

PLANNING COMMITTEE



WEDNESDAY, 26 JULY 2023 - 1.00 PM

PRESENT: Councillor C Marks (Vice-Chair, in the Chair), Councillor I Benney, Councillor Mrs J French, Councillor R Gerstner, Councillor P Hicks, Councillor S Imafidon and Councillor B Rackley (Substitute).

APOLOGIES: Councillor D Connor (Chairman),.

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

P26/23 PREVIOUS MINUTES

The minutes of the meetings of 31 May and 28 June 2023 were agreed and signed as an accurate record.

P27/23 F/YR21/0885/F 1-3 HOSTMOOR AND 1 MARTIN AVENUE, MARCH ERECT A RETAIL FOOD STORE (CLASS E(A)) WITH ACCOMPANYING CAR PARK, FORMATION OF A NEW ACCESS AND ASSOCIATED HIGHWAY WORKS AND LANDSCAPING SCHEME TO INCLUDE ERECTING 6 X 6.0M HIGH COLUMN MOUNTED LIGHTS INVOLVING THE DEMOLITION OF EXISTING STORAGE BUILDINGS (CLASS B8)

Nick Harding presented the report to members and drew attention to the update report that had been circulated.

Members received a presentation, in accordance with the public participation procedure, from Martin Robeson and Karen Crowder-James, objectors. Mr Robeson advised members that he was representing Tesco and whilst Aldi may assert that he is there to reasonably prevent competition this is not correct as he feels their scheme has severe risks to pedestrian safety and will create unacceptable traffic congestion, both having important public interest consequences. He expressed the view that a big problem is the real likelihood that the County Council MATS scheme will not come forward so in the interim there is a do nothing response, just build the store and hope that the traffic congestion and chaos is not too bad and leave the ¼ million pounds for a lesser alternative in the bank.

Mr Robeson expressed the view that this should be especially worrying to members as there is already congestion tailing back from the A141 onto Hostmoor Avenue all the way to the Tesco roundabout and Aldi's exit solution for customer traffic magnifies the problem as they do not have enough land or initiative to design a scheme where traffic can turn right out of Aldi for the many people wanting to go west as Hostmoor Avenue is not wide enough. He stated that as shoppers will not be able to turn right out of Aldi they will have to go left and all the way around the Tesco roundabout and then go back past Aldi westwards.

Mr Robeson expressed the opinion that this is a serious problem with 35% of Aldi shoppers, their figures, will be linking their trip with Tesco and Tesco is on the opposite side of the roundabout, with many shoppers walking across the road but crossing roads at roundabouts is unsatisfactory and unsafe and introducing signal-controlled facilities is not possible as traffic would just tail back

all around the roundabout. He feels that pedestrians will take their luck in identifying gaps in the traffic and with every Aldi customer car having to turn left, with the driver looking right to identify a gap in that traffic, pedestrians crossing the road immediately to the left are “sitting ducks” so, in his view, the only sensible option is to refuse the application, it is premature until it is known that the MATS solution is available and even with MATS the pedestrian crossing facilities for shoppers would fail the NPPF requirement that there must not be an unacceptable impact on highway safety.

Ms Crowder-James stated that she represents Cambridge Property Group and her client has severe concerns about the acceptability of the application, specifically in terms of its compliance with national and local retail and transport policies together with safety and traffic capacity issues relating to the proposal. She expressed the view that the level of combined convenience retail impact is predicted to be 19.5%, which is recognised by the Council’s retail consultants to be of concern, this is the only scenario given the recent withdrawal of the alternative scheme for a Westry retail park and the implications of which should be given further consideration, with the significant adverse impact being the reason this application fails the retail impact test required by the NPPF.

Ms Crowder-James expressed the opinion that the first consultation response by the County Council required the Aldi signal scheme to be a permanent solution and it would need to operate within or better than 4 cars capacity failing that an alternative solution should be proposed and nothing changed apart from a financial contribution from Aldi to County for a MATS scheme, which is assumed to be the alternative solution as the Aldi proposals are over capacity and unsafe. She stated that County originally proposed that if the MATS signals were delivered prior to Aldi opening £250,000 would be paid, they have given themselves two years from the opening of Aldi to complete these works, however, her client owns all of the land required for any Hostmoor junction improvement and they will categorically not sell any land to the County meaning they will have to use a CPO.

Ms Crowder-James stated her client has already been legally advised a CPO would fail for several reasons, one being that the County Council cannot use a CPO to make a private development which is unacceptable in highway terms acceptable, therefore, there is no certainty that County can deliver the MATS scheme and Aldi could open with no highway mitigation works taking place, particularly as there is no condition or trigger to require Aldi signals to be constructed. She expressed the opinion that with no highway mitigations, this will lead to severe congestion along Hostmoor Avenue and, given the above, the application should be refused as the planning balance weighs heavily against the grant of planning permission and at the very least this application should be deferred until further advice has been obtained following the withdrawal of her client’s alternative application, the delivery of which has been relied upon so heavily in the officer’s report and the County in respect of safety aspects on the old Wisbech Road A141 junction, within the Aldi signal scheme and pedestrian crossing point at the Tesco roundabout.

Members asked question of the objectors as follows:

- Councillor Gerstner asked for clarification about the 19.5% retail impact figure? Ms Crowder-James responded that this figure is in the Aldi application, it was arrived at after they put in an objection and asked them to reconsider the implications of the implemented 2015 Westry retail park scheme and the convenience and comparison combined impact and that 19.5% figure is the combined impact on March Town Centre. Mr Robeson referred members to paragraph 19.60 of the officer’s report.

Members received a presentation, in accordance with the public participation procedure, from Rob Scadding, on behalf of the applicant. Mr Scadding stated that he is from Planning Potential who are acting as Aldi’s planning consultant on this site since first meeting officers for pre-application discussions in early 2020 and the application was first submitted in May 2021 but since then they have engaged in dialogue with both officers and statutory consultees and are delighted that

officers clear recommendation is that planning permission should be approved. He expressed the view that the application is supported by a range of technical documents and assessments covering all the material matters, including principle of development, retail impact, sequential, highways, design and technical compliance and they have been fully aware of the objections expressed by those who have spoken against the application this afternoon, however, all evidence submitted with the application has been independently assessed with no objections raised by any statutory consultee.

Mr Scadding expressed the opinion that if approved the new Aldi will bring much needed choice for local residents now more than ever with the rising cost of living it is important that people have access to genuine choice, with many local people already travelling to visit Aldi, with Chatteris being the nearest store and somewhere closer to home would be more accessible and mean shorter car journeys. He stated that it is not just them saying this over 1,500 people responded to their pre-application consultation with 95% expressing support and there have since been more than 80 individuals expressing support for the application itself, with a new Aldi being of significant benefit to the local community.

