGE OF USE OF LAND FOR THE USE OF TRAVELLERS INCLUDING SITING
OF 3NO STATIC AND 3NO TOURING CARAVANS, WATER TREATMENT PLANT
AND KEEPING OF HORSES AND PART USE OF EXISTING STABLES AS DAY
ROOM**

In the absence of the Chairman and Vice-Chairman, it was proposed by Councillor Mrs French, seconded by Councillor Purser and agreed that Councillor Mrs Mayor chaired the meeting for this item.

Theresa Nicholl presented the report to members.

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 Joseph Jones, the agent. Mr Jones stated that he has engaged with the Council to put together an application which they hoped would be acceptable and have redesigned the layout of the site after consulting with the Council. He expressed the view that as there is unmet need in the District the consent here would a positive initiative mitigating against the unmet need.

Mr Jones referred to the NPPF in its policy for travellers' site which is supportive of gypsy sites in certain circumstances as in this case and is the officer's recommendation. He feels there are no significant objections locally to the application.

Mr Jones expressed the view that there a number of material considerations when taken separately or together which can outweigh harm, policy issues or other considerations and this case includes primacy of a child which has to be taken into consideration, the applicants are travellers and have gypsy status for planning purposes, there is an unmet need for more pitches in the District and within the region which carries significant weight, the proposed applicants need a place to live and the Council needs to balance its duty of care, the unmet need, targets for pitches in the area and residual obligations carried forward from the Housing Act. He expressed the opinion that the Equality Act 2010 and Human Rights Act are also engaged in the situation and need to be given weight as well as consideration to the necessary five year supply of land for the gypsy/traveller community and if the local authority cannot demonstrate an up-to-date five year supply of deliverable sites then the NPPF says consent should be granted, with those targets being reviewed annually but, in his view, at the moment this is a policy failure.

Mr Jones expressed the view that the site is sustainable, any new site in the area is going to be in the open countryside and the application has limited impact and additional screening can be carried out. He stated that there are no objections in policy terms that are not outweighed by the personal circumstances or considerations and planning guidance says that if a condition can address concerns raised by a planning application then consent should be granted with the relevant condition, with the conditions proposed for the application being reasonable and acceptable to the applicant.

Mr Jones concluded that the site is available, deliverable and sustainable and he urged the committee to look favourably on their planning application.

Members asked questions of Mr Jones as follows:

- Councillor Mrs French referred to 5.1 of the officer's report that says the Parish Council have no objection to the static caravans but object to the 3 touring caravans and asked how often these touring caravans will be back and forwards on the site? Mr Jones responded that the touring caravans are not taken off site very often but to maintain gypsy/traveller status they are required to travel annually, but when people go off site they do not go off in the morning and come back in the evening, they have to travel for a minimum of 3 months so may only come back a few times so movements for the touring caravan would be minimal.
- Councillor Marks asked if the touring caravans are owned by the static caravan owners or are they separate families? Mr Jones responded that one pitch is normally regarded as one static and one tourer for one family and sometimes they are used as an additional bedroom for children and when people go travelling they do not always take their wife and children with them.
- Councillor Marks asked that the applicant is not looking to run 7.5 tonne lorries or anything bigger out of the site as the road and road links in this location are tight. Mr Jones responded that this would not be the case.
- Councillor Sutton stated that one problem he has is the proposal to plant hedgerow adjacent to the ditch concerns him due to its maintenance and it is in the applicant's own interest to keep that ditch clear as well as the general area. He made the point that the stable is also quite close, and could it be confirmed that the applicant can get by this for maintenance. Mr Jones responded on a personal note he has known this family for in excess of 15-16 years and they are fastidious in their lifestyle and approach to living, they are tidy by nature and he can guarantee they will look after the site as they want to create a nice home for themselves and their children which can be a once in a lifetime event. Councillor Sutton thinks it has been taken on board that the applicant needs to understand the issue of drainage in the area. Mr Jones stated that there is a landscaping plan that will accompany the application and made the point that the hedge will be maintained appropriately, and it would be in no-one's interest for it to impinge on the drainage ditch.

Members asked officers questions as follows:

- Councillor Mrs French stated that drainage is a great concern to her and she does sit on the Lead Local Flood Authority at County and five drainage boards across Fenland and with regard to the ditch she presumes it is a riparian dyke and she does not know who owns the other part of it but the County Council after the floods of December 2020 have mapped the whole of March and are doing the rest of the county, with them taking a tough line with the dykes and ditches that have been filled requiring the owners to dig them out and maintain them properly. She asked if officers are satisfied with the requirements on a Flood Zone 3 site? Theresa Nicholl responded that no objections were received from the Environment Agency, and they did not get a response from the drainage board. She stated that there is a landscape condition, which is not primarily aimed at putting landscaping at the bottom of that site along the ditch, but more aimed at the front and the side. Councillor Mrs French stated in relation to the Environment Agency there was a planning training session a few weeks ago and the Environment Agency basically said it was down to the local drainage boards and they were not interested.
- Councillor Sutton stated that the recommendation is to approve an application for mobile homes, which are the most vulnerable dwellings, in Flood Zone 3 and there are 2 applications later in the agenda for dwellings in Flood Zones 2 and 3 for refusal. He noted that no objections has been received from the Environment Agency, the Inspector overturned the site next door and said Flood Zone 3 was not a problem so asked if officers can understand the frustration of members, the agents, the developers and general public where the committee is potentially going to grant permission for this proposal in Flood Zone 3 and potentially turn down other applications in the same flood zones. He stated that millions of pounds has been spent on the Leam and Ouse Barrier Banks in recent years, the

