

# PLANNING COMMITTEE



**WEDNESDAY, 8 MARCH 2023 - 1.00 PM**

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

**APOLOGIES:** Councillor M Cornwell and Councillor C Marks.

Officers in attendance: Nick Harding (Head of Planning), David Rowen (Development Manager), Graham Smith (Senior Development Officer), Danielle Brooke (Senior Development Officer), Nikki Carter (Senior Development Officer), Stephen Turnbull (Legal Officer) and Elaine Cooper (Member Services)

## **P113/22      PREVIOUS MINUTES**

The minutes of the previous meeting of 8 February 2023 were agreed and signed as an accurate record.

## **P114/22      F/YR21/1360/O LAND NORTH EAST OF 3-31 HEMMERLEY DRIVE, WHITTLESEY ERECT UP TO 58 NO DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)**

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 Councillor Mrs Laws, on behalf of Whittlesey Town Council. Councillor Mrs Laws stated that Whittlesey Town Council is against this development, not against development in Whittlesey, but of any further development in the north of the town which as can be seen from the photos on the presentation screen shows flooding not once in 100 years or once in 50 years but this area is now experiencing once in 5 years where the roads surrounding this development are closed up to 69 days, which is a substantial amount of traffic that has to be diverted to the A605. She made the point that presently there are 1,078 dwellings being built out, not approved but actually being built out, with in the villages there being 82 mixed dwellings so the Town Council is not against development but what it is looking for is suitable and appropriate development and it does not consider the north of the town complies.

Councillor Mrs Laws drew members attention to 5.1 and 5.2 of the officer's report, Whittlesey Town Council consultation response and the County Council's response and also referred to a Flood Warning pack that is issued to 220 dwellings adjacent to this site that are at risk of flooding. She stated that she is the Delph warden and also works with the Environment Agency and she believes their consultation in the report is in conflict with their department working with flood wardens.

Councillor Mrs Laws expressed the view that over 1,000 properties now are at the risk of flooding in the north of Whittlesey and even with this new estate residents are struggling to find insurance to cover their contents and the building, if they can get insurance they cannot afford it. She referred to 7.7 of the officer's report which is in relation to the new Whittlesey Neighbourhood Plan and she

has it on good authority from the Chief Executive that from the moment the declaration was made on 23 February this became a living live document, which is more current than the 2014 Local Plan, which has been through independent examination, found to meet the basic conditions required for legislation subject to the incorporation of examiners recommendations for modification and the plan was successful at referendum on 23 February 2023 and, therefore, carries full weight.

Councillor Mrs Laws stated that the Neighbourhood Plan states that no further development to the north of Whittlesey and adjacent to the built area of Whittlesey, forms part of the Whittlesey Washes Flood Storage Reservoir which protects Peterborough, Whittlesey and other settlements and Fenland areas from flooding but supports the provision of housing to the South and to the East of the town and importantly industrial and commercial to the West of the town. She made the point that the Neighbourhood Plan is resident led and the Town Council brings it together, with there being 8-9 days of consultation and two workshops and in all that time everyone was adamant no further development in the north.

Councillor Mrs Laws asked members to take note of the policy considerations, comments at 5.14 on education and 5.19 by NHS England.

Members asked questions of Councillor Mrs Laws as follows:

- Councillor Connor stated that he has read the document and is knowledgeable with the 2014 Local Plan and emerging Local Plan that can only be given a certain amount of weight to and the new Neighbourhood Plan which indicates that residents and the Town Council do not want any more development to the north and asked if he was correct on this? Councillor Mrs Laws confirmed this to be the case, this site did not appear as a designated site in the 2014 Local Plan and the reason that the development came forward on the Showfield site was due to it being windfall and the land supply was less than 4 years at the time. She stated in the new emerging Local Plan this site has been recognised and Whittlesey Town Council were against this site being designated and the Neighbourhood Plan is adamant that people do not want and are worried about flooding with the mapping changing year on year.
- Councillor Connor expressed the view that when the Showfield site was brought forward for development the Council did not have the 5 year land supply and asked what is the land supply position now for Fenland? Councillor Mrs Laws responded that at the time of the Showfield development the land supply was less than 4 which is why the site principally went forward and as of September 2022 it is 6.5 years well over the 5 years so this would denote that this proposal could not be a windfall site.
- Councillor Sutton expressed the opinion that Councillor Mrs Laws had made a misleading and untrue statement because the outline was granted in 2016 and he knows the land supply was not lost until 2017. Councillor Mrs Laws asked Councillor Sutton what application he was talking about? Councillor Sutton referred to the application that was approved for 220 dwellings. Councillor Mrs Laws responded that Councillor Sutton is looking at 220 and he needs to go back further as prior to this an application for 249 was submitted which was the windfall and as he would be aware there were several planning applications submitted, several meetings and a public appeal that the Town Council and residents won and the land supply was less for the 249 application. Councillor Sutton expressed the view that this was irrelevant. Councillor Mrs Laws stated this is history and the land supply when the original application was submitted was less than it was with the 220 application.
- Councillor Mrs Davis asked about the amount of feeling there is in Whittlesey about all the development that is taking place and could Councillor Mrs Laws confirm that when the Neighbourhood Plan went to referendum that there was a 77% turnout, which is really high. Councillor Mrs Laws responded that the turnout was 14.95%, with a Neighbourhood Plan not being something that people get excited about to go to a polling station.
- Councillor Skoulding expressed the view that he thought there was going to be bollards or barriers to stop the traffic in Teal Road due to the school and he feared it would become a

'rat run' and is disappointed that this has not happened. Councillor Mrs Laws confirmed the barriers have not been installed, there are two entrances and exits, one from East Delph which floods and goes into higher ground where the Persimmon Homes site is and the one at Teal Road, when Persimmons Homes site was approved there was a firm understanding there would be bollards in this location which would permit only x number of vehicles to use from x number of properties but also as an emergency exit but that emergency exit is in a flood zone and the road does flood. She made the point that it is a very narrow road which leads towards a primary school in a very dense residential area.

Members received a presentation, in accordance with the public participation procedure, from Mr Clarke, the agent. Mr Clarke thanked officers for their engagement and dialogue during the application process and the well-reasoned and, in his view, justified committee report and expressed his full support for the officer's recommendation. He stated that as members will have seen in the officer's report the applicant has positively engaged with and responded to comments received and amended the proposal when appropriate throughout the pre-application discussions and application process.

Mr Clarke made the point that the application seeks permission for the principle of up to 58 dwellings with an indicative net maximum density of 32 dwellings per hectare and the officer's report confirms under 10.5.1 that the number of dwellings to be delivered along with the layout, design, separation distances and residential amenity are all considerations that can be appropriately addressed at the Reserved Matters stage. He stated that the application site is bordered by existing residential development on 3 sides and, therefore, sympathetically integrates into the development area of Whittlesey, with the principle of residential development supported by the Council at pre-application stage.

Mr Clarke referred to 3.1 of the officer's report which confirms the site is supported under policies LP3 and LP4 which seek to direct sustainable growth to main market towns in the district. He expressed the view in relation to the proposed surface water drainage strategy, that 5.5, 5.6 and 10.19 confirm that the Lead Local Flood Authority (LLFA) and Environment Agency have no objections or comments of concern regarding the proposal drainage strategy, with the site naturally out falling to the adjacent riparian ditch, therefore, the drainage proposal replicate the existing drainage outfall.

Mr Clarke expressed the view that it should also be noted that surface water from the south-western part of the adjacent site directly outfalls to the same ditch so the principle of its use has already been established and accepted. He expressed the opinion that the ditch that the proposal is to outfall to is not part of the North Level Internal Drainage Board network and as such the LLFA is the relevant authority for issuing consent and as confirmed the LLFA has no objection to the proposed drainage strategy, therefore, comments from the Internal Drainage Board are not pertinent to this application.

Mr Clarke expressed the view that the applicant has demonstrated that the site will be served by a safe and effective access provided by the adjacent Persimmon development, this access is supported by the Local Highway Authority. He feels the site is well connected to the local services and facilities and will offer pedestrian and cycle links to aid movement from the site and beyond.

Mr Clarke stated that Whittlesey is served by bus services and benefits from a railway station providing sustainable access to Peterborough, Stanstead Airport, Ipswich, Colchester, Birmingham and beyond. He stated in respect of the sites natural features it is proposed to retain and enhance the existing boundary hedgerows and trees, which he feels will help the development blend naturally into the wider landscape.

Mr Clarke stated the proposal offers 9.72 hectares of nearby land, which is over 5 times the size of the development site, to create new rich habitats and a significant biodiversity net gain to the

benefit of all. He concluded that the application represents the efficient use of land in a sustainable location and will deliver much needed housing including 25% affordable housing, high quality and usable open space, new rich habitats and a significant biodiversity net gain, much needed financial contributions to the education sector, NHS and East of England Ambulance Service, all of which will be further complemented by the economic benefits of construction and support to local businesses.

Mr Clarke outlined for clarity that members are only being asked to assess the principle of residential development in this location with a means of access committed at this stage, with appearance, landscaping and scale, the detail, to be considered at the Reserved Matters stage although it should be reiterated that the Case Officer and statutory consultees are satisfied that the indicative layout and design will meet and where possible exceed the requirements of national and local planning policy and guidance in creating high quality and sustainable development. He reiterated his full support for the officer's recommendation of approval and whilst he respects the Town Council's presentation none of the photographs shown are of this site and the site has never formed part of the Persimmon Homes site, it is a totally separate site.

Members asked questions of Mr Clarke, Mr Hatfield, another representative of the agent, and Mr McGrane, the applicant's highway consultant, as follows:

- Councillor Sutton referred to Mr Clarke stating in his presentation that 25% affordable housing was going to be provided and asked if there was any chance this would be amended as it is often promised at outline but on a full application a viability study is produced to show it is not feasible. Mr Hatfield responded that there is no intention of undertaking a viability study as it would have been undertaken now and the intention is to develop the site as soon as possible. Mr Clarke added that the 25% affordable housing that will be delivered as part of this site actually exceeds what will be required as part of the emerging Local Plan.
- Councillor Mrs Mayor expressed her concern about Anglian Water and the recycling centre which currently does not have capacity to take these properties and as one of the ward councillors Teal Road has a problem when there is a heavy downpour of rain and she has spent a whole day there watching Anglian Water pump out sewage from people's gardens, with this development only going to exacerbate this problem. She asked if there was any way the applicant can build into anything with Anglian Water who is saying they will try to take the necessary steps to ensure sufficient treatment capacity but this is if, butts and maybes. Mr McGrane responded that there is a pre-commencement condition relating to a detailed drainage strategy that will need to be submitted for approval to the LLFA and that condition relates to a document that was submitted as part of the outline application, which is the Flood Risk Assessment Drainage Strategy. He acknowledges the point made about capacity issues but made the point that if this is relevant when they come to discharge that condition if the statutory authority, the LLFA and Anglian Water, request that this is looked at then this will need to be looked at. Councillor Mrs Mayor stated that the residents of Kingfisher Road and Teal Road would be delighted to get something sorted out as this is happening more regularly. Mr Hatfield added that on the previous application there were obligations on Anglian Water at that point to reinforce the water treatment centre and the pre-development report from Anglian Water does say the existing sewers around the site have capacity and it is the waste water treatment plant downstream that is the problem and it is their statutory duty to provide foul water improvements.
- Councillor Skoulding asked if the barriers or bollards would be erected on the road to stop the traffic going through Teal Road as he is worried about the school and can see an accident happening as it will be used as a short cut. Mr Hatfield responded that as part of the Persimmon Homes approval there was a phasing plan and traffic calming required rather than placing barriers at the entrance to Teal Road as it was always intended as a secondary access not an emergency access as mentioned earlier as it is known that the East Delph access has flooded from time to time and that matter is dealt with already by the existing Persimmon Homes permission and this scheme is adding 58 further houses onto

the Persimmon scheme, highways have been consulted all the way through and are happy that there is no further harm or detriment in terms of capacity and safety as long as Persimmon do whatever is within their planning permission. He expressed the view that there are about 40 cars in the peak hours leaving and coming to the site and with post pandemic shifts in home working traffic levels are lower than they have been. Councillor Skoulding expressed the view that this is a long-winded way of saying no.