Mr Scadding expressed the view that this is an accessible commercial site within an area identified as growth within the Local Plan and Aldi's proposals comply with this objective creating 15 new local jobs, which is a further direct boost to the investment in the local area. He recognises the site is not within an existing retail centre, which is why the application is supported by a retail impact assessment, this includes assessment on whether Aldi comes forward in isolation or with a new western retail park and as required by the NPPF the assessment demonstrates the potential overall combined impact on March Town Centre would be 7.3%, which is well within acceptable levels and there is no evidence that this will result in a significant adverse impact on the town centre or affects its vitality and viability, with the findings having been independently reviewed by the Council's retail consultant who fully agrees with their conclusions.

Mr Scadding stated the access has been taken into consideration very seriously and it is not in Aldi's interest to open a store that creates problems and Aldi's project team have worked proactively with the County Highways since the pre-application stage to deliver a solution to the proposed Aldi, whilst also taking into account the wider highway network and from the outset they have been mindful of the MATS proposal, which if progressed should deliver wider structure changes and network improvements. He stated they have worked closely with Highways and considered scenarios of the store coming forward with or without MATS, again these findings are agreed and both scenarios covered within the draft 106 agreement, which is ready to be signed in the event of a positive resolution this afternoon.

Mr Scadding expressed the view that with the current cost of living crisis the need for a new Aldi has never been greater, the agreed solution means the significant economic investment and jobs in March is not unnecessarily delayed. He feels that all issues, particularly retail and highway matters, have been carefully assessed and independently verified leading to the recommendation that permission should be approved, this investment will deliver many benefits to the area and the application is strongly supported by local people so requested that members support the recommendation.

Nick Harding referred to the speaker's presentation and in the scenario in which there is a problem and this causes a delay relating to the third party land required to be able to be implemented the MATS scheme the Council would not be asking Aldi to pay the contribution to spend on MATS because of those delays and implementation of the MATS scheme and the money would only ever be asked for Aldi implementing their own highway improvement if the MATS scheme was up and ready and was going to be implemented in a 2 year timescale so there is this safeguard in place that the Aldi store, one way or another, will be served by a junction improvement on the A141.

Members asked questions of officers as follows:

- Councillor Benney requested clarification that Aldi will either do the improvements highlighted in the proposal or if the MATS scheme comes forward in a reasonable timescale Aldi will pay £250,000 towards the MATS scheme but there has to be a guarantee that the scheme would be in place before they had to contribute to it? Nick Harding confirmed this to be the case, without certainty of the MATS scheme deliverability the Council would not request the 106 money and Aldi would be implementing their own junction improvement. Councillor Benney asked if the MATS scheme does not come forward, as he would expect Aldi would want to get on with the development, their highway scheme is acceptable? Nick Harding responded that as indicated by the applicant there has been extensive discussions with Highways and they are satisfied that the design of the Aldi's own junction improvements on the A141 plus what is shown on the store plan in relation to access in and out of the car park works appropriately.
- Councillor Benney asked the Highway Officer present that they have looked at the scheme and have no objections to the scheme that Aldi have put forward but it has been mentioned from one of the objectors about turning left only and is this an acceptable scheme for traffic to only turn left and go around Tesco roundabout? Hannah Seymour-Shove responded that this is acceptable to Highways, with the Tesco roundabout having been modelled to assess impact and it is deemed satisfactory.
- Nick Harding asked Highways to comment on some of the statements made by the objectors in relation to the capacity of Aldi's own junction improvement on the A141 and whether or not they are satisfied that Aldi's own junction has sufficient capacity to deal with the expected traffic. Hannah Seymour-Shove responded that the A141 Aldi signal junction has undergone several modelling tests and these have shown that the junction itself will operate with better capacity with the signals in place than the existing layout and when it is taken into account the capacity on the A141 south bound arm, excluding the McDonalds application which is not a committed development site at this stage, it operates within capacity.

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

- Councillor Benney expressed the view that this is a balanced and good report and committee were told that there are 3 issues that members need to be satisfied with. He referred to loss of employment land and made the point that at every committee people will be pleased and others not, but looking at some of the photographs, knowing the site well, the site is not high value industrial land, it looks fairly derelict and the loss of land is equally making jobs and good use of the land. Councillor Benney expressed the view that on highways he has listened to both sides of the debate and he is just a councillor, guided by officers and the assurances he has received from Highways goes a long way towards satisfying any concerns and feels that committee should not be going against Highways as they are the experts and if they find it acceptable then he feels it is an acceptable scheme. He expressed the opinion that on the impact on March Town Centre, which is going through changes as are all town centres and retail is constantly evolving, there may be an impact on March Town Centre but it is unknown and the scheme that is before committee has positives within it in terms of employment and competition, with Tesco stating that they are not against Aldi coming per se to March and he welcomes competition as it benefits all the residents of March and beyond. Councillor Benney expressed the view that officers have done their utmost to bring this forward in a well-balanced and well written report that he feels has come to the right conclusion.
- Councillor Gerstner agreed with the comments of Councillor Benney and referred to Highway comments in 5.6 and 5.7 of the officer's report who have indicated that they have no objection and there is the caveat that the junction improvements should be in place prior to the store opening. He made the point that the County Council's Highways Transport Assessment team also have no objection so members should be guided by the experts. Councillor Gerstner added that March Town Council is very much in favour of the proposal and they are the local council and they know their electorate well.