Middle Level has approved raising the bank on Bedford Bank and he feels that Fenland is the most safest area in Cambridgeshire as far as protection is concerned so again reiterated that are officers as frustrated as members that there is this barrier put in front of applications time and again when even the Environment Agency say that because of the defences Fenland has the area is not at risk. Nick Harding responded that you have to compartmentalise what are three different situations:

- firstly, if you look at the principle of flood risk the Government policy is quite clear in that you should develop in flood risk areas as a last resort
- secondly in the context of the Wisbech situation the Government acknowledges that there are certain major settlements, such as Boston that are underwater flood risk wise and in that scenario you cannot have a situation whereby no development is allowed in the whole of that town ever again as that would see the ruination of that town and for this same reason officers have taken the approach for the existing urban extent of Wisbech where there is a redevelopment proposal and the fact that it is a redevelopment site and already in the middle of Wisbech then officers are accepting development should take place if appropriate
- thirdly where you are talking about general residential development outside of a settlement or within a small-scale settlement, officers are following Government policy that says that if it is not a specific allocated site a sequential test is required, which is the policy adopted by this Council as well as being national policy. When it comes to gypsy/traveller sites the Inspector has assessed the difficult position that the local authority is in relating to its out of date GTANA and inability to demonstrate that it has got sites allocated for gypsy/traveller plots plus the flood risk issue and has determined on that previous appeal that, notwithstanding the flood risk situation, in their view the sequential test has been passed.

Nick Harding stated that he recognises that there is an issue of inconsistency, but members need to focus on the fact that the gypsy/traveller position is more unique than the case for general residential development.

- Councillor Sutton stated that this response was pretty much what he expected and what he already knows but his question was are officers as frustrated as members? Nick Harding stated that personally he is not frustrated.

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

- Councillor Topgood stated that once again he thinks the officers have got this recommendation right, it is a nice site, and the families will have a nice place to live, and he wholly supports the proposal.
- Councillor Mrs French agreed with these comments.

Proposed by Councillor Mrs French, seconded by Councillor Topgood and agreed that the application be GRANTED as per the officer's recommendation.

(Councillors Connor and Mrs Davis declared that they were pre-determined on this application, and retired from the meeting for the duration of the discussion and voting thereon)

P28/22

F/YR21/1440/VOC

**SITE OF FORMER CHRISTCHURCH MEMORIAL HALL, 11 CHURCH ROAD,
CHRISTCHURCH**

**VARIATION OF CONDITIONS 6 (ARCHAEOLOGY), 10 (CHAIN-LINK FENCE) AND
18 (LIST OF APPROVED DRAWINGS), AND REMOVAL OF CONDITIONS 2
(MATERIALS), 3 (LANDSCAPING), 13 (EXTERNAL LIGHTING), AND 14 (FIRE
HYDRANTS) OF PLANNING PERMISSION F/YR12/0630/F (ERECTION OF 9 X 2-
STOREY DWELLINGS COMPRISING OF: 2 X 2-BED, 3 X 3-BED AND 4 X 4-BED
DWELLINGS WITH GARAGES INVOLVING DEMOLITION OF EXISTING HALL
AND BUILDINGS)**

Theresa Nicholl presented the report to members.

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 asked questions of officers as follows:

- Councillor Mrs French made the point that the original application was approved in 2012 which was 10 years ago and asked if anything has actually happened on site since then or does this actually require a full application rather than a change of conditions? Theresa Nicholl responded that she did investigate this, and she received confirmation from Building Control that the foundations for one of the garages had been laid in 2016 following discharge of the relevant conditions and also some of the buildings on site have been demolished and on the balance of probabilities her assessment was that the development had commenced.
- Councillor Sutton agreed with the comments of officers and does not understand why there is any doubt about it as the 2012 permission was for the erection of 9 dwellings involving demolition of the existing buildings so as soon as the former buildings were demolished the development had commenced and he knows for a fact, as he spoke to the builder, that the garage base on plots 2 and 3 was put in at that stage as he walked on site and spoke to him so he can confirm that there is no issue with commencement. He referred to the latest iteration of the plan and officers, in his view, have worked with the agent very generously to accommodate the request of the Old School House and the Old School to be able to access their cesspit for emptying and on the original 2012 plan there was just a very narrow 1 metre wide pathway and through negotiation the applicant and agent have made it better so they can reverse down and get closer to it. Councillor Sutton referred to plan 08N and expressed the view that there is a discrepancy between that and MTC's plan and if officers are saying the development has to be built to comply with 08N, in his opinion, it cannot because 08N shows the services going from the road down to the back of the site and going right through the attenuation cage so he thinks before permission could be given 08N needs revising unless he is told that this is a minor issue. Theresa Nicholl responded that the plan has changed considerably as she has been working with the agent to try and clear up the outstanding conditions and she had not picked this up on the most recent plan, however, she thinks that as this is below ground services she believes it could be de minimus and it could be dealt with later as it does not change the appearance of the development and is more of a building control issue.
- Councillor Skoulding thanked officers in assisting with a fantastic design but asked if there will be a ransom strip on the south boundary or will it go to the boundary as shown questioning whether there would be any further development? Theresa Nicholl responded that it is not really for consideration as part of this application because members should be considering what is in front of them and she does not know but it would be for future consideration and whether a ransom strip is built into the scheme is up to the applicant and is not a planning issue. She stated that she does not take any credit for the design as it was approved previously and has only been tweaked slightly.