- Councillor Mrs Mayor expressed the opinion that since some of the documents were written and presented the bus services in Whittlesey have been considerably reduced, the train services have been reduced and yet it is still being said that there are facilities for people to get from A to B but they are not as often as they were and people are complaining about this. Mr McGrane responded that this is a nationwide problem, bus subsidies are being cut and people are not using buses because of the impact of Covid and the use of public transport in this country is tantamount to disastrous, which is an unfortunate reality in society currently.
- Councillor Mrs French referred to 5.9, Leisure Services comments regarding limited open space and asked if play equipment could be placed onto the site? Mr Clarke responded in the affirmative but made the point that the layout is only indicative and at Reserved Matters stage the proposal has to have a policy compliant level of public open space and play equipment.
- Councillor Connor referred to debris on the road and sees there is wheel wash facility but would like to add a road sweeper on site at all times in association with the wheel wash facility from the first day development commences. Mr Clarke responded that a planning condition has been agreed for a Construction Traffic Management Plan and an Environment Management Plan to be submitted. Mr Hatfield added that if officers wanted to amend the condition to stipulate full time road cleaning then they would have to accept this. Councillor Connor stated that if the application is approved he would like officers to do this.

Members asked questions of officers as follows:

- Councillor Sutton referred to the difference of opinion between Councillor Mrs Laws and himself regarding land supply and that when the 220 houses were determined the Council did have the necessary 5-year land supply and asked officers to confirm the position. Nick Harding responded that in terms of the original application that went to appeal and was dismissed the authority was satisfied that it had a 5 year land supply, the appellant put forward to the inspector that the Council did not have a 5 year land supply and the inspector duly considered this issue and dismissed it as there was a brand new Local Plan and it would clearly not have gone through examination and adoption had the Council been short on the 5 year land supply. He stated that in relation to the application that did receive consent from the Council there is nothing in the case report that indicates that at that time there was a shortfall in the 5 year land supply and an email was issued in January 2018 to notify the Developer Forum that at that point in time there was not a 5 year land supply but this was after the determination of the consented scheme. Councillor Sutton stated that he was confident that he was right.
- Nick Harding referred to the Whittlesey Neighbourhood Plan and in particular Policy 1, Spatial Strategy and under B it says “significant new housing development should be located predominantly east of the town, adjacent to the built area and strategic allocation North and South of Eastrea Road. Development at this location will support the delivery of new and enhanced infrastructure, including a new Country Park” so clearly the policy says east of the town, adjacent the built area and in the strategic allocation north and south so as per the Case Officer’s report this indicates that this site is adjacent to the built area.
- Councillor Sutton asked in terms of the Neighbourhood Plan he knows it has been to Referendum and has community support but surely it cannot be firm and final until it has been examined by the relevant inspector. Nick Harding responded that it went to referendum after the examination.
- Councillor Skoulding asked to see the presentation slides again. Nick Harding responded that he was happy for the slides to be shown again but that it was important to note that the

land level of the development site is different to what is being shown on the slides so it is not a fair comparison and in relation to the Showfield site a significant portion of that site is at flood risk and has not been included for physical built development and this proposal mirrors that situation. Councillor Skoulding stated that he drives this road quite often and comes up to the barrier with the water being so high and he thinks it is foolish to build here as the water is so close.

- Councillor Mrs Mayor asked for clarification that the initial application in 2013 was for 249 properties, which is the Persimmon application, and was the one that went to appeal and was dismissed and in 2015 an application was submitted for 220 which was approved, but if these 58 dwellings are added on to 220 that is 278 which is well above the 249 which was rejected and she is concerned that a lot more properties are trying to be shoehorned in than was originally refused in the first place. David Rowen responded that the 249 properties that were refused and dismissed at appeal had a number of the dwellings in the flood risk area, subsequently the application for 220 was submitted with the houses solely within the acceptable area for development from a flood risk perspective. He made the point that this proposal is for an area of land that was never part of the Persimmon Homes application and which is also largely within Flood Zone 1 so the calculation is not relevant or comparable. Councillor Mrs Mayor expressed the view that the residents would disagree.

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

- Councillor Mrs French expressed her surprise at comments of the LLFA, there was an objection but they have now withdrawn it. She made the point that North Level are also not happy with the proposal due to the riparian ditch and she can see this will be an issue in the future so she is unable to support it.
- Councillor Purser stated that he is not happy with this application, especially with the flooding issues and whilst it has been stated that it is nothing to do with Persimmons development it is the piece of land that matters and councillors from Whittlesey who have spoken know the area well and he is aware of the flooding issues in the area. He is also concerned about the education shortfall and the speeding traffic with a development such as this bringing more children into the area.
- Councillor Mrs Davis expressed concern about the Ambulance Service and emergency services saying that this development is likely to increase demand upon the existing constrained ambulance service and blue light response times and that the proposed development is likely to have an impact on the services of the GP practice operating within the vicinity of the application site, which upon reviewing the existing estate footprint and registered patients the practice does not have existing capacity to support this development so it does not matter if contributions are provided in a Section 106 if doctors and staff cannot be obtained then these people will move into these properties and they will not have easy medical provision. She agrees with Councillor Skoulding that people are going to use Teal Road access and at certain times it is totally blocked with traffic, with school children running around and it is an accident waiting to happen.
- Councillor Mrs Mayor stated that she was going to mention the ambulance and doctors services too but referred to education as only this week she has been contacted by a parent who is having to go through an appeal system as Sir Harry Smith School has said they cannot take any more children so how many more houses should be built when there are not school places for the children. She knows Sir Harry Smith is having an extension built but children have got to be educated and you cannot expect a mother with 4 children having to make a journey to Stamford and back every day, which is not acceptable.
- Councillor Purser expressed the view that the site is overdevelopment and too squashed in. He referred to the sequential test and queried whether this development could not be built in another safer location.
- Councillor Sutton stated that he takes on board what the other members have said regarding services such as education and medical services, and to a certain extent agrees with them but those problems can and are replicated right across Fenland and elsewhere so if it is being said that this proposal cannot be approved because of those issues the

Planning Department might as well be closed down and the Council says no more development in Fenland because all the services cannot cope. He does not feel there is anything policy wise where the committee could turn this proposal down, it fits with the unallocated land policy, it has nothing to do with the 249 dwellings Persimmon development it is a completely separate piece of land so needs looking at in its own right, he understands the issues with Teal Road especially around school times but this is the same across every town and village so he does not see where a policy reason for refusal is going to stand up.

- Councillor Mrs Davis made the point that the committee recently refused an application for 47 houses at Bevills Close in Doddington for some of the very same reasons that have been mentioned on this application so she does not think it is a foregone conclusion at all.
- Councillor Sutton countered that the committee sat at the last meeting and agreed 63 dwellings and there were all these issues with that development.
- Councillor Mrs French stated that she partly agrees with Councillor Sutton, doctors, dentists and education are not really material planning considerations to refuse an application but there are material considerations within the report. In relation to education, she stated that as a member of the County Council they are not putting replacements in, there are shortages right across the whole of the county and the Rainbow Alliance will not address it at this time and it is the same with highway issues.
- Councillor Skoulding stated he is against this proposal as safety of children is paramount and cars will make Teal Road a 'rat run' and if a child get knocked over residents will be asking why the development was allowed to happen.
- Councillor Connor queried if members do not agree with the Whittlesey Neighbourhood Plan and what Whittlesey residents want what message does that send out to other areas that are undertaking Neighbourhood Plans and what is the point of undertaking Neighbourhood Plans if they are overridden.
- Councillor Sutton referred to the section of the Whittlesey Neighbourhood Plan read out by Nick Harding earlier and made the point that this did not specifically say that there should be no development in the north.
- Councillor Connor expressed the view that it does not comply with the Local Plan or emerging Local Plan either and the committee, with the Council encouraging areas to undertake Neighbourhood Plans, would be going against exactly what the people of Whittlesey do not want.
- David Rowen read out the wording again of the relevant policy of the Whittlesey Neighbourhood Plan, Policy 1 Spatial Strategy, Criteria B and in his view there are two key words in this which are 'significant' and what constitutes significant or not and 'predominantly' so this does not rule out per se development elsewhere. He feels the other important point to note is that a Neighbourhood Plan should not supersede the adopted Local Plan, it should complement it and there should be nothing within a Neighbourhood Plan which introduces further restrictive policies.
- Councillor Mrs French expressed the view that the significant word is complement and she does not think this application does.
- Nick Harding made the point that there is no objection from the County Council as Highways Authority so references made to the safety of children as pedestrians, who will be using predominantly existing network plus the network that is provided on the Persimmon Homes development, how can this Council say that this is unsafe given that roads on this proposed development will be of equal standard and a reason for refusal could not be sustained at appeal on the grounds that the design of the highway network is inherently unsafe for pedestrian uses. He stated that there is no objection from the LLFA and this Council has no policy in place that says developments can only drain into an IDB network and the use of riparian drains is not outlawed for drainage purposes, appreciating members' frustrations when the owners of those riparian ditches do not undertake the necessary maintenance to the detriment of themselves and others but this is not something that can be solved through the planning process and members have recently approved other applications which will be using riparian ditches. Nick Harding stated that in regard to Section 106 and development viability, there have been a number of calls from health organisations and the County

Council for contributions to meet the demands that are going to be generated by this development but as part of the production of the Local Plan a Strategic Viability Assessment was undertaken and that indicated that putting affordable housing to one side for the purposes of developer contributions for infrastructure that no contributions can be sought for developments North of the A47 and only £2,000 per property can be sought South of the A47 so when a developer comes along there is always going to be a deficit and if this is not accepted then the Council will not be granting any planning permission for future developments and not meeting its requirements which means it will not have a 5 year land supply, it will not be meeting its delivery test and the tilted balance will come into play thereby possibly placing development where the Council does not perhaps want it to be located.

- Councillor Mrs Mayor referred to Policy LP11 which says “Policy proposals especially to the north of the town should have particular regard to all forms of flood risk which exist at Whittlesey” not just north of Whittlesey but Whittlesey per se and it then goes on to say “any development will need to take into account the proximity of the internationally protected Nene Washes and the SSSI”, with the Nene Washes being a SSSI and this development is adjacent to this and nobody so far has mentioned this fact.
- David Rowen responded that biodiversity is mentioned in Paragraphs 10.3-10.38 of the officer’s report so the issues of the SSSI and the Nene Washes has been considered in several paragraphs of the report with the conclusion being there is no unacceptable impact upon the Nene Washes. He referred to flood risk and Policy LP11, making the point that the developable area is within Flood Zone 1 and the Environment Agency have raised no objections and the LLFA are satisfied with the application.

Proposed by Councillor Sutton to support officer’s recommendation to approve planning permission, which did not obtain a seconder.

Proposed by Councillor Skoulding, seconded by Councillor Mrs Mayor to refuse planning permission as they feel it is contrary to the health and wellbeing of residents under Policy LP2, is contrary to the safety of children coming and going to school and playing around the area under Policy LP17 and does not comply with Whittlesey Neighbourhood Plan. Officers made the point that there is no objection from Highways and the Whittlesey Neighbourhood Plan does not outlaw this location specifically for development, with the site being surrounded on all sides by existing development. The Legal Officer reminded members that there needs to be clear reasons based upon evidence why the application should be refused and he feels it would be a struggle to come up with reasons, therefore, there would be a material risk of costs against the Council if it was refused and went to appeal. The proposal for refusal did not receive the support of the majority of members.

**Proposed by Councillor Benney, seconded by Councillor Sutton and agreed that the application be APPROVED as per the officer’s recommendation.**

*(Councillor Mrs Mayor registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of Whittlesey Town Council and was on the Town Council’s Planning Committee when this application was discussed at the Town Council but took no part in the discussion and voting thereon at the Town Council meeting)*

**P115/22      F/YR22/0967/FDL  
LAND EAST OF THE ELMS, CHATTERIS  
ERECT UP TO 80 X DWELLINGS (OUTLINE APPLICATION WITH MATTERS  
COMMITTED IN RESPECT OF ACCESS)**

Graham Smith presented the report to members and drew their attention to the following updates:

- the total contributions in Section 10.13 should have included the possible maximum total which is a request for £1,366,040, which will be subject to the total houses as it is an outline



application but made the point that Section 10.14 highlights the accepted viability in Fenland.

- a further letter has been received from the Fire Service confirming their request for fire hydrants and planning condition 10 deals with this issue.
- a late letter was received from John Maxey who drew attention to the question of whether the applicant should have provided a viability assessment, the applicant has agreed to provide 20% affordable housing and infrastructure contributions as detailed in the report of £2,000 per dwelling. Mr Maxey sought confirmation that this proposal would be consistently applied together with a position of 10% first homes and 0% infrastructure contributions on sites to the north of the A47, officers have since given Mr Maxey that confirmation and he has confirmed that his objection has been satisfied and his request to speak was withdrawn.

The committee had regard to its inspection of 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 Benney, a District Councillor. Councillor Benney stated that the site lies within his ward so he is looking at it from a ward perspective and this also falls under his Portfolio Holder responsibilities. He expressed the view that all his life he has been critical of politicians local and national who make popular rather than practical and informed decisions just to get re-elected, with this in mind it would have been easier for him to jump on the band wagon and go for the minority option as ward councillor to refuse this application but he believes this application has been well worked, is policy compliant and is the best compromise for all Chatteris residents and it also delivers housing Chatteris desperately needs.