- Councillor Benney agreed that local councillors are elected locally to make local decisions based on local knowledge and to listen to the electorate and carry their wishes forward, with the committee listening to the views of Town and Parish Councils, not always agreeing, but March Town Council supporting this application is putting over the views of the residents of March and as councillors that is the job to take note of what residents say.
- Councillor Hicks agreed with Councillor Benney that this is a well written report and regarding the road turning onto the A141 left, in his opinion, living near this site you do have to turn left but it is not much of an issue and he does not feel there will be a lot of impact as it has worked successfully for a number of years.
- Councillor Rackley stated that it is the electorate that vote councillors in and if Highways have not got a problem with coming off the A141 he thinks it is good for the consumer to have more choice in the current climate when times are hard.
- Councillor Benney stated that he can remember when the junction that joins the A141 was right turn as well and the methodology for turning left and going around Peas Hill roundabout does work and as Highways have raised no objections to the scheme a turning left scheme already works at Tesco roundabout, there are always improvements that can be made but members have to work within the constraints that there are but if highways are indicating it is acceptable he has to take this at face value.
- Nick Harding stated that the number of people supporting an application is not a relevant planning consideration it is about the nature of the comments and how they work in relation to the relevant planning policies and other material planning considerations. He added that competition is also not a material planning consideration, it is a side issue and whilst members might support the context of competition this should not play a part in the planning decision on the application. Nick Harding stated that the key issues are transportation, retail and quality of the employment land.
- Councillor Benney referred again to the impact on March Town Centre and made the point that town centres are evolving and changing across the country and referred to Chatteris having one of the most derelict looking High Streets with empty shop units but this has been revived, with someone taking on empty units and allowing businesses to thrive. He feels March Town Centre is the same as a lot of the businesses in existence today have evolved on the benefit of having an empty unit to move into so as much as it has an impact that impact could be positive to other businesses that come along and want to take those opportunities on and whilst it may change the face of March Town Centre it could equally bring along something new. Councillor Benney expressed the opinion that councillors should not be standing in the way of progress and the real answer as to whether March Town Centre will change comes down to the residents of March, they use the shops and if they carry on using the shops in the town centre it will reduce the impact but if they wish to go and shop at Aldi it may impact but the residents of March will be voting with their feet and their money and this sets the direction of travel on any retail or changes to town centres.

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

(Councillor Marks registered that he knows one of the current landowners of the site and took no part in the voting and discussion thereon. Councillor Imafidon chaired this item)

(Councillor Mrs French registered that she is Chairman of March Area Transport Strategy and took no part in the voting and discussion thereon)

(Councillors Benney and Hicks declared, under Paragraph 2 of the Code of Conduct on Planning Matters, that they had been lobbied on this application)

P28/23

F/YR23/0047/F

LAND SOUTH EAST OF THE CHASE, GULL ROAD, GUYHIRN

ERECT 4 X DWELLINGS AND GARAGES (COMPRISING 1 X 5-BED AND 3 X 4-BED)

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Derek Widdowson, an objector. Mr Widdowson stated that he represents all those neighbours affected which have objected unlike positive comments made by persons who are not affected by the development. He expressed the view that the application is identical to that submitted in 2016 and again in 2017, these applications being refused and dismissed on appeal by the Secretary of State.

Mr Widdowson expressed the opinion that the proposed build of 4 houses is on back land and a land locked site behind existing buildings and has no street frontage, with the access being very limited and not in the best interests of Guyhirn. He made the point that Gull Road at times can be busy with heavy haulage and farm traffic and this would not be assisted by new residents and service vehicles having to turn into the narrow access road making a left turn from Gull Road causing some vehicles to use the off side of Gull Road against oncoming traffic, with the 40mph speed limit not being adhered to.

Mr Widdowson expressed the view that the access road itself is only single access in width, unlit and narrow to a gate width from the corner of his property and his neighbours, there would be no room for a passing place to be made and vehicles would have to back up. He stated that his two main bedrooms adjoin this access road which he feels would be affected by noise and light pollution from persons entering or leaving and currently they have a view of an expansive field that is shielded by a row of conifers on the western boundary, with such large and imposing houses being intrusive and blocking out his natural light.

Mr Widdowson stated that the land in question sits higher than his ground floor and with current regulations would force the builder to raise the ground floor height against the possibility of flooding this would cause his bungalow to be overlooked by all four houses, with his hedge being 7 foot high but this development would dwarf this and be intrusive to his privacy within his house and garden. He feels the possibility of up to 14 additional vehicles from dusk to dawn will mean their headlights would shine directly into his living room and rear bedroom and a further problem may be the water table as the land in question is higher and may affect their drainage and biodigester.

Mr Widdowson stated that at present the water pressure is very poor, which causes most of the residents in Gull Road to complain and, in his view, additional houses in this part of Gull Road would be a further drain on the water pressure. He stated that he has no problem with the expansion of housing, currently supporting other applications that are going to front onto Gull Road and as he understands it previous applications to build elsewhere on Gull Road have been rejected and he hoped the status quo could be maintained.

Mr Widdowson made the point that no new amenities have appeared in Guyhirn since the current building projects have been agreed and at what point does new housing to Guyhirn become unsustainable. He raised concern that this is only the start of possible further developments by The Chase and other matters would be the collection of refuse and would the collectors use an unadopted road or would the bins be on constant display on Gull Road, 4 houses, 12 bins plus 3 from The Chase.

Members received a presentation, in accordance with the public participation procedure, from Russell Swann, the agent. Mr Swann made the point that the application has support from most of the statutory consultees including Highways, Environmental Health and the Internal Drainage

Board and the officer in the report recognises that there are no issues with the design of the dwellings, no issues with any impact on the neighbours' amenities through noise, light, privacy or the driveway. He stated that the whole of the site is within Flood Zone 1, exactly where new residential development should take place.

Mr Swann referred to the reason why the application is being recommended for refusal, whilst he respects the officer's opinion he does disagree with it as since the previous refusal on the site at least 8 separate planning applications for 21 new dwellings have been approved for development behind the linear form in Guyhirn and, in his view, this fundamentally changes how this application should now be viewed and this does not include the historic sites such as Woodland Gardens, Nene Close, Spencer Drove, etc. He expressed the opinion that the form and character of the village of Guyhirn is linear development with pockets of residential development behind and he referred to a map on the presentation screen which demonstrated this point.

Mr Swann stated that LP3 says that new development will be acceptable in Guyhirn if it is limited to small residential infill and showed on a further slide that this is the case for this site, showing other sites where development has taken place behind the residential linear development referring in particular to Lake View, with the nature of this site being similar in character to this proposal, it is located behind the built form and accessed off a small drive between two existing dwellings, with this dwelling being approved under delegated powers in 2019. He expressed the view that as mentioned many times at the committee parcels of land like this are massively valuable to housing supply in the district, plots like this will be developed by self-builders or smaller developers that are usually priced out of the large developments due to the costs of the infrastructure and land price, with small builders and self-builders employing local tradesmen, buying from local merchants which in turn contributes to other businesses in the District.

Mr Swann expressed the opinion that the site is typical of the form and character of Guyhirn, it does comply with LP3, LP12 and LP16 and it is already a residential site, it is within Flood Zone 1, has no objections from Highways, Environmental Health or the Drainage Board and the Planning Officer is happy with the design and the amenities of the proposed site and the existing dwellings. He requested approval of the proposal with any conditions deemed appropriate.