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

- Councillor Skoulding expressed the opinion that officers have got this recommendation right.
- Councillor Sutton expressed the view that from where this application started the revisions are an excellent result of working in partnership which is credit to both officers and the agent. He does think there are some negatives but some positives as well, such as the new fencing which is a big improvement on the proposed chain link fence and the bollard lighting which is much better ecologically with the negatives being removal of the nice finials on the roof but he acknowledges that they are expensive and the false chimneys did balance out design nicely but he does not think that takes that much away from the development to make it unacceptable. Councillor Sutton expressed the view that the applicant has listened

to the residents and there have been some residents complaining about the development in the whole, but this is too late as it already has extant permission. He congratulated everyone involved and hoped to soon see work start on the site.

Proposed by Councillor Skoulding, seconded by Councillor Sutton and agreed that the application be GRANTED as per officer's recommendation.

(Councillor Sutton advised that when this application had been discussed at previous Planning Committee meetings the site had been owned by a friend and he had declared an interest and left the meeting. He stated the land has now changed ownership and he now feels that he does not have an interest and can make an open-minded decision on the application)

P29/22 F/YR22/0565/O
LAND TO THE WEST OF 167 GAUL ROAD, MARCH
ERECT UP TO 2 DWELLINGS (OUTLINE WITH MATTERS COMMITTED IN
RESPECT OF ACCESS)

Theresa Nicholl presented the report to members.

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 Tim Slater on behalf of the agent. Mr Slater stated that the officer recommends refusal on two grounds, which he will address, and it is pertinent to note that there is significant local support for the scheme, with 16 letters of support and non in objection, and the Town Council is supportive. He feels the site is a sustainable and accessible location on the edge of March, with it having good access by road, cycle and footpath links to the Town Centre.

Mr Slater expressed the opinion that the new Gaul Road cycle way passes immediately to the south of the site giving enhanced and sustainable access to the town and is closer and more accessible to the Town Centre than much of the existing town itself. He expressed the view that the adopted Local Plan enables new development on the edge of the town under the provision of LP3 and LP4, with LP4 noting that development of up to 249 dwellings can be acceptable on the edge of market towns on unallocated land.

Mr Slater stated that the application site sits close to the established developments north of Gaul Road and adjacent to the allocation and Broad Concept Plan area to the south of Gaul Road. He made the point that it is common ground with the officer that there was at least one dwelling and associated outbuildings on the site until comparatively recently, with the 1999 Google earth view of the site showing this and whilst the site has been cleared in the interim it remains previously developed land, it is not agricultural land nor does it form part of a wider land ownership of the land between Gaul Road and the river.

Mr Slater contended that the historic presence of a dwelling on site is material as it provides an indication of the built form of development along Gaul Road and shows that along Gaul Road, as is common with many Fenland roads, the characteristic built form is sporadic homes, with the planning weight to be given to this fact a matter for the committee. He stated that the application was accompanied by a site-specific Flood Risk Assessment as stipulated by the Council's validation requirements and the Environment Agency raises no objection to the scheme and there is no consultation response from Middle Level on file.

Mr Slater made the point that whilst the site lies in land shown as Flood Zone 3 on the Environment Agency maps, members will be aware that this mapping is based on the assumption that the land is undefended in that flood defences are not taken into consideration. He expressed

the opinion that the Fens are the oldest, best understood, best defended and best managed river system in the country and consequently the actual risk from flooding is not reflected in the Environment Agency's mapping, with the site in common with most in Fenland being subject to layered engineering and management defences.

Mr Slater expressed the view that the Flood Risk Assessment submitted sets out clearly the risks and mitigation and confirms that the site is within a defended area benefitting from several engineering defences that offer layered protection to the site, such that the site can be made safe from the threat of flooding for its life span that is a 1:100 year event taking into account climate change. He feels the Flood Risk Assessment make its clear that the watercourses that put the site in Flood Zone 3 are protected by Whittlesey Washes barrier bank and Middle Level barrier bank and these defences provide protection in excess of a 1:100 year eventuality, which shows the site is not at a significant actual risk from flooding.

Mr Slater expressed the opinion that there is significant local support for the proposal as set out in the officer's report and these neighbour comments set out a number of reasons why the proposal is beneficial and could be approved. He concluded that the scheme is a small residential proposal seeking a beneficial use for a residual residential plot on the edge of March Town and it is not considered that it will be harmful to the local visual amenity and matters of flood risk are accounted for.

Members asked questions of Mr Slater as follows:

- Councillor Mrs French asked that, if this application is approved, how the link up would be for the sewerage, would it be a cesspit or to the mains? Mr Slater responded that this has not been decided at this time.
- Councillor Mrs French asked if he is aware that the land to the north and west of this site is planned to be handed over to the Council for the extension of West End Park? Mr Slater responded that he is aware that this is a proposal in the emerging Local Plan. Councillor Mrs French pointed out that it is not the emerging Local Plan it is going to happen as the condition was placed on Cannon Kirk's development in 2003/2004.
- Councillor Sutton requested clarity on Mr Slater saying that there used to be a dwelling on the site. Mr Slater responded in the affirmative, it was knocked down some time ago. Councillor Sutton stated that he does not remember one but is not saying there was not but asked if he agreed that the accommodation had been abandoned? Mr Slater reiterated that the property was demolished some time ago.
- Councillor Mrs French stated that she moved to March in 1984 and the property was definitely in existence until at least the late 80's and she believes it was an old cottage.