Councillor Benney expressed the opinion that there has been no major house building in Chatteris, with the exception of Womb Farm, since the early 1980s, with the Chatteris East Strategic Allocation BCP having been in place for 15 years and has stood as the cornerstone of housing allocations for Chatteris in that time but not one brick has been laid, whilst on paper the policy looks good the lack of willingness to agree by landowners, agents and developers has failed to put a deal together to deliver and this is why the BCPs are being dismantled in the emerging Local Plan and individual applications within a BCP are being accepted. He stated as Portfolio Holder for the Council's assets he has seen other proposed schemes for this site, another proposal was for the whole BCP area showing 450 homes with the land at the bottom of The Elms having all the social housing element for the whole BCP in the form of flats on this land, whilst this would not use The Elms for vehicular access foot traffic from the flats would and visitors to the flats could park in The Elms causing traffic issues, referring to Treeway to show what could happen in a quiet cul-de-sac.

Councillor Benney stated that he also sits on the Investment Board and said he could only support this scheme if it is a high-quality development, he wants nice well-designed, well-built family homes with plenty of off-road parking that would bring as little disruption to the residents of The Elms as any scheme would. He feels the mix should be 2, 3, 4 and 5-bedroom, high-quality, low-density housing with policy compliant 20% affordable, which delivers enough affordable housing for the local need and no more, consisting of 15 rentals and 5 shared ownership, and retains the good character of The Elms.

Councillor Benney referred to the Council's website where there have been 10 letters of objection but made the point that only 6 of these are from residents, the remaining 4 are from local agents and most of the objections, flooding, access, drainage, wildlife, etc, are addressed within the officer's report. He stated that Fenland Future undertook a community engagement exercise pre Summer holidays last year and over 150 homes in close proximity to the site were consulted, 16 replies were received, 6 were objections and the rest were either neutral or showed support, with the requests from those responses asking for a mix of housing, a mix of open space and energy efficiency for the properties and he will work to deliver all of these requests from his place on the

Investment Board if elected at the next election.

Councillor Benney expressed the view that this is in contrast to the Wenny Road development, which also lies within the BCP area, and is within 300 metres of this site and has over 550 residents' comments nearly all against that development, which shows the contrast of objections between the two sites. He stated as ward councillor he was made aware four years ago that there are significant drainage issues within The Elms, since the Farriers Gate development was built there is surface water that runs into The Elms causing severe flooding, a resident sent him a photo of the highway, garden and car park with significant standing water, which he took to David Rowen and asked what could be done to solve this problem, build was David's answer and the drainage scheme on this proposal would resolve the flooding.

Councillor Benney expressed the opinion that approving this proposal is the best way to solve the flooding issue affecting the residents of The Elms, it is only a matter of time without this application being approved that someone's house in The Elms will flood. He referred to talk of an alternative access into the site, Fenland Future looked at bringing the access off the A142 but the conclusion was that the access from the A142 was considered feasible but extensive works would be required at significant cost which is likely to make the development unviable and also the land to deliver this is not in the ownership of the Council and it would also mean that anyone living on the proposed site would have to drive around the bypass back into the town just to buy a pint of milk, so the lack of connectivity to the wider town and service would not be good for the residents living there.

Councillor Benney concluded that the proposal is policy compliant, it delivers much needed housing for Chatteris social and market value, has been fully consulted on and a solution with highways has been agreed for the access and it comes with an officer recommendation to approve.

Members asked questions of Councillor Benney as follows:

- Councillor Mrs French asked if it was possible that another access point can be brought through the BCP? Councillor Benney responded that the land that surrounds the Fenland owned land at the bottom of The Elms is privately owned and attempts have been made to liaise with the owners without success.
- Councillor Skoulding asked if all of the Chatteris Town Councillors agree to this proposal? Councillor Benney responded that Chatteris Town Council is against the development as it is over-development, but in his view it is not it is low density compared to what it could be and feels that the Town Council has been affected by the Wenny Meadows campaign.
- Councillor Connor stated that he is happy to see 20% affordable and 5 shared ownership but asked for a guarantee that there would be a sweeper on site at all times as mud and debris should not be left deposited on the highway. Councillor Benney responded that as far as he is concerned he could as Fenland Future Ltd wants to be a gold star deliverer of homes and believes if the same question is asked of the applicant after he speaks that the same answer will be given.
- Councillor Sutton made the point that Chatteris Town Council do not object to the site per se but strongly object to the entrance being on The Elms. He stated that when members visited the site, it is not ideal and asked Councillor Benney for his comments. Councillor Benney agreed that it is not ideal but Fenland Future Ltd did have a consultancy firm undertake an access survey, there were 3 areas looked at one was the access through The Elms, another was through Green Park but there were ownership issues with access to the land so this was dismissed and the only other access is from the bypass which is on a long sweeping curve and to introduce slip roads would be too costly and make the development prohibitive and also it would make it not part of the town as you would not be able to drive into it. He expressed the view that when The Elms was built that part of the road was left open to accept delivery and this proposal will be the last piece of development that comes in here. Councillor Benney made the point that no development is agreeable to everyone and there are the flooding issues, which at the bottom of The Elms are very serious, which can be

solved by a drainage strategy for this site.

- Councillor Mrs French referred to provision of a Welcome Pack for the first occupants of each dwelling, which will include 4 weeks free bus travel, cycle discount vouchers, etc, and asked who is paying for this? Councillor Benney responded that he has no idea.
- Councillor Purser referred to the sequential test and asked if there are any other sites that could be used in Chatteris? Councillor Benney made the point that it is this application that is being looked at.
- Councillor Mrs Davis asked for assurances that the access from the A142 was seriously looked at and costed because it has been said that it would make the development unviable. Councillor Benney responded that he has a copy of the report in front of him that was prepared for Fenland Future Ltd and all options were looked at and it states clearly that “access from the A142 is considered feasible, however, extensive works will be required at significant cost which is likely to make the development unviable”.

Members received a presentation, in accordance with the public participation procedure, from Mr Melton, an objector. Mr Melton stated that he is not against the development of this land, he remembers promoting it as a wholesale development right up to the bypass and it was always stated at the time and in successive plans that there would be no access to that land from St Martins Road, The Elms, Green Park or anywhere else, it would be coming off the bypass with a roundabout near the cricket club. He acknowledges that it has been an issue to bring all the developers together but he feels it is their problem and does not see why the Council should pick up the problem and make it worse.

Mr Melton expressed the opinion that when members visited the site they probably went at a convenient time when there were not many cars parked up along this road but if The Elms and Birch Avenue had been visited at school time, first thing in the morning and in the afternoon it would be a completely different scenario. He expressed the view that Councillor Benney is right that it is his ward but before it was Councillor Benney’s ward it was his ward several years ago, he lives on this ward and walks the ward every day, crossing the fields looking at the dykes and ditches and the way the water is supposed to go away and it does not and also the cars that are parked and the access, which he feels it is not acceptable.

Mr Melton expressed the view that if he had more time to address the committee he would play the scenario that members went through when they were discussing the development at Doddington and this is very similar due to access, the winding roads, the bends, the delivery and he could quote some of things some of the councillors said about that access. It was also said by one councillor that the village does not want it, the community does not want it and those nearby do not want it so, therefore, to be consistent members should consider this proposal in the same way.

Mr Melton recognises that it is difficult for the committee, given the nature of the application and who the applicant is. He is not against selling Council assets but he always wishes to see that the local community benefits from the sale of those assets and in this case, in his view, this proposal does not as all it is going to do is aggravate a problem which is now on St Martins Road, Birch Avenue and The Elms.

Mr Melton refers to the report mentioning East Park Street, which is the main egress and access into St Martins Road and, in his view, is a terrible junction, with most people who leave St Martins Road from The Elms or Birch Avenue utilising Church Lane and that is a narrow road with hardly any footpath. He referred to the consultation mentioned by Councillor Benney and, in his view, the consultation did not go far enough, the consultation was in Green Park and adjoining areas and he feels it should have been with everybody in St Martins Road, Birch Avenue and The Elms to obtain their opinions.

Mr Melton believes this application is premature, it should still be considered as a whole item of land along the bypass and if the developers cannot come together and put a whole scheme

together with a proper spine road and accesses, proper environmental and drainage contributions then the whole site should be taken out of the emerging Local Plan as if not committee will be considering piecemeal development from now and for the next 20 years and all of it will be coming along St Martins Road.

Members asked questions of Mr Melton as follows:

- Councillor Sutton asked Mr Melton what his take was on the flooding issues in this area, with Councillor Benney alluding to this development helping the current situation? Mr Melton responded that this morning he walked the site and the problem is all the volume of water which comes from development at Green Park, The Elms and Farriers Gate, which all goes into one point and into one drainage ditch. He stated that there is a culvert under the bypass and there is another culvert but none of them have the capacity to take any further volume of water. Mr Melton stated he does have photos of it and the other side of the culvert it just comes to a stop and where the water goes before the culvert it pools and steps over. He expressed the view that when Farriers Gate was built the site was raised by a metre and there is a engineering brick wall on the entrance to The Elms which holds that development back and there is a set of steps and a slope to climb up to it from The Elms into that development so when water falls it always goes downhill and if this site is built upon it will have to be raised because this and the adjoining playing field are always wet. Mr Melton expressed the opinion that when this site is built up along with Farriers Gate the people who live in The Elms are in a bowl and unless there is extensive engineering and pumping work to deal with the issue, referring to an incident he had when he was ward councillor and houses in The Elms were flooded, the same situation will happen again which is what residents are in fear of.
- Councillor Purser referred to the junction at East Park Street, which Mr Melton said was dangerous and asked if the outline should include a roundabout or traffic lights. Mr Melton responded that there is a number of roads that would be impacted and it would cost a fortune to implement making the development unviable, whilst it is a solution it is impractical.
- Councillor Purser understands what Mr Melton is saying, but feels it is also a matter of how much a life costs. Mr Melton agreed and this is why he is making a case against it now as this is a major route for access to the Glebelands School and there is a constant stream of children in St Martins Road coming past his house to and from school from these estates. He referred again to the debate on the Doddington development where someone asked how anyone would get building materials to the site, a great big lorry with trusses on the back, portacabins, etc, it will be an absolute nightmare and it will not be a sweeper to keep it clean but a major piece of machinery.

Members received a presentation, in accordance with the public participation procedure, from Adam Broadway, on behalf of the applicant. Mr Broadway clarified that Fenland Future Ltd is the wholly owned subsidiary of the Council and has been set up specifically to create revenue for the Council. He made the point that Fenland Future is the applicant for the site and stated that he does want to add anything to what is already in the report, which has a clear recommendation and a clear set of statutory consultees that are not objecting to the scheme.

Mr Broadway stated that they have worked very closely with the officer and statutory consultees to ensure that this outline application meets planning policy and can be delivered. He made the point that affordable housing is being provided in line with policy and a Section 106 Agreement will be entered into to meet some of the requirement for facilities in the town.

Mr Broadway referred to the question that was asked about the travel plan being offered to the residents of the development and this will be costed in the development by Fenland Future Ltd when the site is developed.