Members asked questions of officers as follows:

- Councillor Mrs French referred to the numerous refusals on the site and the dismissal at appeal and asked apart from other houses being built in the vicinity what has changed from these previous refused applications? David Rowen responded that there has been no changes to the site or the circumstances in the immediate vicinity of the site since the last appeal decision.

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

**P29/23 F/YR22/0873/F & F/YR22/0874/LB
6 NORTH BRINK, WISBECH
F/YR22/0873/F CHANGE OF USE OF EXISTING BUILDING FROM DWELLING,
CHIROPRACTIC SURGERY AND BEAUTY TREATMENT ROOMS TO CREATE 7 X
FLATS (6 X 1-BED AND 1 X 2-BED) INVOLVING THE ERECTION OF A SINGLE-
STOREY REAR EXTENSION (PART RETROSPECTIVE)
F/YR22/0874/LB INTERNAL AND EXTERNAL WORKS TO A LISTED BUILDING
TO ENABLE A CHANGE OF USE OF EXISTING BUILDING FROM DWELLING,
CHIROPRACTIC SURGERY AND BEAUTY TREATMENT ROOMS TO CREATE 7 X
FLATS (6 X 1-BED AND 1 X 2-BED) INVOLVING THE ERECTION OF A SINGLE-
STOREY REAR EXTENSION**

Danielle Brooke presented the report to members and drew attention to the update report that had

been circulated.

Members received a presentation, in accordance with the public participation procedure, from Helen Morris, on behalf of the applicant. Ms Morris informed members that she is a Chartered Town Planner with RCA Regeneration and thanked the Case Officer for her well-considered and detailed recommendation as well as her assistance in getting the applications to this stage. She stated that 6 North Brink is a Grade II* Listed Building situated within the Wisbech Conservation Area, it is one of a row of Georgian regency period properties which stand on the north side of the river and considered to be one of the finest pieces of Georgian street architecture in the country, with the building comprising a former 4-storey town house with Georgian origins that has later additions to its upper stories and a modern rear extension .

Ms Morris stated that the existing uses within the property comprise a chiropractic surgery and beauty treatment rooms with 2 existing flats on the upper floor and the proposal before committee is to convert the building into 7 flats and replace the existing single-storey rear extension in order to regularise the previous unauthorised works and ensure the viable continued use of this historic building for many years to come. She advised that other than the replacement single-storey rear extension the only external change proposed to the building is the reinstatement of the former sash window at the eastern end of the basement and during the application process revisions have been made to address consultee comments and ensure the proposal meets the requirements of all local and national planning policies. She added that prior to revisions being made a programme of historic building recording and analysis was undertaken to Historic England Level 2 specification to gain a full understanding of the historic fabric and layout of the existing building, with the resultant report being used to form a redesign of the scheme and support the preparation of a Heritage Impact Assessment both of which were submitted in support of the applications.

Ms Morris advised that one of the key changes that has been included as part of the revised proposals is to remove the modern staircase previously installed into the south-east corner of the building, which has enabled reinstatement of the ground and first-floor rooms and will greatly enhance the significance of the Listed Building. She stated that other key amendments made to the scheme include retention of the original basement door and sash windows to its west, boxing in of the staircases to the basement to ensure their preservation, reinstatement of the central staircase so it flows its full length from ground to third floor, retention of the wood panelled room at the south-west of the ground floor and the addition of a wall and doorway to the lobby area on the first floor.

Ms Morris stated that in terms of the number of units proposed it is important to note that the net increase in residential flats, and it is definitely flats and not a HMO, will only be 5 additional units given that there are 2 existing units on the second and third floors. She expressed the view that the proposal works for the historic layout of the building and it is considered that conversion of this important heritage asset to 6 1-bedroom flats and 1 2-bedroomed flats provides the most efficient use of the site and meets the need for smaller units of accommodation that will enable future generations to enjoy living in this property and this is considered of relevance to the proposal given the importance of securing the most viable use of the site that will sustain and enhance the significance of this Grade II* Listed Building and also ensure its conservation going forward in accordance with Paragraph 197 of the NPPF.

Ms Morris expressed the opinion that the proposed flats will provide a high-quality living environment for future occupiers by providing accommodation that meets the nationally described space standards, dedicated cycle storage will be provided for each unit within the rear garden and all habitable rooms will have sufficient natural light provided by existing windows and the addition of the previously approved window at third floor level. She reiterated that the second and third floor of the building already accommodate 2 flats without any significant noise or disturbance issues from the commercial units below, however, conversion of the lower floors to residential use will result in benefit for existing and future occupiers preventing any conflict with the more frequent

comings and goings related to the existing business uses.

Ms Morris expressed the view that the revisions to the proposed development have sought to address all consultee comments and the initial concerns raised by the Council's Conservation Officer have been fully overcome resulting in no objection to the proposal. She feels the scheme respects the original building and will ensure the original fabric of the building and its layout are preserved, reversing several more recent additions which have had a negative impact on its significance and will greatly enhance this important Listed Building and secure its continued active use going forward and overall the proposal complies with all policies of the Fenland Local Plan along with the provisions of the NPPF. She asked members to take account of the positive recommendation of the officer and approve the applications.

Members asked questions of Ms Morris as follows:

- Councillor Mrs French asked what happens in the event of a fire, is there fire escapes? Ms Morris responded that the relevant team within the Council, the Private Sector Housing Team, have looked at the plans and there were revisions which included the amendments requested by that team.
- Councillor Rackley stated that this one of the finest Georgian streets in the country and referred to 5.3, the National Trust comments regarding waste collection, which he read out, and if you look at the plans there is not room for big wheelie bin outside the property and if there was it would be to the detriment of the road it sits on so he has concerns over rubbish. Ms Morris responded that those comments from the National Trust were submitted early on in the application process and things have progressed in terms of the revisions and revised plans that have been submitted including a refuse waste management strategy and there have been additional comments from the Environmental Services Team, they are not fully satisfied with the suggestion to put additional waste storage in the rear garden area in addition to the space within the building just off the lobby area but the Case Officer has fully addressed this in the report with it being a betterment over the present situation with the building being currently in use. She stated that they have provided for on the site plan what they consider to be adequate refuse storage and are happy with the imposition of a condition to provide further information and a full strategy going forward because if a stage cannot be reached where it works entirely with the Council's own collection of waste management then the applicant is more than happy to instruct a private waste management company.
- Councillor Rackley stated that he still has concerns about the rubbish although he recognises that there is going to be storage at the rear but questioned how this is going to be collected? He further raised concern about parking for 7 flats, the site is right near the doctor's surgery and parking is chaotic here most days and how many cars is 7 flats going to create. Ms Morris responded that the refuse is not all going to be stored at the rear, there is on the floor plans that have been submitted a refuse storage area just on the right hand side of the lobby and it has been confirmed within that it can meet the Council's waste management team's requirements in terms of a keypad entry and there would also be ventilation and extraction to control odour with self-closing doors to make sure that there is no odour escaping within the rest of the building and there is a condition recommended by the officers to deal with this fully. She stated that the issue of parking has been fully considered by the local Highway Authority and there is a policy within the Local Plan and there have been numerous flats approved within Wisbech without car parking, with the existing uses within the building having to be taken in account and it was agreed by the local Highway Authority that they could not substantiate an objection to no parking.
- Councillor Gerstner referred again to waste disposal and made the point that it is a very narrow path, near a doctor's surgery, there are people with sight impediments and those that use mobility scooters and wheelie bins and any rubbish left in pathway over a long period of time, ie 2 days before collection or after, can prove very serious for those people so asked if it is being stated that if a private collector collects the rubbish there will be no rubbish left on the street? Ms Morris confirmed this to be the case, there is no intention to