Member asked questions of officers as follows:

- Councillor Mrs Davis referred to Mr Slater negating the need for a sequential test by virtue of the systems Fenland has in place and despite what he says asked officers to confirm that the sequential test is still required, and it is not a matter of opinion? David Rowen responded that the Cambridgeshire Flood and Water Supplementary Planning Document states "the presence of existing defences should not be taken into consideration when undertaking the sequential test. The maintenance of the defences may change over time and climate change will have an impact on the level of protection that they offer, particularly in low-lying areas noted for their organic sub strata. These are generally peaty areas which are prone to desiccation and shrinkage" so it is adopted planning policy that the existence of flood defences should not be taken into consideration.
- Councillor Sutton read from the Environment Agency comments on one of these applications that because of the defences Fenland has it lowered the flood risk into the one below it and the Environment Agency seem to be having a more relaxed opinion than they have previously and asked officers if they agreed? Theresa Nicholl responded that the response on this application was that the Environment Agency said they had no objections, but they are not the body that are tasked with applying the sequential test so there was no

objections subject to the Council being assured that the sequential test is passed, and this is the Council's responsibility.

- Councillor Mrs French referred again to a training session that was held for members and the Environment Agency stated that it is the internal drainage boards, such as Middle Level, who matter on these issues, and they are not interested. She made the point that she has known this site for many years, and she has never known that site to flood even when the floods of 2020 occurred.
- Councillor Mrs French stated that there are 16 letters of support, with half of them not being from residents in the area, and asked why are these being taken into consideration when it was agreed years ago that letters from only that particular ward or neighbouring ward would be taken into consideration? David Rowen responded that the Scheme of Delegation does distinguish between representations from the ward or adjacent ward in terms of triggering an application coming to committee, however, if a representation is received on a planning application it has to be considered and that is why they are listed within the report. Councillor Mrs French expressed the view that the Council, and she thought it was in a policy document, would not take these letters into consideration, which applies to members calling in an application that they can only do this for their own ward or neighbouring ward so asked why is it different for local residents, especially as letters of support have been received from Benwick and Ramsey Heights. Nick Harding responded that the one of the triggers for an application coming before committee does include a number of local representations and the Council received sufficient number of local representations contrary to the recommendation and as well as hitting that trigger of the number of local representations there were others that fall geographically outside the area but as David alluded to the Council has to report and consider all representations no matter where they are from in the determination of an application.

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

- Councillor Skoulding stated that this site lies in his and Councillor Mrs French's ward and he has never known this site to flood, further north-west in the corner yes, so he cannot understand why this site is in Flood Zone 3 and cannot see any problem here.
- Councillor Mrs Davis stated that her concern is that applications are being submitted without doing the sequential test and whatever people think that is the current way in which an application is supposed to be looked at and approaching it by saying it has never been known to flood is not acceptable.
- Nick Harding stated that Councillor Mrs Davis has made a very good point as there is a process that has to be followed even if it is not necessarily agreed with, which is enshrined in national policy as well as local policy that this Council has adopted. He referred to the issue of the site being previously developed and the Case Officer in the report makes it quite clear that this site is not a brownfield site because the building has long since gone and the site has been assimilated into the countryside and this definition is clearly set out within the NPPF.

Proposed by Councillor Mrs Davis, seconded by Councillor Mrs French and agreed that the application be REFUSED as per the officer's recommendation.

(Councillors Connor, Mrs French, Purser and Skoulding declared, under Paragraph 14 of the Code of Conduct on Planning Matters, that they are members of March Town Council but take no part in planning matters)

P30/22

F/YR21/1439/O

LAND WEST OF 78-88 STATION ROAD, MANEA

ERECT UP TO 4NO DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

David Rowen presented the report to members.

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 Tim Slater on behalf of the agent. Mr Slater stated that Manea is identified in the adopted Local Plan as a growth village reflecting the range of local services and facilities as well as access to the railway station. He expressed the view that Station Road is essentially a linear extension of the village which links the historic core of the village to the railway station and over the past 20 years the extent of this development has increased such that there is now continuous development to the station on one side or the other of Station Road for its entire length.

Mr Slater expressed the opinion that this proposal is entirely consistent with this approach and is in keeping with the linear form of development which characterises Manea. He feels the proposal is to all intents and purposes an infill development within an otherwise unbroken form of development along the western side of Station Road and made the point that the officer's reasons for refusal do not refer to the principle of development nor the design details, but confirm that the proposal is consistent with LP3 and LP12 in terms of spatial principles of the development and could be made consistent with LP15 in terms of design and impact.

Mr Slater stated that the application is accompanied by a site-specific Flood Risk Assessment and whilst it is accepted that the land lies in Flood Zone 3 of the Environment Agency maps he reiterated that members will be aware that this mapping is based on the assumption that the land is undefended, which he feels is clearly not the case. He highlighted again that, in his view, the Fens is very well defended, understood and the best managed river system and the actual risk from flooding is not reflected in the Environment Agency's maps as the site, in common with most of Fenland, is subject to layered engineering and management defences, with the Mid Level barrier bank providing a 1:100 year protection further reduced by freeboard in the Manea and Welney District Drainage Commissioner's system.

Mr Slater expressed the view that the Flood Risk Assessment sets out clearly the risks and mitigation and confirms that the site is within a defended area benefitting from several engineered defences that offer layered protection to the site so that the risk of flooding can be made safe from the threat of flooding for its life span at 1 to 100 years plus climate change, which is what the Environment Agency's processes aim to do. He made the point that the Environment Agency raises no objection, and the applicant is accepting the advice provided by the Environment Agency regarding flood warning and foul drainage which could be added as informatics to any permission.