Members asked questions of Mr Broadway as follows:

- Councillor Mrs French expressed her disappointment with the lack of comments from Highways. She stated that she is intrigued about the Transport Assessment Team regarding the Welcome Travel Pack and asked what this is about as she has never heard of it bearing in mind the District does not have many buses and is this just another directive coming from County Council to get people out of their cars? Mr Broadway recognised that there is a problem with transport, but there is also a climate change issue so consideration needs to be given to how people move about and how it can be addressed, with one of the new ideas being floated is to offer all new residents on developments travel options which are different to the car, an incentive for people to use transport modes in a different way which is used on a number of development across the country and it is new but it will be funded by the developer and hopefully will try and reduce some of the car traffic use and encourage residents to make the switch to other sustainable transport modes. Councillor Mrs French understands what is being said and attended a meeting at County yesterday where they are trying to get people out of cars but people living in this area need a car, the people of Chatteris will not be waiting for a bus to get to where they need to go as there are not any.
- Councillor Mrs Davis asked what the proposals will be for construction traffic as all the roads around the site are very narrow and there are cars legitimately parked on the road and there could potentially be the situation of construction traffic meeting head on emergency vehicles. Mr Broadway responded that there is a condition and it will be an obligation on the Reserved Matters application to deal with this. He recognises the point and they are not fixed on a particular route, it will be dealt with in the detail if this point is reached. Councillor Mrs Davis acknowledged this but was just wondered if Mr Broadway had any view now that would assist councillors in making their decision. Mr Broadway stated that he has a view but that needs to be technically supported, there is a view that you could come off the bypass but that is extremely difficult due to the access point as it is and the fact that it is a very busy road and along a major curve.
- Councillor Connor stated that he has asked Councillor Benney and does see in the conditions there is a wheel wash but he would prefer a road sweeper as well if the application is approved to stop the debris on the road and he would like this from the first day of development and asked for a guarantee that this happens. Mr Broadway responded that Fenland Future Ltd will be developing the site with appropriate contractors and will have the ability to put conditions on the contractors in the best health and safety conscious way as this is technically a Council development and it needs to ensure that everything is undertaken correctly.
- Councillor Purser asked how long the actual development would take? Mr Broadway responded that construction period would be about 2½ to 3 years which is from the first start on site to actual handover and completion of the very last property. He stated it will be a housing for sale scheme predominantly so the market has to be followed and there has to be a sales plan that reflects what the market will take.
- Councillor Sutton referred to the comments from Councillor Benney and Mr Melton regarding the flooding issues currently and he has always been told that a new development should not bear the costs of something that has gone wrong in the past but given this is a Council run scheme he would expect the Council to go that extra measure to incorporate something within the new site which alleviates those problems that are existing and asked for assurances that this would fit in with Fenland Future Ltd plans? Mr Broadway responded that in the report it can be seen that there has been extensive consultation with the relevant authorities on how the site is drained and at one point the original proposal was not accepted and that has been amended and conforms to what the authorities require in terms of drainage and holding surface water. He stated that surface water seems to be the big issue, there is a drain that goes through the site and it is proposed that very large sustainable urban drainage ponds will be put in, which will be dry most of the time but when there is a flooding issue then they will hold the water, which is a technical detail that needs to be finalised when a detailed application is submitted but the confidence that this can be addressed has been provided.

- Councillor Sutton referred to Mr Melton mentioning that there is an issue with the culvert going under the A142 and he knows from experience and being on the Hundred of Wisbech IDB there are 3 culverts going under the A47, 2 of which go uphill and as Mr Melton rightly pointed out water only goes one way and asked if there has been any survey undertaken or is coming up as to whether that culvert running under the A142 is fit for purpose. Mr Broadway responded that they consulted with the relevant agencies, they have given their advice and they have amended the plans to accommodate their further input. He stated that as part of a detailed application there will be further conditions that need to be addressed including a lot more technical reports and those reports are fundamental to the next stage of the process and it is not in their interests to create problems but try to resolve some of those problems for the existing neighbourhood but also the residents.

Members asked questions of officers as follows:

- Councillor Mrs French asked if any comments have been received from the Drainage Boards as she cannot see any within the report? Graham Smith advised that before committee he checked whether any comments had been submitted but confirmed that nothing has been received.
- David Rowen referred to the comments of Councillor Benney and he does recall him showing him a photograph of a site on The Elms, which he believes was a car parking area that was underwater and he did comment on this, however, he does not believe he has commented on the actual application site itself.

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

- Councillor Sutton stated that he is not overly comfortable having to make a decision on something that is in-house but that is what the committee has to do. He mentioned the comments about the BCP and in other places this kind of piecemeal development has been refused, Wisbech East being one of them, so members need to be careful that they do not appear to be favouring the Council's land because that is contrary to what has been done before. Councillor Sutton stated that he does struggle to compare with other developments and being consistent with those, but he does not feel there is much wrong with the proposal as long as it is going to improve those flood issues and the levels are not going to be raised like Mr Melton fears, there is not any policy reason, other than a change in attitude to the BCPs, to refuse the application, although he has serious concerns about the access but acknowledges that there is not the technical backup from Highways.
- Councillor Mrs Mayor agreed with the comments of Councillor Sutton, the access is dreadful and she is sure that her voice was one of the voices that Mr Melton was referring to on the Doddington application as she thought that was awful but again there is no backup from Highways. She referred to the costs to come of the A142 as being prohibitive but made the point that no numbers have been provided, what one person thinks is prohibitive might be different for another person but reiterated that access from The Elms into this site is dreadful.
- Councillor Connor made the point that Highways have raised no objections so practically there are no reasons to refuse as Councillor Sutton rightly says on highway grounds.
- Councillor Mrs French agrees with the comments of Councillor Sutton and she did ask the question of Councillor Benney about the disappointment about the lack of information from Highways. She referred to Councillor Sutton's comments about feeling uncomfortable about making a decision on land that belongs to the Council and made the point that the committee has done this many times before, possibly not on this scale and need to take into consideration that there has never been until recently Fenland Future and this is what it is all about Fenland's future. Councillor Mrs French expressed the opinion that the application has been submitted properly and if the access could be bettered possibly with a roundabout it should be looked at.
- Councillor Sutton expressed the view that the application cannot be refused on The Elms and the only way that members can refuse it is to say that they do not agree the development should go ahead outside of the BCP, which he feels is legitimate. Councillor

Connor expressed the opinion that he could not direct the committee to go down this route. Councillor Sutton disagreed as this has been undertaken before.

- Nick Harding stated that there have been situations where permission has been refused where an incremental proposal on a BCP site has come forward but in other instances there have been approvals and the key to this is whether or not the proposed incremental development risks significantly stymieing the delivery of the bigger picture and that needs to be determined when dealing with this application. He acknowledges that the means of access is different but what is the harm of that access being different, there has been two and a bit pages of response from the Highway Authority so they have been thorough, a transport assessment has been undertaken and the Development Management Highways Officer has looked at the scheme so he is satisfied that it has been looked at appropriately. Nick Harding expressed the view that the only thing missing from the delivery of the wider BCP and the consideration of individual applications is the sway of the public open space on the south eastern quadrant of the site but the committee has to be pragmatic about it as despite valiant efforts by many it has not been possible to achieve a deal between all the various landowners and so these individual cases are being looked at as to whether they provide the appropriate levels of open space. He stated that the development is accessed via The Elms but that does not prejudice access being provided off Wenny Road for the remainder of the development.
- Councillor Mrs Davis expressed the opinion that this is a difficult decision, looking at the faces of the committee and the public she feels you can tell that people's hearts do not want it to go ahead and there is every sympathy with the residents but officers spend hours writing these reports and have gone into every detail and she cannot see any real material reason for refusing this application.
- David Rowen expressed the view that one of the important things to remember regarding a roundabout of the A142, is it feasible, would the cost really be prohibitive but ultimately the committee needs to make a decision on the basis of the application in front of them. He asked whether it would give members some or greater comfort to add potentially an additional condition regarding details of land levels to be submitted at Reserved Matters stage, which may pick up some of the issues Mr Melton raised and some members have reflected on in the debate.

**Proposed by Councillor Mrs Davis, seconded by Councillor Skoulding and agreed that the application be APPROVED as per officer's recommendation, with an additional condition regarding land levels.**

*(Councillor Benney declared that he sits on Cabinet and the Investment Board so is pre-determined and after speaking on the application took no part in the discussion and voting thereon)*

*(Councillor Mrs French declared that she is a Cabinet member but is not pre-determined and would approach the application with an open mind)*

*(Councillor Murphy declared that he is a member of Cabinet and attended a meeting discussing the site and the agreed way forward so he is pre-determined, and took no part in the discussion and voting thereon)*

*(Councillors Benney and Murphy further registered, in accordance with 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)*

**P116/22**

**F/YR22/1153/F**

**LAND WEST OF 241 HIGH ROAD, NEWTON-IN-THE-ISLE**

**ERECT 1 X DWELLING (2-STOREY 4-BED) AND A DETACHED GARAGE WITH HOBBY ROOM ABOVE, INCLUDING FORMATION OF A NEW ACCESS**

Danielle Brooke 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 Martin Williams, the agent. Mr Williams expressed the view that the proposed site is almost surrounded by building and from a plan on the presentation screen members can see the proposed dwelling sits comfortably on the plot whilst still leaving a large garden for number 241. He made the point that there have been no objections from any of the consultees to this application or the previous one, with no letters of objection but 8 letters of support and Newton-in-the-Isle Parish Council support it reading out their comments as detailed in the officer's report.

Members asked questions of officers as follows:

- Councillor Purser referred to the fact that this proposal had previously been refused and asked what had changed on this application? It was indicated that nothing had changed.
- Councillor Mrs Davis referred to the hobby room, which has its own separate entrance and whilst it is a small space she asked whether it should be conditioned that it has to remain as such and cannot be used for living accommodation? David Rowen responded that this may be premature as the proposal is for refusal but clearly if members were minded to grant planning permission and had a particular concern about this then it is something that could be conditioned.
- Councillor Sutton asked for confirmation that the development is within the curtilage of the existing dwelling? Danielle Brooke responded that it is associated garden land that is currently within the curtilage of that dwelling.

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

- Councillor Benney said he visited the site and village separately to the site inspections and he can see why LP12 is one of the reasons for refusal but he fails to see how LP3 is as there is a brand-new build just the other side of the junction. He stated that he rode around the block and there has been little bits of building and odd infills and houses from old farm cottages, some built in the 1970s, 1980s, 1990s as you can look at the bricks and style of buildings and there also seems to be quite a lot of new development that has taken place. Councillor Benney expressed the view that this proposal is within the village under LP3 and under LP12 it is on the end, with it not specifying about it not being garden land and the other side of the T-junction has been built on and the whole village has sporadic development of different one-off houses. He feels that LP16(d), which is another reason for refusal, is a subjective planning policy and that this proposal would be a positive development for the village and he can see nothing wrong with it.
- Councillor Sutton stated that if you want an example of a Local Plan that is a real benefit to its village and its growth and sustainability you need to look at Doddington in the 1993 plan, Doddington was on its knees dying and did not have hardly any groups and now it is a thriving village as the 1993 plan allowed development. He feels if you look at the other end of the scale and what the Local Plan can do the other way then a fine example is Newton-in-the-Isle, no development in the 1993 plan, very little development over the last few years and all that keeps being said is it is not sustainable, with the new Local Plan unfortunately seemingly going in the same direction. Councillor Sutton expressed the opinion that the Council should not be looking at somewhere and saying it is not sustainable but should be saying how through the Local Plan can it be made sustainable and as Newton-in-the-Isle Parish Council rightly say it is very worried about only having 6 dwellings in the emerging



Local Plan going forward. He feels the small villages need all the help they can be given, he does not regard this proposal as being demonstrably harmful in its setting, it is not really an elsewhere location, he cannot see anything wrong with it and could approve it, although he respects the officer's conclusion.

- Councillor Mrs French stated that she remembers the same thing happened in Christchurch to keep the local shop open. She referred to the comments of Councillor Benney and under LP16(e) she feels it does not adversely impact on the amenity of neighbours using light and noise pollution, it provides sufficient private amenity and she cannot see any problems with this proposal whatsoever.
- Councillor Murphy agreed with the comments of Councillor Sutton as he cannot see any issues with this proposal, it is one building next to another one at the end of a road and is only for one dwelling.

**Proposed by Councillor Benney, seconded by Councillor Meekins and agreed that the application be APPROVED against officer's recommendation, with delegation given to officers to formulate conditions.**

Members do not support officer's recommendation of refusal of planning permission as they feel that the proposal does comply with LP3 and LP12 as it is not building within the open countryside so it does not cause harm to the character of the countryside, there is a new development in close vicinity to the site, there is sporadic development throughout Newton-in-the-Isle, villages need support and housing and they feel LP16 is subjective and the proposal is not detrimental to the street scene but beneficial.

*(Councillor Meekins declared that he knows the agent as he has undertaken work for him but he is not pre-determined and will approach the application with an open mind)*

**P117/22      F/YR22/1302/O  
LAND WEST OF 27 BENWICK ROAD, DODDINGTON  
ERECT UP TO 4NO DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS  
RESERVED)**

Danielle Brooke presented the report to members and drew their attention to the update report that had been circulated.

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 Ian Gowler, the agent. Mr Gowler referred to the three reasons for refusal, with the initial response that they received for the referral to committee only listing the open countryside as the original reason for refusal and he was not made aware of the highway and noise reasons until he read the report last week. He made the point that the application is in outline with all matters reserved including the access and the first slide on the presentation screen shows that by moving the access slightly along the road they are able to achieve the visibility splay requested by Highways in their comments, the details of the access would be in the Reserved Matters application.

Mr Gowler stated that the second reason for refusal is based on noise generated from the motocross track and shooting ground and he showed on another slide two developments that have been approved in the last few years where no concerns were raised by Environmental Health, with the owners of the motocross track and shooting ground having provided a large acoustic barrier to their great expense to the edge of the site to reduce the noise to acceptable levels for all residents in this area, otherwise the use would not be allowed to continue anyway. He stated that the applicant would be happy as part of a condition or reserved matters or both to provide an acoustic report, acoustic fencing and details of acoustic glazing to the dwellings if it is required like you

would find on a busy highway or railway line development where the noise is more consistent than this sporadic noise generated at the track.