leave wheelie bins on the street that is why the storage at the moment is shown to be indoors and within the rear garden area as having heard further from the Environmental Services Team and discussions with the Case Officer it was felt it was better to propose a condition for further details to be agreed should permission be granted but bins will definitely not be put out on the pavement area.

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

- Councillor Mrs French stated that she is not bothered about the parking as it is within the Town Centre and the policy is that you do not have to have parking spaces and also rubbish is being collected now due to the existing use. She feels more importantly looking at the building and reading the report some alterations have already been undertaken without planning consent and she feels for this proposal to be approved it will actually bring the building back to reflect the original building so she will support it.

F/YR22/0873/F

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

F/YR22/0874/LB

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

P30/23

F/YR23/0115/F

LAND EAST OF HIGHLAND VIEW, BENWICK ROAD, DODDINGTON

ERECT 2 X DWELLINGS (2-STOREY 4-BED) AND THE FORMATION OF AN ACCESS

Danielle Brooke presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Peter Humphrey, the agent. Mr Humphrey stated that the application is made on behalf of Jason Jolley, there was a previous application for 3 dwellings but this has been changed following comments of the Parish Council down to 2 detached barn style dwellings together with a new access. He made the point that the application is now supported by the Parish Council and this was taken on board after their comments on the previous refusal, with Highways and Environmental Health having no objections, 7 letters of support from Doddington residents, 1 from a Chatteris family who farm opposite and the site is also in Flood Zone 1.

Mr Humphrey expressed the opinion that the application sits between 4 existing dwellings so it is not in isolation and quoted the comments in the officer's report at 2.2, with to the rear of the site and further out of the village there have been approvals for 20 caravan pitches, 4 glamping pods, toilet block, a further application for 18 caravan pitches plus 30 caravan pitches, toilet block, 2 log cabins, car park, treatment plant, 8 log cabins plus a 4-bed house, which hardly demonstrates, in his view, open countryside, with all of them being further away from the village. He stated that the Planning Officer also acknowledges in 9.2 that there is a better build to plot ratio as larger garden spaces are provided and 10.12 states the proposal would harm the open character of the area and conflict with policies, which he finds interesting when there are all the other applications that have been supported and approved by committee. He requested on balance that this application sits nicely between the existing 4 dwellings and in front of the developments mentioned and requested members' support.

Members asked questions of Mr Humphrey as follows:

- Councillor Mrs French referred to the caravans and log cabins that Mr Humphrey mentioned and asked if this was in the open countryside as well? Mr Humphrey confirmed this to be the case.

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

- Councillor Benney stated that this is further out of Doddington than another application that was refused but that was also refused by a different committee to the one present today. He made the point that this application is supported by Doddington Parish Council, who does voice its concerns when they do not want something to go ahead so as much as it is building in the open countryside Doddington Parish Council seems to want this development, they are a serious consultee within the planning process and members should listen to what they say and they must see some merit in this application speculating that as it has buildings either side they might class it as infill and, in his view, this road will one day be filled in with houses.
- Councillor Gerstner agreed that Doddington Parish Council supports this application and from what the agent said he thinks the Planning Committee needs to be consistent in its deliberations if all these other applications which were quoted appear to have been approved.
- Councillor Marks stated that this seems a bit back to front from the village, with it now working back into the village and there are houses to the left of this, it is also next door to quite a new looking modern house with a building beside it and he believes this development will fit in well and he will be supporting the application, especially hearing what Doddington has said.
- Nick Harding drew committee's attention to the previous recent committee decision which was to refuse planning consent and as the Case Officer indicated there is nothing about this application which changes the principles that the committee considered at that point in time so, therefore, the decision today should be the same as it was previously as nothing has changed. He further drew members' attention to the Code of Conduct on Planning which refers to the issue of perversity and maladministration if a local authority planning committee is approving an application which was previously refused where there has been no change in circumstances so members need to be very careful when dealing with this application. Nick Harding stated that the starting point is the adopted Local Plan, which indicates in its settlement hierarchy and development strategy the approach for dealing with development, this is clearly a location that does not sit in the settlement which is listed in the Local Plan, therefore, by default it is classed as being an elsewhere location and as an elsewhere location there is only a limited number of circumstances within which a general residential development will be approved and this application is not one of those. He referred to reference being made to other developments, for example leisure developments, and made the point that tourist developments generally take place in the open countryside and that is part of the adopted planning policy and outside of settlement boundaries so that cannot be a reason for allowing general residential development to take place outside of the settlement. Nick Harding stated in relation to the Parish Council comments the Council has no idea what considerations that Parish Council gave to the adopted Local Plan or national planning policies which relate to general residential development in countryside locations so in its notification that they support the application it is not known in what context this was made and whether they actually understood the planning policy position that they had to have due regard to in arriving at their recommendation and they have also not identified the reasons why an exception should be made to Local Plan policy.
- Councillor Marks requested clarification on nothing has changed with the members of the committee having changed and now there is a different factor where Doddington Parish Council have also changed their view. The Legal Officer stated that members have always been advised that the mere fact of support from a Parish Council is not in itself a reason to grant planning permission, members have to have planning reasons for making a planning

decision and that is not a planning reason. He added that the fact that members of this committee may be different to previous committees does not absolve the need for consistency in decision making.