Mr Slater referred to ecology, which he notes was a matter of concern to the committee at the last meeting but made the point that as this application has been 'live' since November 2021 and this issue was only evident last week when the agenda was published, the agent has not been in a position to respond or address the matter. He expressed the view that once an application is validated it is an acceptance by the Council that it has all the information it needs to consider the application, which is the purpose of the validation process although there is provision for a further period of time for additional information to be requested following receipt of consultation responses.

Mr Slater stated that the application was accompanied by the Council's Ecology Proforma and in January 2022 Natural England provided a formal consultation response stating no objection. He stated that the agent has been in contact with the Council on an almost monthly basis with correspondence in relation to how to address the flood risk and seeking updates as to the progress of the application and at no point was it made clear during the correspondence that the matter of ecology had been raised, with it not being clear how the conclusion in reason for refusal 2 has been reached given that there is nothing on file to suggest that another ecological officer or expert

body has been consulted to overrule the comment of Natural England.

Mr Slater expressed the view that the agent was only aware of the reason for refusal in respect to ecology when the agenda was published and if this matter remains of concern to members he asked for, in the interest of fairness, the application be deferred to enable an appropriate ecological assessment to be carried out. He concluded that, in his opinion, the application is acceptable in principle as accepted by the officer's report, the matter of flood risk is in accordance with the 1 to 100 years plus climate change eventuality and made the point that the only consultation response in relation to ecology indicates that the proposal is acceptable.

Members asked questions of Mr Slater as follows:

- Councillor Murphy referred to Mr Slater indicating that the sequential test had been undertaken but in the reasons for refusal it states, "the sequential test for flood risk has not been adequately applied or met and consequently the application fails to demonstrate there are no other reasonable available sites" and "In addition, the Exception Test has not also been passed". Mr Salter responded that he is aware that this is the opinion of the Planning Officers that they consider the risk has not been adequately addressed. Councillor Murphy asked if anything was going to be done about this? Mr Slater stated that he is not in a position to do anything about it at this committee, if members wanted to defer the application they could go away and do the work. Councillor Murphy made the point that they have had time to address this issue but have not.
- Councillor Mrs Davis made the point that pre-application advice was provided, and it says that there was the need for the sequential test and for the ecology report so if the application is deferred the agent would need to come back with both of those items addressed. Mr Slater responded that this is understood.

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

- Councillor Mrs French stated that when the floods occurred in December 2020 many properties flooded, and she would like more information on this issue. She would be happy for the application to be deferred so that the agent can come back with the proper information that is required.
- Councillor Connor stated that he is not against this application being deferred, although he does not like to defer applications, but if there is some more information required it needs to be obtained before a decision is made.
- Nick Harding stated that it is within committee's gift to defer the application, but in terms of consistency earlier today members refused an application on the absence of a sequential test and at last month's meeting refused an application because it did not include the relevant ecology information.
- Councillor Mrs Mayor questioned that if this application is refused the applicant can resubmit the scheme? Nick Harding confirmed this to be the case.
- Councillor Mrs French queried the fact that when planning applications are being resubmitted, officers are refusing to make a decision on them, so members need to be careful when the committee refuse applications or suggest to the applicants to resubmit after a refusal. Nick Harding responded that in the vast majority of cases having had an application refused an applicant can resubmit, however, in planning legislation there is provision for the local authority to decide not to accept an application and that process is all about applicants coming in repeatedly to try and thwart the enforcement process and twin track planning applications, which are exceptional cases.
- Councillor Murphy expressed the view that the application should be deferred for the applicants to do the work and come back as soon as possible.
- Councillor Mrs Davis referred to the comments of Nick Harding in that the committee refused an application today for lack of a sequential test and feels that this application cannot, therefore, be refused.
- Councillor Benney made the point that although an application has been refused today all applications should be treated individually and taken on their own merit and he does not see

why it cannot be deferred.

Proposed by Councillor Skoulding, seconded by Councillor Murphy and agreed that the application be DEFERRED to allow for a sequential test and ecology assessment to be submitted.

(Councillor Marks declared that the applicant is known to him and was his doctor, and retired from the meeting for the duration of the discussion and voting thereon)

P31/22

F/YR22/0453/F

RIFT BAR, HORSEFAIR, WISBECH

CHANGE OF USE FROM RESTAURANT/BAR AND ALTERATIONS TO EXISTING FLAT TO CREATE TO 1NO RETAIL UNITS AND 6NO FLATS (5NO 2-BED & 1NO 3 BED)

David Rowen presented the report to members.

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 asked questions of officers as follows:

- Councillor Topgood stated that the plan shows the red line going around the taxi rank as well but it is his understanding that this area does not belong to the applicant so questioned whether it should be included on the plan? David Rowen responded that on the location plan that has been submitted this does appear to be the case but he is not aware of what the ownership arrangements of this area is and whether it is actually part of the application and officers may need to seek clarification on this depending upon the outcome of the application.