Mr Gowler referred to his last slide relating to the site being in a remote location and in the open countryside, with his slide showing other developments that have been allowed recently on Primrose Hill, with these developments being a similar distance from the centre of the village to this proposed development. He stated that the proposed site already has a footpath to the frontage, with street lights along Benwick Road, both similar to the developments approved along Primrose Hill.

Mr Gowler referred to Policy LP12(a) which states development will be supported where the site is adjacent to the existing developed footprint of the village and he feels this site is part of the original developed footprint of Doddington. He expressed the view that with the exception of a small livery along Askham there is no break in development along this side of road, therefore, this site is adjacent to the existing developed footprint and is not an extension like other recently approved sites which are extension upon extensions.

Mr Gowler stated that he hoped members would support the approval of this application with relevant conditions to include access and noise if required.

Members asked questions to officers as follows:

- Councillor Mrs French stated that the Planning Officer read out a very lengthy update from Environmental Health and asked if there is still a lot of complaints being received about Washbrook Farm and its activities? Danielle Brooke responded that the Environmental Health Team have said since the 2018 application they have not received any specific complaints, however, they have had lots of queries about the conditions through which Washbrook Farm operates and whether they are operating within those conditions. Councillor Mrs French made the point that this is Washbrook Farm and not this application. Danielle Brooke responded that this is correct and Environmental Health did not specify where those residents are located in relation to the farm and it is assumed and insinuated that it is the residents nearest to Washbrook Farm, with this application being to the west of it.

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

- Councillor Meekins questioned whether he would want to be disturbed on a Sunday morning by people either shooting clay pigeons or riding motorbikes around a track and would he buy a house that was relatively close to one of those activities. He feels to say there has not been any proper complaints about Washbrook Farm for several years but it was uppermost in the minds of the residents it cannot, in his view, have been particularly bad if they are not actually complaining about it. Councillor Meekins expressed the view that it is like moving next to a church and complaining about the bells on a Sunday, he cannot see this as any reason to refuse the application as someone might complain about the noise.
- Councillor Sutton stated it is a fair point but it is a real concern and is only one part of the reasons for refusal. He feels that officers have got the recommendation right, it is getting too far out of the village and a couple of meetings ago four where refused a little further down the road so for consistency he will support officer's recommendation. Councillor Sutton made the point that the Parish Council are very much against this proposal.
- Nick Harding stated that this is not quite a situation of buyer beware, it is buyer beware if planning permission is granted but officers have been advised that there is a significant noise source nearby which may well have a detrimental impact on the occupiers of these proposed dwellings.

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

*(Councillors Connor and Mrs Davis registered, under Paragraph 14 of the Code of Conduct on Planning Matters, that they are Fenland District Councillors for Doddington and attend Doddington Parish Council meetings but take no part)*

**P118/22      F/YR22/1317/F  
LAND SOUTH OF THE GRANGE, LONDON ROAD ACCESSED FROM STOCKING  
DROVE, CHATTERIS  
ERECT 1 DWELLING (SINGLE-STOREY, 2-BED) INCLUDING FORMATION OF AN  
ACCESS**

Danielle Brooke 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 Matthew Hall, the agent. Mr Hall stated that all consultees support this application and there has been no objections. He made the point that the applicant's have lived at this site for 36 years and are attached to this area of Chatteris, with Mr Dixon being a school teacher in various areas of Cambridgeshire for over 25 years and has now retired, Mrs Dixon previously worked at Doddington School for 15 years and is currently a volunteer for Chatteris Community Car Scheme and has been for 6 years.

Mr Hall showed on the presentation screen a map of the area and since 2013 there have been 8 dwellings approved in this area and a refurbished garden centre and of those dwellings approved, since 2019 five dwellings were approved by Planning Committee. He referred to the officer's report which considers this site to be an elsewhere location and not part of Chatteris but given the planning history, the map on the screen and 5 dwellings approved since 2019 under this Local Plan, the committee have consistently taken the view that this area is part of Chatteris.

Mr Hall expressed the view that all the landscaping can be agreed with officers if the application is approved as part of a condition including garden areas and the site is within the curtilage of the existing building, being single-storey and small scale. He made the point that Chatteris Town Council support the proposal and there is no objection from Cambridgeshire County Council Highways, the site lies within Flood Zone 1, there is no neighbouring objections and it is in area where there has been previous other approvals.

Members asked questions of Mr Hall as follows:

- Councillor Benney referred to reason 4 of the refusal reasons in that it has not provided private amenity space and asked how far short is it and is there anything that can be undertaken to amend this? Mr Hall responded that on the site plan shown by officers the private amenity space is shown to the rear but there is also space to the front that can be used as private amenity space, with 30% private amenity space having been shown and the requirement is 33%.

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

- Councillor Murphy referred to it being in an unsustainable position and made the point that looking at the map there are so many properties in this area and if they are all unsustainable why are they there and flourishing. He does not consider this proposal as back land development as it is no farther down Sutton Gault than the road where the car place is and it does not protrude into the countryside, with the opposite side of the road being developed all the while and, in his view, there is no reason why this side of the road should not be developed as well as it is in a prime position, it is not an unsustainable site, people live there and enjoy living there.

- Councillor Benney agreed with the comments of Councillor Murphy, so much development has been approved in this area and the committee needs to be consistent in what it does. He stated that the big building is the garden centre and it has brought people to this area, there is a footpath that runs all the way along London Road right to this house and one has just been approved in Newton-in-the-Isle under LP3, LP12 and LP16 so committee needs to be consistent for the same reasons.
- Councillor Sutton expressed the view that he is not sure whether he can support it or not at this time because the officers are consistent in their recommendation, with all those dwellings pointed out by Mr Hall being recommended for refusal and were overturned by committee but the one difference between those and this proposal is that all those other dwellings were sitting on London Road and this one is not and is, in his view, back land development.
- Councillor Meekins expressed the opinion that this proposal seems very similar to the one committee just approved in Newton-in-the-Isle, there was a map with all the development around this site and as Councillor Sutton said those developments were recommended for refusal initially but came to committee who approved them and he thinks this should happen in this instance.
- Councillor Skoulding expressed the view that it is on a corner and down Stocking Drove so it is not back land as you can enter it through a different access.
- David Rowen stated that he is not sure it is quite as similar to the one in Newton-in-the-Isle that the committee granted earlier just in terms of its character, its nature and the size of the application site, which is one of the reasons for refusal. He made the point that whilst there have been permissions granted by the committee in this area they have been fronting London Road and the danger here is that a precedent is being set for development going down Stocking Drove and you end up in a position where you are going to risk having this kind of development poker taking place, which has happened in Wype Road, Eastrea. David Rowen stated that the officer's recommendation is absolutely sound, with the previous permissions on London Road not necessarily setting a precedent for this case and neither does the permission that members granted in Newton-in-the-Isle earlier.

Proposed by Councillor Sutton to support officer's recommendation to refuse the application, but no seconder was forthcoming.

**Proposed by Councillor Benney, seconded by Councillor Murphy and agreed that the application be APPROVED against officer's recommendation, with delegation given to officers to formulate conditions.**

Members do not support officer's recommendation of refusal of planning permission as they feel that the proposal complies with LP3 as the site does lie within Chatteris, they feel LP12 and LP16 are both subjective and do not feel that the proposal would cause harm to character of the countryside and whilst they acknowledge the shortfall of private amenity space they feel this is negligible and would not be detrimental.

*(Councillors Benney and Murphy registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Committee, that they were members of Chatteris Town Council but take no part in planning matters)*

*(Councillor Benney declared that he knows the agent for this application and he has undertaken work for him but he is not pre-determined and will approach the application with an open mind)*

*(Councillor Murphy declared that he knows the agent for this application but he was not pre-determined and would approach the application with an open mind)*

**P119/22**      **F/YR22/0994/O**  
**LAND NORTH OF 125A WEST END, MARCH**  
**ERECT 1 X DWELLING (OUTLINE APPLICATION WITH MATTERS COMMITTED**  
**IN RESPECT OF ACCESS)**

Nikki Carter presented the report to members and drew their attention to the update report that had been circulated.

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 Shanna Jackson, the agent. Mrs Jackson stated that the scheme is for a single dwelling and submitted in outline with only matters of access committed, with the application site lying within the built-up area of March, a primary market town. She made the point that the Local Plan states that such locations are the focus for new development and she expressed the view that this is one of the most sustainable places in the whole of the District and there should be a presumption in favour of developing this site.

Mrs Jackson referred to the two recommended reasons for refusal, which include character and biodiversity issues and with regard to character she acknowledges that the immediate surrounding area includes semi-detached and terraced housing and this proposal is for a detached dwelling, however, in her view, just because it is detached does not mean that it is harmful and she feels it is more harmful to leave a vacant site unkempt within an existing residential area where there are strong sustainability arguments which support housing on this site. She expressed the opinion that there are examples of detached properties to the north and south of this site, which can be seen on the Fenland location plan as per page 183 of the agenda pack.

Mrs Jackson expressed the view that there is scope within the site to build a high-quality dwelling which provides sufficient garden land and parking in accordance with adopted standards and the proposal would enhance the site which currently has a negative appearance within the street scene. She referred to biodiversity and is aware that the ecology report provided as part of the application is a preliminary report only and that a full report is recommended, the preliminary report was intended to scope out the site's potential and to ascertain whether it is physically capable of accommodating the proposed development and they have always been aware that a full report will be necessary before the development takes place but it would have been unreasonable to put the applicant to the great expense of commissioning a full report when they did not yet have the comfort that the Council would support the scheme in principle.

Mrs Jackson stated that the preliminary report does not preclude development on this site instead it recommends that further bat surveys are carried out and it is important to note that the Wildlife Officer has not categorially dismissed the principle of development for ecological reasons. She expressed the opinion that there are no features on the site which would accommodate bats, it is the trees on the neighbouring land that would have the potential to accommodate the bats.

Mrs Jackson stated that if members are minded to support the application they would happily instruct for the full report to be carried out and she feels it is only reasonable that they have the comfort that the application will be granted before commissioning a further report which will cost thousands of pounds. She is aware that officers have placed conditions to secure bat surveys on other applications and see no reason why this would be any different.

Mrs Jackson expressed the view that the benefit of this being an outline application means there is still the opportunity to include detailing within the scheme to accommodate bats if required by the ecological report. She feels there are strong reasons to support this application which include it providing housing within a wholly sustainable location which is supported by Policy LP3, the form

and character issues are subjective given that there are other detached dwellings within the area and she would argue that there would be no harm caused to the character and visual amenities of the street scene and as such no conflict with Policy LP16.

Mrs Jackson stated that having been given the comfort that the application will be supported the additional information will gladly be supplied to build upon what has already been provided and to enable the biodiversity objection to be overcome. She hoped members would see the merits of this case and grant planning permission.

Members asked questions of Mrs Jackson as follows:

- Councillor Sutton referred to Mrs Jackson mentioning on Page 183 there are clear examples of other dwellings like this but he is struggling to find anything remotely like this proposal, with very few detached and much bigger detached. Mrs Jackson responded that it is the principle of having something detached and in that area there are detached dwellings, it is not strictly semi-detached and terraced housing, but she does acknowledge that the other detached dwellings are not as small as this site.

Nick Harding highlighted that planning permission cannot be granted subject to a further ecological assessment being provided in relation to the bats because having granted planning permission and then something significant is found it cannot stymie the fact that planning permission has been given for the development. He stated that if as suggested by the Wildlife Officer a bat survey needs to be undertaken that informs whether or not to grant planning permission in the first place as if you leave it too late it does not matter what is found you cannot prevent the implementation of the development.

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

- Councillor Skoulding expressed the opinion that officers have got the recommendation correct as he feels the site is too tight.
- Councillor Purser agreed that the officers have got the recommendation correct, it is too tight but he is also concerned that West End itself and the narrow road going down to it at the back would be too tight for getting construction traffic in.
- Councillor Sutton stated that postage stamp springs to mind and on the site visit members did have some discussion about the width of the site and even David Rowen was uncertain as to exactly where it was being sited but did scale it off at 6 metres. He stated that he returned to the site this morning with his tape measure and it is 6 metres and if the owners entered into a deal with the land next door and brought something back more in keeping with the area, like a semi-detached, he would not have any problem with it and feels that officers would not either. Councillor Sutton made the point that there are some places that it is just not right to develop and he feels this is one of them.
- David Rowen stated that in terms of the site and the site visit in 20 years of Planning he has never come across a proposed building plot as narrow as this hence his uncertainty regarding the site layout.
- Councillor Connor stated that he got the site wrong when he looked at it.
- Councillor Sutton stated that this shows how important site visits are as had he not been there he may have come away with a different view of what this site was about.