- Councillor Gerstner expressed the view that members have to be guided by officer's comments on what the rules and regulations are as well although the committee has changed and views may have changed.
- Councillor Hicks asked for clarification that if members are being told that they have to vote a certain way is that not pre-determination on behalf of the planning officers. The Legal Officer advised that it is not as members of the committee have to take account of planning policies both local and national and if all those planning policies point in the same direction on one application and it gets refused and the next time a similar application is considered those policies have not changed then that would point in the direction of the same decision. He added that he is not saying that this is pre-determination, pre-determination is when you have made your mind up about an application before you have heard any debate on it or officer's advice on it. Councillor Hicks stated that he probably used the wrong word and meant being guided in a certain direction, led into a decision that members would probably not normally vote for. The Legal Officer stated that the committee is bound to follow planning policies unless there are good reasons to depart from them is what the law says.
- Councillor Mrs French stated that listening to the comments of Nick she was dumbfounded as he gave the impression that the Town and Parish Councillors either do not know what they are doing or are not following policy and she feels his statement was quite dangerous and upsetting for Town and Parish Councillors as they are there elected by residents to look and listen at what is going on and they have the right to change their mind. She stated that she does not remember committee approving log cabins and glamping so assumes it was under delegated powers but this committee is a new committee and interpretation of policies sometimes differs from what members think to what officer's think. Nick Harding responded that he was not dismissing the Parish Council representation on the application but what he was saying is that there is a support or object representation from an organisation but there is no understanding on how that was arrived at so potentially that representation was arrived at perfectly appropriately or alternatively it might have been arrived at by a complete misunderstanding of policy and the Council does not know. He made the point that as stated by the Legal Officer just because there is a representation to say support or object to an application there is no text either way that identifies how this was arrived at so it is difficult for officers in making a decision to know what amount of weight to put to this representation so therefore it is a case of what do policies say about this development proposal and are there any material planning considerations that dictate that it is appropriate so a different conclusion can be arrived at. Nick Harding stated that the Code of Conduct is quite clear that just because it is a different set of members sitting on the committee that does not automatically mean a different decision can be arrived at, the decision made previously by the organisation needs to be accepted and the focus has to be on whether or not the circumstances are different now to what they were when the original decision was made and as identified by the Case Officer in the report there has been no change in circumstances on this application so this should be steering members towards refusing it.
- Councillor Hicks expressed confusion as if officers are saying members cannot vote a certain way why is the application being debated. Nick Harding responded that the reason why the application is before members today is due to the Scheme of Delegation and committee may be able to identify a change in circumstances that officers have not been able to and officers will provide guidance and feedback on whether or not anything identified is a material planning consideration. He referred again to the Code of Conduct in that if there was a proposal to go against officer's recommendation committee needs to identify the reasons why consent should be granted and identify what has changed since the previous application so last time committee agreed it was an elsewhere location and by default it did not meet policy so what is it that now changes this if anything.
- Councillor Benney stated that there is a different committee and it is the committee that

makes the decision here, members get a recommendation from officers and it is not that members are going against officers it is just that things are being interpreted differently and it is down to the members of the committee to make that decision, which is how the system works. He made the point that members are told every time that every application is judged on its own merits and the previous application was for 3 and this is for 2 so, in his view, there are fundamental changes to the application and he cannot remember on the previous application if the Parish Council supported it or not but Doddington is very vocal on what they as a council wants and it usually says if it does not want something.

- Councillor Gerstner referred to consistency and the Planning Officer has been consistent throughout the last 2-3 applications and, therefore, he is finding it very difficult to change his view on what the officer is recommending even though he is very supportive of Doddington Parish Council and it now being a 2 house development, which he feels would fit in, but he is being guided by officers and their recommendation.
- David Rowen stated that it is important in the terms of consistency to look back to the previous refusal of planning permission, which was not on the basis of it being a 3 house scheme and was on the basis of the principle of development being unacceptable in this location and the view of officers is that there are no material change in circumstances. He added that Mr Humphrey has referred to the Field Ends Water Caravan Site and the development that has been allowed there but that is an accepted exception in the local and national policies to allow tourism development in rural locations and that development existed at the time of the previous refusal.

Proposed by Councillor Gerstner, seconded by Councillor Rackley that the application be refused as per officer's recommendation, which did not receive support from the majority of members.

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

Members do not support officer's recommendation of refusal of planning permission as they feel that the location is part of Doddington, does not lie in the open countryside and would not be detrimental to or harm the character of the area.

**P31/23 F/YR22/1388/O
151-153 LEVERINGTON ROAD, WISBECH
ERECT UP TO 8 X DWELLINGS (4 X 2-STOREY AND 4 X SINGLE-STOREY)
INVOLVING THE DEMOLITION OF 2 DWELLINGS (OUTLINE APPLICATION WITH
ALL MATTERS RESERVED)**

Danielle Brooke presented the report to members and drew their attention to the update that had been circulated. She made members aware that a further objection has been received from a local resident, with reasons for objection being over-development, out of keeping with the area along with concerns over traffic and highway safety particularly in respect of intensification of the use of the single access onto Leverington Road and whilst the resident considers that the proposed frontage development appears appropriate in the street scene, the possibility of including a further number of properties to the rear would be excessive. A query was also raised in respect of landscaping and the possible replacement of a TPO tree that was recently removed.

Members received a presentation, in accordance with the public participation procedure, from Andrew Woodhead, an objector. Mr Woodhead stated that he lives at 153B Leverington Road, next door to the proposed development and, in his view, this is over-development of the site, with up to 8 houses with one or more vehicles per household would be akin to living next door to a car park in comparison to the quiet environment that he currently enjoys. He feels almost constant vehicle movements, potentially daily deliveries to the properties and more noise pollution from regular slamming of vehicle doors is above levels of acceptable noise for the quiet enjoyment of

his home.

Mr Woodhead expressed the view that the amount of noise, dirt and dust throughout the demolition and construction process of up to 8 houses is detrimental to his general health and well-being, with the long working hours of the overall process resulting in almost permanent noise and disruption to his daily life for the duration of the works. He expressed the opinion that the loss of privacy due to the removal of the existing boundary tree line and foliage between the two properties provides him with a great degree of privacy and also a sound barrier and if the existing tree line and foliage is removed questioned what will it be replaced with if anything.

Mr Woodhead stated that the two-storey properties at the front of the development closest to Leverington Road would also be able to have a direct line of sight to his property should the tree line be removed and not replaced. He feels that site traffic would increase congestion on an already extremely busy Leverington Road, which in turn he believes would create a potential road safety issue for both motorists and pedestrians.