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

- Councillor Benney expressed the view that there are 3 flats that already have established planning use so he feels that all members are looking at is another 3 flats. He made the point that there is an abundance of surplus retail space, which will only rise as there is more online shopping and the cost of running businesses from expensive places such as a shop or a restaurant goes up, and these buildings are going to stand empty and the Government does not want empty buildings but there is a shortage of housing and to him this development falls well within that policy. Councillor Benney recognises this policy is not within the Local Plan policy but referred to Peterborough where spaces above retail units have been converted into flats or are being converted and, in his view, this is progress, the way forward and the market should not be blocked on this, the market is saying this is where this proposal needs to go as there are empty properties, empty shops and there will be more of these to come. He made the point that planning is about land usage and, in his opinion, the loss of a pub/restaurant, which is an expensive business to run, and turning it into a smaller shop is not taking away the full commercial aspect of the property but will enable the owner to generate revenue. Councillor Benney expressed the view that if an owner does not make money out of these buildings they will fall into disrepair and this proposal will ensure this building stays in good order.
- Councillor Mrs Davis stated that she agrees broadly with Councillor Benney and when members visited the building it was difficult to see what businesses would be successful there as it is set way back from the Town Centre and better use of the building may be made by having more flats.
- Councillor Sutton stated that he agrees to a certain extent with the previous speakers but he does not think he can support this proposal in its current form due to some of the bedrooms being right on the taxi rank, which he feels would be a dereliction of members duty to allow that to go ahead and put people in a position where they have to sleep there with 10 taxi

ranks.

- Councillor Mrs French expressed the opinion that members need to know who these parking spaces and land belong to as the Council is working on civil parking enforcement and she wants to know whether those space belong to Fenland or is it in private ownership. She agrees with the comments of Councillors Benney and Mrs Davis in the way that people trade today they cannot afford large retail businesses and the country has just got over Covid and is now going into recession so the committee should be thankful that someone wants to do something with this building.
- Nick Harding stated that from the presentation members would have seen that the taxi rank is unchanged and having checked the application form the applicant did serve notice on Fenland District Council as landowner. He stated that in terms of the conversion of the ground floor to residential, if the issue of noise and disturbance is put to side at ground level to those ground floor flats, from a planning officer perspective the view of Councillor Benney does have sympathy in that there is more than likely going to be a surplus of vacant floor space in Wisbech but made the point that this has not been provided to officers in the set of current information on the amount and location of vacant floor space so if officers were to let this go to an alternative use it would not be on the knowledge, notwithstanding the fact that it is contrary to policy, it is not going to cause any harm.
- Councillor Mrs French requested clarification that the car parking does belong to Fenland District Council as it would be Fenland who would decide further along the road if it wanted to put a traffic regulation order here and change these taxi spaces. Nick Harding responded that he is not aware of the exact extent of the Council's ownership but he does know that the Council was served notice.
- Councillor Mrs French asked if the application could be deferred for the applicant to clarify their justification for the loss of the retail space? Councillor Connor made the point that it is up to committee on how to proceed although he is not keen on deferrals.
- Councillor Sutton stated that there is no doubt that the car parking spaces are either Fenland's or County's as there was big issue about moving the taxi ranks from Horsefair to its current position and the building did belong to the County Council at one time. He referred to his original point that with the current layout with the bedrooms close to those taxi ranks he cannot support the proposal.
- Councillor Connor expressed the opinion that it is an empty building, the whole commercial aspect is not being removed, triple glazing is going to be installed and whilst it is not ideal it will bring the whole of the building back into use bringing well needed accommodation to the people of Wisbech. He stated that it makes no sense to him to refuse this application.
- Councillor Benney made the point that there may be taxis outside the window but he and Councillor Murphy both lived on the High Street at times and there were cars pulling up outside all the time and he feels that wherever you build there will be noise wherever there are cars and people and he agrees with the Chairman that this proposal does bring back a building into use.
- Councillor Murphy agreed, he feels that wherever a dwelling is placed someone will always live in it and this proposal is right in the middle of Wisbech, it is going to be busy and noisy but someone will occupy those flats of their own accord.
- Councillor Connor expressed the view that if the flats go up for sale or rent there will be numerous people wanting them and there will be no problem with people wanting to occupy them.
- Councillor Marks referred to the first application determined at the committee meeting which saw a proposal for a derelict building and if this building is left committee in 2-3 years time will be in the same position discussing some type of scheme for a derelict building to try and make it better. He feels this proposal immediately answers a question of homelessness or housing need and it should not be left empty.
- Councillor Mrs Mayor stated that this application is asking for one retail unit and asked if this is being excluded or are committee being asked to go with the application as presented? Councillor Connor responded that the committee needs to decide on the application as presented.

Proposed by Councillor Benney, seconded by Councillor Marks and agreed that the application be GRANTED against officer's recommendation with authority delegated to officers to apply appropriate conditions.

Members do not support officer's recommendation of refusal of planning permission as they feel that Central Government's Policy is to bring empty properties back into use which this proposal does, the noise and disturbance from the taxi rank can be mitigated by triple glazing and the possible introduction of acoustic glass and the flats will satisfy a housing need that exists.

P32/22 F/YR22/0550/F
LAND NORTH OF 98 - 101 WEST END, MARCH
ERECT 1NO DWELLING (2-STORY, 3-BED) AND FORMATION OF A PUBLIC LAYBY

This agenda item had been withdrawn.

P33/22 F/YR22/0654/O
LAND NORTH EAST OF EAST VIEW, GOTE LANE, GOREFIELD
ERECT 1NO DWELLING (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

David Rowen presented the report to members.

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 Allison Curtis, the applicant. Ms Curtis advised members that she lives at East View, Gote Lane which has been her home for over 20 years and previously belonged to her former in-laws. She expressed the view that she has been lucky enough to bring up her three children here and has an abundance of memories contained in her home.

Ms Curtis stated that in 2005 her then husband was involved in a horrific RTA which left him with severe head injuries and led to the unfortunate break down of their marriage in 2008, finding herself a single mum of 3 children living in a large house with an even larger garden which she cannot cope with on her own. She stated that she has always worked two jobs to keep afloat, with one of them being a small business which she runs from home, and she would lose this if she is forced to sell her home to downsize.