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

*(Councillor Mrs French declared, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that she had been lobbied on this application and would not take part in the discussion and voting thereon)*

*(Councillor Connor, Purser and Skoulding declared, in accordance with 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)*

**P120/22**      **F/YR22/0890/F**  
**LAND SOUTH OF FIELD VIEW, MILL HILL LANE, MARCH**  
**ERECT 4 SELF/CUSTOM BUILD DWELLINGS WITH GARAGES (2-STOREY 4-**  
**BED)**

Nikki Carter presented the report to members and drew their attention to the update report that had been circulated.

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

Members received a presentation, in accordance with the public participation procedure, from Craig Brand, the agent. Mr Brand stated that members will recall that this application site came before committee 20 months ago and concerns were raised last time regarding the state of the pot holed public byway and the first plot not abutting Mill Hill Lane, which could have possibly led to a further application for building plots and this application still seeks approval for four executive self-build dwellings on a slightly larger site that now abuts Mill Hill Lane and includes within the application red line the repairing of the byway to address the committee's previous concerns. He expressed the opinion that the site represents a very small fraction of the broad location for March's future growth south of Knights End Road between Wimblington Road and the A141 and approval of the application will not affect a broad concept plan for the area as approved minor application F/YR15/0961/F mentioned in Section 10.2 did not.

Mr Brand expressed the opinion that the existing countryside view of the applicant's field from the private road will be lost as it will be by the future development of the broad location for growth. He expressed the view that the Grade II Listed barn which is shown on the presentation screen as the whole building shaded in red is inaccurate as it is only the front section as there is a post-war agricultural extension and it is also screened by the owners overgrown hedge with the applicant also having willow trees within their site screening the Listed Barn, with development of the application site having less impact on the Listed barn setting that the new houses on Mulberry Close and Birch Lodge which were judged not to affect the barn setting.

Mr Brand expressed the view that the countryside public footpath which is next to the plots provides safe access for pedestrians and cyclists to Knights End Road, with the manual for streets requiring a minimum width of 4.1 metres for two cars to pass each other and the application proposes to make the repaired byway 4.6 metres in width to allow cars to easily pass each other or a home delivery van to pass a car. He made the point that Highways in Section 5.5 of the report has no objection to 4 additional dwellings and the Definitive Map Team also raise no objections to the proposal, with all residents welcoming the repair of the byway.

Mr Brand stated that his client is happy for a pre-commencement condition as recommended by officers at the end of Section 10.23 to cover the byway repair works. He stated that Mr Pocklington the owner of the private road and the currently vacant plot is with him today and he can confirm a maintenance agreement already exists between the 3 current users of the private access road which will become 6 if the application is approved and the applicant is also happy for a construction management plan condition as recommended in Section 10.28 along with the conditions recommended by the Tree Officer and Wildlife Officer.

Mr Brand expressed the opinion that approval of the application will complete an executive cul-de-sac of bespoke self-build houses and provide a stop line to future incremental development in Mill Hill Lane without affecting the broad location for growth.

Members asked questions of officers as follows:

- Councillor Sutton stated that given this site is in the broad concept plan (BCP) area then anything coming forward in this BCP area is going to have the same potential issues with the Listed Building as these 4 dwellings, so is it being said that the BCP area will only go so far as it affects the Listed barn. He made the point that Mr Brand is right that the Listed barn is not all listed as it has got an agricultural extension on it. Councillor Sutton stated that he is confused as to what will happen when the whole area comes forward for development as it surely has to apply to the BCP area as well as this proposal. David Rowen responded that Policy LP9 of the Local Plan where it talks about the South-West March broad location for growth makes specific reference to the setting and character of Barn Owl Lodge, which should be retained as well as views of St Wendreda's Church so if part of the BCP was to come forward there would have to be some recognition within that of a buffer area or a separation area being included to protect the setting of the Listed Building. He stated that it is a common misconception that part of a building can be Listed but essentially the building is Listed in its entirety, whether it is only the front element that is of significance or not the entire building is Listed. Councillor Sutton made the point that on the back of the Listed Building is a lean-to Dutch barn so he is not sure why this would want to be Listed.
- Councillor Mrs French stated that when the building was converted into a dwelling it was Grade II Listed and it did include the part at the back, even though it seems that this part should not be.
- Councillor Benney stated that he remembers when this came to committee previously and it was refused due to the road and he does not remember the Listed barn being a reason. He referred to the indication that the barn was a reason but the road was the main issue. David Rowen responded that the previous reasons for refusal are set out at 9.2 of the officer's report, with the first refusal reason relating to the setting and character of Owl Barn Lodge, the second reason talks about local distinctiveness and character of the area and the third reason for refusal relates to Mill Hill Lane.

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

- Councillor Mrs French stated that she was glad that David had reminded members of the previous reasons for refusal and when Mill Hill Lane previously had applications approved it was fine but now the dwellings seem to be going further and further down Mill Hill Lane, which will never be adopted and the road is shocking. She does not have a problem with the vicinity of the barn as she feels it is farther enough away but in 2017 when she became a county councillor she had the opportunity of helping people, with Mill Hill Lane being one of them and Linwood Lane, but none took up the opportunity to get the planings and she cannot see anything has changed since the last application was refused.
- Councillor Sutton stated that the change is that the applicant is prepared to repair the road and he does not see this application as being any different to the one in Chatteris as through the development you are getting improvement in the road and for the one in Chatteris you will get improvements to the flooding.
- Councillor Mrs French stated that if this is correct and there is a cast iron guarantee that the road will be improved as committee have had promises in the past and the houses in this road are lovely well-built houses, it is just the road that is a disgrace.
- Councillor Connor made the point that the applicant has said he will improve the road and make good the byway so if it is approved that will have to be a cast iron condition. Councillor Mrs French stated that it is a public right of way not public byway and it must not be blocked at any time.
- Councillor Mrs Mayor stated that nobody had mentioned the word byway until the previous speakers had and that is what it is, it is not a road as such and there are differences. Councillor Sutton stated that it does say the County Council will maintain the byway. Councillor Mrs Mayor responded that they do not as there is one near where she lives.
- Councillor Purser agreed with Councillor Mrs French that the road is shocking but having said that he has friends that live down several roads in March that are equally shocking but it is their choice and decision to live there. He expressed the opinion that if the applicant



wants to build the houses and live in this area, with the shocking roads, it is up to him to do so.

- Councillor Mrs French stated that there is a policy at County Council which is moving rapidly forward about upgrading public rights of way so this is already on the cards but if the applicant is really serious and it is a cast iron guarantee to improve the road she would not have a problem supporting the application.
- Nick Harding made the point that the previous reason for refusal was not just about the condition of the roadway but about its width and lack of footway etc. and applications have been refused previously down equally narrow public highway.
- Councillor Benney made the point that three dwellings were approved more or less opposite this site with an equally narrow access to it. He feels the main reason for refusing this previously and all the debate around it was due to the highway and if the agent is prepared to give a cast iron guarantee that could be conditioned, whether they lay the base and then put the topping on when they finished, he could support the application.
- Councillor Purser agreed with the comments of Councillor Benney, the agent has said they are going to better the road which takes away that reason for refusal.
- Councillor Meekins asked as it is a public byway who actually owns it and are they not responsible for maintaining it so how can an individual say they are going to repair a road if it is owned by the County?
- Councillor Purser in response to Councillor Meekins queried whether it was said that it was an unadopted road at the moment?
- Councillor Mrs Mayor made the point that the byway is only single-track, which needs to be given consideration as houses keep being built down here you need a proper highway and is there room to make it a proper highway. She has knowledge of this in her locality and she would not want to build 3 or 4 executive houses down this road or byway.
- Councillor Connor made the point that there are another 2 dwellings further down that have been there for many years on the left hand side.
- Councillor Mrs French stated that the report states that this is a byway and it will only be maintained to a standard that is used for walkers, equestrian and cyclists and the authority will only maintain it to that level.
- Councillor Benney referred to Mr Brand stating that the road will be made up and questioned whether this is something that can be undertaken by the applicant, can the road be made up in conjunction with Cambridgeshire County Council as the County Council are bad at sorting roads out as can be seen driving through the Fens and if they have an offer from someone who is going to fix it for free they should grab it with both hands and say thank you very much. He expressed the view that if Mr Brand on behalf of the applicant is prepared to make it up this is betterment to Mill Hill Lane.
- Councillor Connor made the point that there is the maintenance of the road as well.
- David Rowen stated that in terms of the highway there are some issues that need to be clarified, the first being that the application is not proposing the upgrade of the entirety of Mill Hill Lane it is only proposing to upgrade approximately 65 metres from the boundary of number 5 to the access serving plot 1 and the second issue relates to works to the public byway and any works would have to be approved by the County Council and as Councillor Mrs French has rightly pointed out the County Council has advised that going forwards it will only maintain that stretch of roadway to the standard that is required for a byway. He made the point that the essence of the issue is firstly there is no guarantee that those minimal improvements to Mill Hill Lane would be delivered because the County Council's agreement is required and then there is no guarantee that any improvements are to be maintained going forward.
- Nick Harding added that committee needs to look at the reasons for refusal given last time which have been rolled over into this scheme and if members are going to approve this application an explanation is required of what has changed that enabled members to come to a different decision.

- Councillor Mrs Davis stated that David pre-empted what she was going to say in that it was only a short piece of the byway that was being talked about being upgraded and it will depend upon the quality of the road given the fact that it is not likely to be maintained by anyone after this so to say that a road is being gained is wrong and she does feel the application stands up.
- Councillor Mrs French referred to the comments of the County Council who say that should committee be minded to grant planning permission they want various things included on the permission and going on at length about materials not be allowed to be stored on the byway and it being a criminal offence. She made the point that the County Council should have maintained the byway when the building first started and discussions should have been held before it got to this stage and if there is a possibility that things could be resolved she would not object to this application being deferred until the applicant or agent speaks to the County Council.
- Councillor Sutton expressed the opinion that this is another example of previous discussions, he knows that he did not previously have a problem with the relationship between this development and the Listed Building, with him feeling that the lean-to on the back of the Listed Building going in the developers favour, and he might have proposed that committee went against officer's recommendation. He expressed the view that this is a typical example of where committee went along with officer's recommendation although many members did not agree with all the reasons that were recommended for refusal, which can be covered easily now if members decide to grant planning permission but thinks this is where the problem comes if the committee is not clear on what refusal reasons it does not support. Councillor Sutton made the point that in terms of the road if committee decide to go against officer's recommendation that can easily be conditioned that no development takes place until that road is finished and if the applicant is not happy with this the development does not take place.
- Councillor Benney made the point that debate has been focused on turning down the proposal on three grounds when committee really only wanted to refuse it on one and officers have come back and said how does it meet criteria of LP3 building in the open countryside but the development has been not moved so you are stuck on this, however, it is a different committee and different committees look at applications in different ways, which is why the decision changes. He referred to building the road before development takes place, but made the point that roads are built in different layers and to get somebody to put finished tarmac on the top would not be fair when building materials are going to be brought in and out so the base and foundation could be put down and the topping laid at the end which would be a compromise. He expressed the view that it sits happily with him the fact that it is near to a Listed Building and he feels the sticking point was the road and the committee gave the agent a bit of guidance as to where that committee would steer things and it is not fair that the agent does what is asked of him and the committee still says no and this is how he remembers this application when it was determined previously.
- Councillor Connor referred to the road and it is possible to lay the base and leave the top surfacing until the development is finished citing Juniper Close in Doddington as an example.
- Councillor Murphy expressed the view that members are skirting around the issue and what members should be saying is that you could probably have your development there but the road has to be in place first as he does not trust the road will be put in after the development has taken place.
- Councillor Mrs Mayor questioned, to go with what Councillor Murphy has just said, that members go with officer's recommendation to refuse the application but the applicant has then got to go to County Council to get the road sorted. Councillor Mrs French stated that if the application is refused it is refused which is why she suggested a deferment unless there is a cast iron agreement from the applicant and the agent that they will undertake the road first. Councillor Sutton made the point that all is needed is a condition that the applicant would need to adhere to.