Mr Woodhead expressed the view that the proposed development places an increased demand however small on already overstretched local infrastructure and services. He stated that he would not object to the proposed 4 semi-detached properties at the top end of the development closest to Leverington Road itself but reiterated that a garden grab, which he views this as, of up to 8 properties would potentially be anti-social and totally unacceptable to him.

Members received a presentation, in accordance with the public participation procedure, from Russell Swann, the agent. Mr Swann stated that the application has the support of most of the statutory consultees including Highways and the Tree Officer and it is disappointing that he has not secured the support of the Town Council but as their response indicates the proposal is for 9 dwellings he is not sure if they have actually seen the current proposal. He advised that revisions have been made to the scheme during the application, removing 5 houses to the rear of the site and replacing them with 4 bungalows replicating the adjacent bungalow at 153B, with this bungalow being located in a tandem location.

Mr Swann expressed the view that the form and character is consistent with this part of the area, the existing and the proposed bungalows at the rear reduces the impact and overlooking from both perspectives providing much needed bungalows in the town. He stated that the dwellings at the front are semi-detached houses, which is consistent with the built form on Leverington Road.

Mr Swann made the point that Wisbech is a market town under Policy LP3 where the majority of the District's new housing should take place and this development will provide both semi-detached houses and bungalows offering a mix of new dwellings and if you cannot put a development like this in a market town where can you. He stated that it is an outline application with all matters reserved, the indicative layout shows a single point of access which will reduce the number of accesses onto Leverington Road as the site currently has two and Highways are in support of the application, with the layout showing that full turning is achieved for all properties so all vehicles will be entering and exiting the site in forward gear and each dwelling has two parking spaces.

Mr Swann stated that the site at present has two dwellings on it and garden to the rear so this is a development which is on previously developed residential land and the proposals will look to use all of the existing mains services, with surface water being contained on site and soakaways designed to BRE365 standard and all approved by Building Regulations. He reiterated parcels of land like this are massively valuable to the housing stock in Fenland, plots like these will be developed by self-builders, developers, local people that are being priced out of larger sections of the market, with small builders and self-builders employing local tradesmen, buying from local merchants which support other businesses locally.

Mr Swann stated that the site is within the market town of Wisbech, it is an area that has tandem development surrounding the site, it is a brownfield residential site already, it is not over-development of the site as all dwellings will have parking and rear amenity space that is consistent with the Local Plan, it reduces the number of accesses to Leverington Road which will in turn improve highway safety and asked committee to approve the application with any conditions deemed appropriate.

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

- Councillor Mrs French stated that she does believe the Town Council have got this right and the proposal is over-development of the site.
- Councillor Imafidon echoed the comments of Councillor Mrs French, he believes that 8 properties is too many and constitutes over-development.

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

(Councillor Rackley registered that he was a member of Wisbech Town Council's Planning Committee when this application was considered and took no part in the discussion and voting thereon)

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

P32/23

F/YR22/0724/F

LAND SOUTH WEST OF SAPPHIRE CLOSE ACCESSED FROM BROAD DROVE EAST, TYDD ST GILES
CONSTRUCTION OF BUILDING CONTAINING THREE UNITS FOR USE AS A HOT FOOD TAKEAWAY (UNIT 1), RETAIL SHOP WITH POST OFFICE (UNIT 2) AND RETAIL CONVENIENCE STORE (UNIT 3) WITH A ONE BEDROOM FLAT ABOVE UNITS 1 AND 2, WITH VEHICULAR ACCESS, CAR PARK TO THE FRONT AND DELIVERY AND TURNING AREA TO THE REAR WITH 1.8 METRE CLOSE BOARDED BOUNDARY SCREENING

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

Members received a written presentation, read out by Member Services, from Christina Ross, an objector. Ms Ross stated that Broad Drove East is a narrow country road with no pavements, street lighting or main drains, with the properties being mainly farm, equestrian and small holdings. She feels the size, type and layout of this development is completely out of character with the area, with the highway being very narrow and cars can only pass with care and lorries not at all.

Ms Ross expressed the opinion that the client is not buying the access road, which appears to belong to the landowner so the development shown will not own the access to the highway and questioned whether this road will be of suitable standard for safe access by the public and large lorries and what would happen if consent is withdrawn. She expressed the view that the plans are short on details and measurements, with there being none shown for the car park or turning area and there are not enough parking places shown for 3 shops, their staff and the flat above, with no areas shown for mobility scooters, shopping trolleys, etc and there are no areas shown for the safe storage of food, oils and other flammables.

Ms Ross stated that there are dykes to two sides of the site and these must be considered a real health hazard to nearby properties from vermin attracted by the smells from the takeaway and inevitable litter that arises. She expressed the view that the site will have to be lit from dusk to dawn to accommodate the ATM and this, along with car starting up, doors slamming and lorries

reversing, will create a great deal of noise and pollution from early morning until late at night disturbing people and wildlife in a quiet and peaceful area.

Ms Ross expressed the opinion that the site will be sure to attract anti-social behaviour, with the community centre having to spend thousands of pounds to gate, fence and install CCTV to prevent anti-social behaviour that blighted and spread through the village and this is a real concern for all residents, with the takeaway attracting late night traffic. She feels there is very little landscaping and the trees planted to screen Sapphire Close will be hidden and fenced off, with it being unclear who will be responsible for maintaining the dyke.

Ms Ross expressed the view that the whole development has been poorly thought out, is in the wrong place and it is doubtful that such a small village could support one shop never mind three. She made the point that she is not against development but feels strongly that this is in the wrong place.

Members received a presentation, in accordance with the public participation procedure, from Simon Lemmon, the agent. Mr Lemmon referred to the reasons for refusal and whilst the opinion of the Planning Officer is acknowledged they would comment as follows, their proposal, in his opinion, is not classed as limited in nature or scale although a development of two-storey dwellings adjacent to this was and looking at the overall plan of the area the adjacent development is far larger than this proposal both in footprint and overall height, a point demonstrated on the proposed street scene location drawing. He stated that there is a golf club to consider located within the village with numerous lodges but this is clearly not infill and cannot be classed as being limited in nature and scale, however, approval has been granted.

Mr Lemmon referred to the second reason for refusal in that development of a substantial building as proposed would result in an alien form of development in a countryside location, which would be fundamentally at odds with the visual characteristics and role of the countryside but stated that they are actually proposing a brick clad structure with a pitch roof over clad in matching tiles to match surrounding structures and when you compare this to the community centre on the opposite side of the road which is a large light blue metal clad building and does not match any surrounding structures so he fails to see how this reason applies. He expressed the view that their proposal is located adjacent to an existing development, appears smaller in scale when viewed from the road, with the community centre standing alone on the other side of the road and yet this is not at odds with the visual character of the countryside even though events are held in this building and it will clearly bring people and cars to the village along this so called narrow lane.