Ms Curtis referred to one of her clients, who had become a close family friend, being a councillor and he suggested that she apply for planning for an infill plot, which would cut down her workload and make her garden look better under control when her clients visited. She stumbled through the process at that time only to get her application refused, it is now a few years on, and she has a little more understanding as to why her original application was refused, but with that limited understanding comes her reasoning for disagreeing with the recommendation at this time.

Ms Curtis stated that she is unable to see why this development is not acceptable in principle, it is well within the village sign this being about 30 metres away from the property and after this there is quite an open area but not so much before this. She has always considered that she lives very much in the heart of the village being just about 350 metres away from the centre within easy walking distance of every amenity on offer and she used to walk her children to Gorefield Primary every day and they then walked to end of the lane to get the bus to High School.

Ms Curtis expressed the view that she stills walks to the post office, the butchers, to the beer fest

at the Pavilion and also walks her granddaughter to the playing field when she is visiting and feels she is lucky to live in Gorefield. She stated that her house and intended plot is not on agricultural land but on her garden and is to her mind a logical infill plot, it is far from an open space currently due to the trees being so dreadfully overgrown, another issue from her limited gardening skills, and they are getting to the point of becoming dangerous and she has approached a local company to cut them down before high winds come again.

Ms Curtis expressed the opinion that there were no other plots available in the village and currently only 5 properties for sale in the whole of Gorefield. She feels strongly that Gorefield is a wonderful up and coming village in which to raise a family and she would love to give someone the opportunity to build their own dreams there.

Ms Curtis stated that she has submitted 10 letters of support from people in the village, with offers from several more, and the Parish Council are in support of the application, which she feels means they can see the same potential as her that another property in this location would add sustainability to the village and can only bring positive outcomes to all parties involved. She expressed the opinion that the plot is a decent size, 18 metres wide by 52 metres deep, and has been reliably informed that this is a larger than average plot.

Ms Curtis stated that whilst she does not profess to understand all the ins and outs of planning applications, committees, summaries and frameworks, she felt the need to explain why she is continuing with this application. She is unable to cope with her land but she cannot bear to have to sell her house and downsize, she does not want to give up the happy memories she has fought so hard to resurrect, the home she single-handedly fought to keep so that her children not only had a roof over their head but had an amazing village and community to give them the idyllic childhood they deserved despite the circumstances they found themselves in, with the small business she runs being her lifeline and is continuing to build again following the devastation that was Covid.

Ms Curtis recognises her reasons are emotional and not particularly procedural, but feels they are equally valid, and she hopes due to the whole package members would be able to grant approval of this application.

Members asked questions of Ms Curtis as follows:

- Councillor Benney asked what kind of business is run from her home? Ms Curtis responded that she has a log cabin which she runs a hairdressing business out of. Councillor Benney asked if she would be able to continue with the business if she has to sell and move? Ms Curtis responded that if she could find a suitable property with room but she would have to apply for appropriate planning. She stated that at the moment she has a log cabin and has lots of clients in the village and from the outskirts of the village who probably would not be able to travel elsewhere and there are few appropriate properties in the village to remain there so it would effectively mean her business would close.

Members asked questions of officers as follows:

- Councillor Skoulding expressed the view that looking at the plan the proposal looks like infill to him, there are houses to the side and opposite, and he cannot see it being anything else but infill. David Rowen responded that from an officer point of view the site is outside the continuous built form of the settlement as defined in the relevant policies of the Local Plan and whether it is between two existing properties or in isolation or whatever scenario the principle of a residential development in that location is not acceptable and conflicts with policy.
- Councillor Mrs French expressed the view that it is all down to interpretation, what councillors feel is infill and what officers do and there is often disagreement between the two. In her view, looking at the plan, it looks like infill.

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

- Councillor Topgood echoed what other councillors have expressed that, in his view, the site is infill and there is a natural line going towards the village. He personally does not have an issue with the application, in his opinion, it will be a lovely house for somebody to live in, a nice location and the amenities are far beyond what some people get in towns. As far as public transport is concerned, Councillor Topgood expressed the opinion that this has been spoken about at committee time and again, it is a rural community people are going to need cars and you are never going to get cycleways and buses at people's doors. He considers it infill and would go against officer's recommendation.
- Councillor Benney stated it looks like an infill to him and this is an applicant who has a business here and if she has to move out of the area this would affect the residents who live there and use her business. He expressed the view that there has been debate before about where officers feel boundaries stop and this is in walking distance of the village, so he is inclined to support the application.
- Councillor Sutton stated that he agrees with some of the comments of other members but asked how the committee gets over the sequential test issue. He made the point that the committee has just refused an application due to the sequential test, deferred another and this is another one that has not fulfilled the requirement for a sequential test and how would it look if this one is approved. He feels the only option in this case is to do the same as for a previous application and defer the application for a sequential test to be undertaken.
- Councillor Murphy stated he was going to raise this issue as it cannot be requested on one and not another one. He would like it to come back straight away with the sequential test but expressed the view the situation is getting ridiculous as if applications are supposed to have a sequential test or any other assessment and it is not submitted it should be immediately rejected.
- Councillor Marks asked if it states on the application form that they have to produce a sequential test before putting an application in?
- Councillor Mrs French expressed the opinion that this keeps happening month after month, she did ask a question previously about the checklist of requirements and was told by officers that they cannot force the applicants to do it and the wording of the response was woolly.
- Nick Harding stated that for validation checks on an application there is a list that applicants need to work to and advice and guidance on the website about whether or not a particular item on the checklist is relevant to their application. He stated that if an application is submitted with a tick to say Flood Risk Assessment and Sequential Exceptions Test a document that purports to cover those items should be submitted and the application starts to be processed. He made the point that it is when the Case Officer reads the document and feels the content is somewhat light or non-existence there is an issue.
- Councillor Marks asked if it says you need to submit this document, yes or no or is it left woolly? Nick Harding responded that the Flood Risk Assessment with a sequential test was submitted in this instance, but the content was light. He referred to an example if he submitted an application for 50 homes that would trigger the need for a transport assessment and if a document entitled transport assessment was submitted and its content said "not many cars or buses would come to this site, everything is going to be fine" this is not adequate in terms of content but a document entitled transport assessment has been submitted. Councillor Marks recognised that it is professionals in the main that are submitting applications but questioned whether it was clear on what is required rather than an overview, which he feels is woolly, and is why, in his view, committee is in this situation today. Nick Harding responded that the advice is really clear, it is contained within the adopted Supplementary Planning Guidance as to what is required when submitting a sequential test.
- Councillor Mrs French expressed the view that in one hand there is not a sequential test but in the other hand there was a sequential test but it was not sufficient so it is interpretation, and it is up to this committee to determine if it has been undertaken or not and whether the application can be approved or not.
- Councillor Mrs Davis made the point that she does not have the technical ability to know