- Councillor Mrs French expressed the view that if this application is approved it should be the last one down Mill Hill Lane as the development is going to end up to the bypass. Councillor Mrs Davis queried if is this not all the more reason to refuse this application because if this one is approved another one will come along and another and development will be up to the bypass.
- Councillor Sutton made the point that the land around this area is going to be built upon eventually. Councillor Connor acknowledged this but made the point that members need to make a decision on what is in front of them now.
- David Rowen referred to Councillor Sutton's assertion that all this will be built on is a very sweeping statement to make as ultimately if the BCP did come forward there is no guarantee that this area would be set aside for development. He feels that if you look at the BCP scale of development you are accepting that the entire character of this end of March changes as opposed to allowing a piecemeal encroachment into what is currently countryside which at the moment, as there is no BCP in place, may well remain countryside for the next 10, 15 or 20 years, which ties into one of the proposed reasons for refusal which relates to the fact that there is a fairly defined edge to the settlement and encroachment beyond that has a detrimental character impact but that in itself relates to the point that Councillor Mrs Davis made and Councillor Mrs French to a degree in as much as almost where does the committee/Council want to draw the line in terms of where development stops on Mill Hill Lane. David Rowen stated that comments made from the County Council from a highway point of view of the suitability of Mill Hill Lane to serve further incremental development, notwithstanding the 65 metres that is getting upgraded, the remainder of the road is not being touched so those issues remain. He made the point that whether the committee intended to refuse the application on all 3 grounds or whether it was just on 1 ground the decision of the Council is it was refused on those 3 grounds only 18 months ago so members are going to have to articulate what has changed in the meantime to justify a different decision.

Proposed by Councillor Mrs Mayor, seconded by Councillor Mrs Davis to refuse the application as per officer's recommendation, which did not receive support from the majority of members.

**Proposed by Councillor Sutton, seconded by Councillor Mrs French and agreed that the application be APPROVED against officer's recommendation, with delegation given to officers to formulate conditions to include that the road has to be undertaken first before any development takes place and for the conditions to be agreed with the Chairman and Councillor Sutton.**

Members did not support officer's recommendation of refusal of planning permission as they feel that the road was the main issue for refusing the application previously, it would not harm the setting of the Listed Building and the proposal would not be detrimental to the character of the area.

*(Councillor Skoulding declared that his mother lives in close vicinity to this site and took no part in the discussion and voting thereon)*

*(Councillors Connor, Mrs French and Purser registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they were members of March Town Council but took no part in planning)*

**P121/22      F/YR22/1242/F  
LAND WEST OF 29 MARCH ROAD, WIMBLINGTON  
ERECT A DWELLING (2-STOREY, 5-BED) AND ENTRANCE GATES (2.3M MAX)  
INCLUDING FORMATION OF A NEW ACCESS**

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 Pamela Knowles, the applicant and Peter Humphrey, the agent. Mrs Knowles stated that she currently lives in Eastwood Hall and has done so for the past 25 years, previous to this her father and mother-in-law lived there buying the property in 1974. She expressed the view that this proposed dwelling is very much in association with Knowles Transport of which she is a major shareholder and her son Alex, who now runs Knowles Transport as Managing Director, is third generation and he currently lives in Cambridge and would now like to move back to Wimblington into Eastwood Hall with his wife and family and she would like to continue to live in the village, hopefully adjacent to Eastwood Hall.

Mrs Knowles stated that Knowles Farms as part of Knowles Transport has approximately 200 acres of Grade 3 agricultural land around Eastwood Hall and she would like to use 5 acres to build a house complementary to the Hall but on a much smaller scale. She expressed the view that from the plan members can see that she would like to incorporate paddocks, hedging, trees and a meadow all to encourage wildlife and birds.

Mrs Knowles expressed the opinion that the proposed property, should she be given permission, will always stay within the Knowles family for future generations and will not be an open market dwelling. She expressed the view that the proposal will leave open countryside which includes a public walkway for everyone in the village to continue to enjoy.

Mr Humphrey expressed the view that this is an opportunity to embrace a one-off house to enhance the entrance to Wimblington provided by the largest employer in the village and possibly in the area by the Knowles family. He queried whether Eastwood Hall would have ever got built if it came before the Planning Committee and made the point that there are no objections from any individuals or statutory consultees but 11 letters of support and the Parish Council fully support the application.

Mr Humphrey stated that the committee has recently approved four houses away from the village to the other side of Eastwood Hall where it was believed there would be no harm and also officers have approved and recommended for approval 88 houses opposite, with officers clearly feeling there was no harm to Eastwood Hall but this proposed plot for one house has raised concern. He made the point that Wimblington is a growth village, in Flood Zone One, the land to be built on is Grade 3 agricultural land, the Conservation Officer comments appear to be a cut and paste from the 4 houses the other side of Eastwood Hall and not site specific and Eastwood Hall is not Listed although is designated as a heritage asset but does not require to be of public benefit.

Mr Humphrey expressed the view that the report on conservation is also silent in that it lists no issues on the harm of the proposal on the lack of a full heritage impact assessment hence given the recent approvals for development in the immediate vicinity coupled with the local family ties and need for this family home he encouraged members to support the application.

Members asked questions of officers as follows:

- Councillor Mrs French queried the officer's comments that the proposal would restrict the views as in her opinion she has never seen such a fantastic plan and does not feel it restricts it but enhances it. Nikki Carter responded that at present there are open views to the South and this proposal is cited directly alongside Eastwood Hall and the development of the site would change the context and the open views and because of the nature of the area there are views from the South from March Road, a public footpath which is parallel to the site and also Blue Lane and those views would be restricted by the proposal. Councillor Mrs French expressed the view that she does not think many applications have been

refused due to restriction on views.

- Councillor Skoulding asked to see the plan on the screen of the location of where the proposal is going to be built and asked where the house is as, in his opinion, it is not blocking any view as there is not a view of the house and he feels it will make the view better as you come out of Wimblington.

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

- Councillor Murphy expressed the view that the houses will enhance each other and he feels that the proposal is one of the best schemes he has ever seen and he cannot see any reason why this should not be built.
- Councillor Mrs Davis made the point that Mr Humphrey said that the Parish Council has no objections to this application whereas there were objections to the 4 houses further along as that did block a view across but this one does not impact on the view at all and side by side they are going to be complementary to one another.
- Councillor Mrs French agreed with the comments of Councillor Murphy and she feels the scheme is outstanding, it being kept within the family, with Knowles being the biggest investor within the District, and it is great that they want to continue down generations to come. She feels the committee would be crazy to refuse this proposal as the whole scheme looks stunning.
- Councillor Meekins stated that the artist's impression is fabulous and there have been at previous committee's big houses proposed on relatively small sites and this proposal is for a big house but on a lovely big plot and it will be so complementary to Eastwood Hall.
- Councillor Purser expressed the opinion that it is a superb looking house and when officers say it is blocking the view you have to actually look for it to actually see it so how could it be blocking the view, the only thing it could be blocking is the view of a hedge which is causing no problems whatsoever and he feels it enhances the area.
- Councillor Mrs French stated that many years ago the Council used to have design awards and she feels they should be reintroduced as there are some good designed buildings and if this gets built it would certainly be at the top.
- Nick Harding stated having heard what the applicant has said about the intentions with regard to the property he has noticed that the application form ticks the box that says it is market housing whereas what committee has been told is it is a self and custom build property so if members are minded to approve he would feel it is appropriate for a condition for a Section 106 Agreement to be put in place in respect of ensuring it is a custom self-build property.
- Councillor Sutton referred to the reasons for the refusal which he feels, in the defence of officers, are valid but he does think the scheme should be looked at, perhaps not the dwelling itself, as an exceptional design because the whole area is exceptional and something that members will not see in a long time so in justifying the reason for the proposal the committee could use that exceptional overall design as a reason for approval, which fits with the NPPF and the Local Plan. He made the point that it does say in one of the reasons for refusal that high quality environments should be created and he feels that this is high quality.

**Proposed by Councillor Mrs Mayor, seconded by Councillor Murphy and agreed that the application be APPROVED against officer's recommendation, with authority delegated to officers to formulate conditions.**

Members do not support officer's recommendation of refusal of planning permission as they feel that the proposal would not create an adverse impact on the character and visual amenity of the area but would enhance it and it would not have a detrimental impact on the setting and significance of Eastwood Hall but be complementary to it due to its exceptional design.

*(Councillor Connor registered, under Paragraph 14 of the Code of Conduct on Planning Matters, that he is a Fenland District Councillor for Wimblington and attends Wimblington Parish Council*

*meetings but takes no part)*

*(Councillor Mrs Davis registered, under Paragraph 14 of the Code of Conduct on Planning Matters, that she is Chairman of Wimblington Parish Council, but takes no part in planning)*

**P122/22      F/YR22/1309/F  
ELM FARM, HOSPITAL ROAD, DODDINGTON  
ERECT 1 X DWELLING (2 STOREY 4-BED) AND DETACHED GARAGE  
INVOLVING THE REMOVAL OF EXISTING RESIDENTIAL CARAVAN, AND THE  
RETROSPECTIVE SITING OF A CONTAINER**

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 Matthew Hall, the agent. Mr Hall made the point that all consultees support this application, with the site having a previous approval for residential use under the Local Plan for an existing barn that was on the site, which was given approval for a change of use to residential but this has expired. He stated that the caravan has been on site for over 10 years and the applicant has lived here for 9 years and before this the caravan was being lived in by a separate person and during this time Council Tax and Middle Level charges have been paid and continue to be paid.

Mr Hall expressed the view that the proposal to remove the caravan with a dwelling in Flood Zone 3 would be an improvement in relation to flood risk mitigation measures which have been approved by the Environment Agency. He stated that the applicant has advised him that he has had 4 break-ins with tools and equipment being stolen and during the night-time there is regular stopping of vehicles, turning round and leaving, referring to previous meetings of the committee where it has been stated that it is better to live on site for security reasons in relation to an established business use on the site.

Mr Hall stated that the proposal has been revised as officer's have said to include the existing shed where the existing business is being carried out and this is not for a separate residential dwelling. He made the point on the Design and Access Statement submitted and on the application form it states that the proposal is a dwelling in conjunction with the existing business, it is not a separate residential dwelling and the applicant is fully aware if planning permission is granted that he would need to enter into a legal agreement to ensure the dwelling is occupied in relation to the business use or a planning condition could be applied to ensure this is the case.

Mr Hall expressed the opinion that the committee has supported applications similar to this, referring to one in July 2021, F/YR21/0552/F at Sandbank Barns, Sandbank, Wisbech St Mary was approved for an existing business and the applicant wished to live on site for various reasons, with this application being in Flood Zone 3 and is just like this proposal. He expressed the view that the proposal has the support of nearly all the properties down Hospital Road and Doddington Parish Council support the application and there have been no further objections from consultees or neighbours.

Members asked questions of Mr Hall as follows:

- Councillor Sutton referred to the 4 break-ins that have occurred with the applicant already living on site and asked how is moving from one dwelling to another going to prevent this? Mr Hall responded that it is his understanding that when the applicant has had to go out to repair agricultural machinery and has not been on the site the break-ins have occurred, which would still be the case with this proposal.

- Councillor Mrs Mayor asked for clarification on how long the mobile unit had been on site? Mr Hall responded that the applicant has lived in it for 9 years but before he brought the site another person lived there. Councillor Mrs Mayor asked for confirmation that the applicant is definitely living in the caravan? Mr Hall responded in the affirmative and he has been paying Council Tax.
- Councillor Mrs Davis stated that on the site visits it is obvious that children are living on the site and asked if the children are schooled locally? Mr Hall responded that he does not know.

Members asked officers questions as follows:

- Councillor Mrs French asked, if the caravan has been there 10 years, is there a Certificate of Lawful Use? David Rowen responded that the caravan has been there more than 10 years and planning permission has been granted previously for it, however, they were temporary permissions as at that time the site was operated as a pheasant hatchery, an agricultural operation, and the temporary permissions were granted in connection with this, with these permissions ceasing in 2014 so for the last 9 years the site has been occupied without planning permission so the caravan has been and remains unlawful.