whether it was undertaken properly. Nick Harding responded that David Rowen's presentation outlined to members that the sequential test submitted was a quick check on Zoopla. David Rowen read the relevant section of the committee report at 10.12 relating to this issue.

- Councillor Sutton expressed the opinion that the reason as to why members are in this situation rests squarely on the committees' shoulders because time again the sequential test has been ignored, citing an example near Wisbech St Mary, and it is no surprise that agents and applicants watch the committee and see them overriding the sequential test and saying it does not matter and it is no surprise that these applications are being submitted with no sequential tests or inadequate ones as it is felt the committee is going to pass them anyway.
- Councillor Murphy made the point that it is not up to the committee to discuss this issue, it is up to the agents to get it right and if they cannot be bothered to complete the checklist properly it is the agents fault. He feels they are trying to get away without doing the work and should not be allowed to continue.
- Councillor Mrs French said she has been making these comments for years, if not all the information or documents are there it should not be validated, and she has discussed this with the portfolio holder and she has been told that things are going to change. She made the point that officers are not there to do agents work and she hoped that the portfolio holder was listening, and the issue could be addressed as soon as possible.
- Councillor Sutton stated that whatever happens here members need to refer to the comments he made at the last meeting if the application is being refused, is it being refused for all the reasons for refusal as if members say they do not believe it is in the countryside but in Gorefield village they need to say this now. He feels that the committee need to look at the refusal reasons and see which ones they agree with, many people of Gorefield believe this site is in Gorefield and he questioned who are members to disagree but members need to be clear.
- Councillor Connor stated that he tried to steer the refusal at that last meeting following Councillor Sutton's comments and would like the committee to take these comments on board and would like to steer this in that direction if committee agree.
- Councillor Mrs Davis stated that members may need some advice from officers because if it is agreed that the committee does not believe it is an elsewhere location then that changes the sequential test, so to be fair to Ms Curtis she needs to be told what she needs to do.
- Councillor Benney agreed with the comments of Councillor Sutton, members need to define the reasons for refusal, referring to another application where not all the reasons for refusal were agreed with, and whether the committee wants to refuse this application on all the reasons. In his view, it is not in an elsewhere location and if the applicant comes back with an acceptable sequential test, it can be approved, but members need to get the decision right.
- Councillor Topgood agreed with the comments of Councillors Benney and Sutton, and he does not feel it is in an elsewhere location.
- Nick Harding stated that if someone is going to make a proposal on refusing the application then, as has been indicated by Councillors Sutton and Benney, members need to make a decision on whether they agree with all three reasons for refusal and if there are a number that members do not agree with then they need to set out the reasons why they do not agree.
- David Rowen added that, in respect of where residents feel the village extent, the appeal decision reported a couple of meetings ago to refuse the PIP application at the Rectory in Benwick, the Inspector stated that the Local Plan does not rely on defined settlement boundaries rather requires a physical assessment to be made to determine whether or not the site is within a village for the purposes of LP12 and goes on to say this results in a site which could come to be in general terms part of the village but not in the village for the purposes of the spatial strategy and this is a key issue on whether it is an elsewhere location or not as to whether it is part of the continuous built settlement as set out in Local Plan.

- Councillor Sutton expressed the view that this is still subjective, and that Planning Inspector may have made that decision but had that been another Planning Inspector a different decision might have been made and the Council has seen in the past that even the same inspector made one decision one time and a different decision next time in Wimblington so it is not hard and fast. He feels that it is subjective, the committee still has the ability to make the decision if members think the site is part of the village, but he is still on the fence about this but is not on the fence about the sequential test as he cannot see how this can be passed based on the decisions made previously.

Proposed by Councillor Benney, seconded by Councillor Murphy and agreed that the application be REFUSED on the grounds that the successful completion of a sequential test for the village has not been submitted.

Members did not support officer's recommendation of refusal for reasons 1 (essential need) and 2 (harm to the character of the open countryside) as they feels the site is part of the village, the dwelling will make a positive contribution to the village and will add value to the village by keeping a business operating providing services to residents in the village.

P34/22 CONFIDENTIAL - PREVIOUS MINUTES

The confidential minutes of 29 June 2022 were confirmed and signed as an accurate record.

(Members resolved to exclude the public from the meeting for this item of business on the grounds that it involved the disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972)

5.19 pm Chairman