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

- Councillor Benney stated that this is the second time this application has been submitted and he supported it last time and, in his view, irrespective of whether it is there legally or not the caravan has been allowed to be there for 10 years and the applicant has lived there for 9 years and he assumes that no enforcement has been undertaken during this time as this would have been dealt with. He referred to the same situation in Guyhirn where there was a caravan in Flood Zone 3 and permission has been granted where there has been caravans before because it is safer in a brick building. Councillor Benney made the point that the applicant is running a business, has been doing so for 9 years and the applicant is trying to put something right with this application and as Mr Hall said there are no consultees against the proposal with Doddington Parish Council supporting it. He feels the application will just keep coming back until it is approved, it will remove a blot from the landscape and give the applicant some stability and allow him to put roots down properly.
- Councillor Sutton disagreed with Councillor Benney's view and expressed the opinion that nothing has changed since it was previously submitted and the applicant chooses to live there without planning permission. He feels the committee should go with officer's recommendation as it is way out in the countryside, does not tick any boxes, it is Flood Zone 3 and the difference between others that have been agreed to go from a caravan to a dwelling is that they had permission this one does not.
- Councillor Mrs Davis expressed the opinion that the family are living there as it is probably far more expensive for them to move somewhere else, the applicant owns the land so does not have to buy the land and just has to build a house. She made the point that Doddington Parish Council support the application and the applicant has been paying Council Tax and queried why people are allowed to pay Council Tax and then be told that they cannot live there as, in her view, the Council should not take the money in the first place. Councillor Mrs Davis stated that when she initially looked at the application she thought no but sometimes you have to take into account mitigating circumstances.
- Councillor Murphy agreed with the comments of Councillor Sutton and stated that when it was explained to members what the application was about his first thought was they are "pulling the wool over our eyes" as if the applicant was going to do anything about the site, in his view, he would have done so years ago.
- Councillor Purser referred to other applications where it has been mentioned that the best form of security is living on site and whilst the applicant has had a couple of break-ins when he has not been there to allow him to live on site is the best sort of security for this.
- Councillor Mrs Mayor referred to the site inspection visit and asked if across the roadway from this property is this the other entrance to the motocross site? Other members indicated that it was not.

- Nick Harding made the point that David in his presentation highlighted that the business use on the site is unlawful so there is no planning application for it and a house is being considered in association with a business but there is not a lawful planning consent to tie that planning consent for a dwelling to.
- Councillor Mrs French stated that the applicant has not got permission for a caravan or permission for a business, she sympathises with the applicant but feels this proposal should be refused and he could come back with a proper planning application for both.
- Nick Harding made the point that the site lies close to the motocross track and members might be thinking why is there not an objection from Environmental Health, however, there was not an objection from Environmental Health on the previous refusal and if it is added now and the proposal goes to appeal, even if successful, it would be likely that the Council would get costs awarded against it.

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

*(Councillors Connor and Mrs Davis registered, under Paragraph 14 of the Code of Conduct on Planning Matters, that they are Fenland District Councillors for Doddington and attend Doddington Parish Council meetings but take no part)*

*(Councillor Benney declared that he knows the agent for this application and he has undertaken work for him but he is not pre-determined and will approach the application with an open mind)*

*(Councillor Murphy declared that he knows the agent for this application but he was not pre-determined and would approach the application with an open mind)*

**P123/22      TPO001/2023  
**EAUDYKE BANK, TYDD ST GILES**  
**TREE PRESERVATION ORDER (TPO)****

David Rowen presented the report to members in respect of confirmation of a Tree Preservation Order (TPO).

The committee has 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.

Councillor Mrs French expressed the opinion that the trees need to be protected.

**Proposed by Councillor Mrs French, seconded by Councillor Mrs Mayor and agreed to CONFIRM the TPO 01/2023 in respect of T01-T18 (1 x Pride of India, 3 x Hornbeam, 3 x Ash, 3 x Poplar, 3 x Plane, 1 x Horse Chestnut, 2 x Silver Maple, 2 x Sycamore).**

*(Councillor Meekins left the room during this item and took no part in the discussion and voting thereon)*

**P124/22      F/YR21/0356/F  
**LAND EAST OF CEDAR ROSE STABLES, HORSEMOOR ROAD, WIMBLINGTON**  
**CHANGE OF USE OF LAND FOR THE USE AS 5NO TRAVELLER'S PLOTS**  
**INCLUDING SITING OF 5 NO MOBILE HOMES AND 5 NO TOURING CARAVANS**  
**AND FORMATION OF A NEW VEHICULAR ACCESS (RETROSPECTIVE)****

David Rowen presented the report to members.

The committee has 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 Angela Johnson, an objector to the proposal. Mrs Johnson stated that her comments were in relation to this application and the two similar applications on the same site that would be following this item. She stated that the comments and objections raised in no way reflect the character, friendliness and politeness of the travellers and their families and there is also no prejudice towards travellers and their families as evidenced by the fact that there are already 11 sites for statics and for other touring caravans within the same proximity as these applications.

Mrs Johnson expressed the view that there are a number of realistic concerns raised by residents, who she is representing, and there is also a letter of objection from the Parish Council, with some of the objections and concerns raised being with regard to issues like water, waste and sewage and although the officer commented that there are conditions on the applications there are no conditions on the site and there is no report from the officers on the application site to reflect any of these questions she is putting forward. She made the point that the applications total 7 mobile static caravans and an application for 8 statics in The Spinney raise repetitive objections from the Lead Local Flood Authority (LLFA) in regards of surface water, domestic effluence, sewerage and drainage yet there has been no recorded consultation with the LLFA referencing these applications, the total being one less than what is in The Spinney already.

Mrs Johnson stated that the number of sited tourers at any one time is going to be up to 9 and questioned whether these going to be occupied or are these parked unoccupied because this will also impact upon water, waste, sewage etc. She queried why the Design and Access Statement has not included anything like sewage or drainage drawings in the plans, there is no evidence of a treatment plant or a septic tank and so what impact is this going to have on the environment and ecological area surrounding these sites.

Mrs Johnson expressed the view that another concern is overcrowding and congestion, with each plot having a static caravan, one or possibly two tourers and up to two cars and will also have possibly storage sheds, outhouses, garden play areas, with overcrowding making traffic movement difficult especially with moving tourers as access in and out of the site with a tourer is going to be extremely tight and if this is happening when another vehicle approaches it will be even more hazardous due to the tight bends. She stated that the major concern of most residents is with road safety along The Hook and Horsemoor, if Highways and the planning officer have visited the site then they will be fully aware of the danger for other road users along these narrow single-track roads.

Mrs Johnson referred to the Design and Access Statement which states that there is a 60 mile not 40 mile narrow single track road which runs south and east of the site, which has been compromised, in her view, along the public grass verges by the unwarranted inappropriate positioning of large sections of tree trunk, there are overhanging overgrown trees, which has nothing to do with the applicants, and there is boundary encroachment onto the public verges by hard landscaping and fencing. She feels it is impossible for vehicles to safely pass each other, with Horsemoor having a deep ditch on one side and fields on the other side with no valid passing areas and both roads have large potholes, deteriorating tarmac verges and subsidence.

Mrs Johnson stated that the Design and Access Statement refers to the hard and soft landscaping to integrate the site into the rural surroundings but at present high wooden fences enclose the site impeding visibility when approaching the tight bend onto Horsemoor. She expressed the view that access points are dangerously close to the tight bend, one is almost opposite Fairview's access and then there is also an access road that leads to farms and other residences that is on the bend or leading off the bend and provided a scenario where a vehicle and tourer is leaving the site turning right heading towards Wimblington, a tractor and trailer comes in around the tight right-hand bend from Wimblington to The Hook unable to see the vehicle and caravan leaving the site, with any horse rider, dog walker or cyclist being already half way down the road with there being

no safe haven for them, there is nowhere for the heavy vehicles to safely pass each other even the access points mentioned in the Design and Access Statement of other residents accesses are not big enough to take a car and a caravan or a tractor or a trailer to pull over, reversing back along the road is also going to be a hazard.

Mrs Johnson reiterated that residents' main concerns are the road, waste and sewage and there are other concerns that people have and asked has sequential testing been carried out with regards to other vacant sites rather than here and was a site visit made by the committee to see how narrow the roads are. She asked that the committee refuses the incomplete applications or at least rejects the number of sited tourers.

Members asked questions of officers as follows:

- Councillor Mrs French asked why there are no comments from the LLFA? Nick Harding responded that the site is smaller than a hectare, therefore, consultation with the LLFA is not triggered.
- Councillor Mrs French referred to the comments of Mrs Johnson and asked how the sewage is being disposed of? David Rowen responded that the report sets out that this is to be dealt with through a personal treatment plant and recommended condition 9 requires within 2 months of the date of the decision if permission is granted full details of the foul drainage treatment including future maintenance should be submitted and installed in accordance with the approved details.
- Councillor Mrs French referred to the confidential report that has been received, which has changed the recommendation and asked if this is correct? David Rowen responded that the two reports are to be read together so the officer recommendation set out in the public agenda pack is to grant and the confidential information is supplementary to explain the rationale in the main report.

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

*(Councillors Connor and Mrs Davis declared that they were pre-determined on this application and left the room for the duration of the discussion and voting thereon. Councillor Mrs Mayor chaired this application after being nominated by other members)*

*(Councillor Murphy registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that he had been lobbied on this application)*

**P125/22      F/YR21/0768/F  
PITCH A, LAND EAST OF CEDAR ROSE STABLES, HORSEMOOR ROAD,  
WIMBLINGTON  
CHANGE OF USE OF LAND FOR THE USE OF TRAVELLERS INCLUDING SITING  
OF 1NO MOBILE HOME AND 2NO TOURING CARAVANS**

David Rowen presented the report to members.

The committee has 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.

The comments of Angela Johnson, an objector to the proposal, under the public participation procedure, are set out in the minute for planning application F/YR21/0768/F.

Members asked questions of officers as follows:

- Councillor Skoulding stated that on the previous plan it had a treatment tank on every plot but on F it does not show a treatment tank and asked if this was an oversight? David Rowen responded that he is unable to comment on whether this is an oversight or not, however, if

members are minded to grant the application there is a similarly worded condition requiring the details of the foul drainage treatments and its ongoing maintenance to be submitted within 2 months of the date of the decision.

- Councillor Sutton made the point that the reasons that these applications are being recommended for approval is because the Council does not currently have a five-year land supply of traveller site as the needs assessment has not been undertaken and should this have been undertaken and there was the supply the outcomes for these applications may have been different from both an officer perspective and a members' perspective. He stated that although members have heard what the objectors have said the committee does not really have a strong reason to be able to do anything other than grant permission. Councillor Sutton stated that on this particular application on this corner when members visited the site there is a high fence all the way round and a condition ought to be considered where that fence on the bend is reduced in height as it does restrict visibility for vehicles going around the corner. David Rowen responded that there is a proposed condition 6 which states within 2 months of the date of this decision the following information shall be submitted to the Local Planning Authority for approval details of a scheme to plant a mixed native hedgerow with post and rail fence to all external site boundaries, this shall include a plan, fence details, planting specification, visibility splays and timetable for planting etc.
- Councillor Mrs Mayor asked if this is all the fence or just the corners? David Rowen responded that the condition states all external site boundaries including the site frontage.
- Councillor Mrs French referred to Councillor Sutton's point about the land supply for travellers' sites and asked if this is getting closer to being completed? Nick Harding responded that a contractor was appointed and due to the inability to complete the work due to Covid and some difficulties with that contractor that fell through and the Council looked to appoint a new contractor, working with a business who had links to the gypsy and traveller community, but there were some fundamental disagreements between the contractor and the other organisation so the Council is back to square one. He advised that the Planning Policy Team are having meetings with the other partner authorities so a decision is going to be made on whether or not each district goes it alone or decides to combine forces again and go out for tender for that piece of work. Nick Harding expressed the opinion that even if the Council had been successful with the original contract it would have all come undone to a significant degree because there was a recent court case which brought clarity to a key element of national planning advice in relation to gypsy and travellers. Councillor Mrs French stated that this is disappointing, obviously Covid was three years ago and it was only a few months ago since this question was asked on another application so it would be good if the Council can get on with it.

**Proposed by Councillor Skoulding, seconded by Councillor Meekins and agreed that the application be APPROVED as per officer's recommendation.**

*(Councillors Connor and Mrs Davis declared that they were pre-determined on this application and left the room for the duration of the discussion and voting thereon. Councillor Mrs Mayor chaired this application after being nominated by other members)*

**P126/22**

**F/YR22/1135/F**

**LAND NORTH EAST OF THE PADDOCKS, HORSEMOOR ROAD, WIMBLINGTON  
CHANGE OF USE OF LAND TO SITE 1 X RESIDENTIAL MOBILE HOME AND 1 X  
TOURING CARAVAN, AND THE FORMATION OF HARDSTANDING AND A NEW  
ACCESS (PART RETROSPECTIVE)**

David Rowen presented the report to members.

The committee has 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.

The comments of Angela Johnson, an objector to the proposal, under the public participation procedure, are set out in the minute for planning application F/YR21/0768/F.

Councillor Sutton made the point that he may or may not have made a different decision should a needs assessment on a five-year supply of land for travellers' had existed.

**Proposed by Councillor Benney, seconded by Councillor Meekins and agreed that the application be APPROVED as per the officer's recommendation.**

*(Councillors Connor and Mrs Davis declared that they were pre-determined on this application and left the room for the duration of the discussion and voting thereon. Councillor Mrs Mayor chaired this application after being nominated by other members)*

6.53 pm

Chairman