Mr Lemmon expressed the opinion that the proposal for 3 shops is to serve the village and its people and will improve the village as mentioned in the numerous letters of support which this application has received. He feels the proposal, although it is outside the built environment, is proportionate to the local need and has received over 50 letters of support highlighting the benefits it will bring to the village, together with the fact that he has been informed the village is to lose its regular bus service, which then raises the question how will residents who are reliant on public transport get access to local shops.

Mr Lemmon expressed the view that this proposal will create employment, will reduce the need to travel to other villages to access shops and will, therefore, reduce traffic and unnecessary damage to the environment as well as providing a Post Office and an ATM in a village setting. He made the point that the proposal has received the support of the Parish Council, over 50 letters of support from local residents, it has also had a recent poll carried out with over 90% of responders supporting the scheme, statutory consultees have no objections and overall this proposal will provide the village with a local convenience shop, a Post Office, a takeaway and an ATM as well as employment for local people and a valuable local amenity. He asked committee to consider the benefits to the village and approve the application.

Members asked questions of Mr Lemmon as follows:

- Councillor Gerstner asked if the applicants have or have applied for the licences for a Post Office? Mr Lemmon responded that as far as he is aware the applicant is going through the process but there is not one in place currently.
- Councillor Imafidon referred to the concerns raised by Cambridgeshire Constabulary and asked what plans are in place for the security of the ATM in this rural setting? Mr Lemmon responded that originally the ATM was on the front of the building and it is now proposed to be on the side with bollards, which has seemed to satisfy concerns. Councillor Imafidon asked if the ATM was going to be a free one or a chargeable one? Mr Lemmon stated that he was unable to comment on this as it depends what company is chosen.
- Councillor Gerstner asked if the building opposite is the community centre? Mr Lemmon advised that it is a house opposite and the community centre is further down the road. Councillor Gerstner asked for clarification that there is no pathway between the settlement and the proposed site? Mr Lemmon advised that there is a new pathway that has been installed to the residential development and there is a proposal to join up to this pathway.

Members asked questions of the officers as follows:

- Councillor Hicks referred to the written presentation which said the road was very narrow and asked how wide is the road? David Rowen responded that he did not have an exact measurement but the photos on the screen illustrate that two cars can pass one another. Councillor Hicks stated that it reminds him of another application at Hospital Road in Doddington where development was approved here on a narrow road and he was wondering how it compared with this road.

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

- Councillor Marks stated that he has visited the site, you can get two vehicles side by side, with there being a very faint white line in the middle of the road, but as you go past the site heading out of the village it does get a lot narrower and the road is awful but to the site and in the area of the site the road is fine, with there being 30mph signs just about half way along the site as well.
- Councillor Benney stated that he wishes anybody that is going to undertake this proposal the best of luck but committee is not looking at commercial viability and if somebody is prepared to put their money into this proposal they are going to make it work. He made the point that it is land usage that is a planning consideration and, in his view, if this argument is turned around so if there were 3 shops in the village and they were all going to shut there would be an outcry but with this proposal there is somebody who is prepared to put some money into the village and members are told time and again when shops close that the life blood of the village is going to be lost and the village is going to die but here is an opportunity to put Tydd on the map and why should Tydd St Giles be exempt from having a takeaway, with it either working or not. Councillor Benney feels this proposal is an opportunity for Tydd and as much as there are people who do not want it, people will either use it or not, it will either be viable or not and it will provide a community benefit. He made the point that whilst it will have footpath, anyone who lives in Tydd has a car anyway and he does not see connectivity being an issue as there will be a car park associated with it. Councillor Benney referred to the associated residential development and expressed the view that these shops will not stand on their own, they need residential above as it brings rent in and makes the shop more viable, which adds to the longevity of the benefit of having shops here. He feels the proposal brings 3 shops to a small community and as much as some people will say they do not want it once it is there it will be used by people and this does add community benefit, making it a more attractive place to live as it has more services and allowing the village to thrive and grow.
- Councillor Mrs French stated that looking at the third reason for refusal in that it does not meet LP6 but employment, tourism, community facilities, retail, etc that is exactly why the committee is here and if someone has the finances to do this good luck to them and if it is approved she would definitely want a footpath covering the site.

- Councillor Gerstner agreed and that any village in Fenland would jump at the opportunity of having a village shop, the area has lost so many village shops in the northern part of the District and Coates village shop is hanging on by a thread, so if somebody is prepared to take on the financial risk that is down to them. He feels it is quite close to the community centre, it is next door to Sapphire Close so it is not removed from the village and the applicant has said he will build a pathway which he feels is extremely important for people to get to and from that site safely, he thinks the takeaway and car parking all fits in and it is a very good opportunity for the village.
- Councillor Hicks expressed the view that this could be a positive for the environment as how far is the nearest Post Office from this location and people probably have to travel miles using petrol and expelling carbon dioxide and this will provide more convenience for the people living locally so he will be supporting this application.
- Councillor Imafidon stated that he will be supporting the proposal as well as like Councillor Hicks said it is going to reduce people's carbon footprints and it is likely to increase their property values as well with local shops and the only thing he would be concerned about was the absence of a footpath to the site.

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

Members do not support refusal of planning permission as they do not feel the site is outside the built settlement of Tydd St Giles, with an edge of village location being ideal for a takeaway and it will not have a detrimental affect on other businesses around the area so a retail impact assessment is not required, with the community benefits outweighing any negative impact.

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

P33/23

F/YR22/0786/O

43 THE FOLD, COATES

ERECT UP TO 9 X DWELLINGS INVOLVING THE DEMOLITION OF EXISTING DWELLING AND AGRICULTURAL BUILDINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RELATION TO ACCESS)

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent. Mr Hall stated that there are no technical objections to this application and they consider that this site is compliant with Policy LP3 where development within the urban area or a small extension would be acceptable in Coates. He referred to 11.1 of the officer's report which confirms that the principle of development at this site is acceptable but parts of the site the officer considers to extend into the open countryside and looking at the location plan on the presentation screen the backline of development has been followed up to Feldale Lane, with Feldale Lane being a stop point, and, in his view, this rounds off the development as there could be no further development to the north-east.

Mr Hall stated that the site plan he has submitted is indicative but, in his opinion, nearly half of the site is covered by soft landscaping, the dwelling shown are indicative but they are 4-bedroomed properties with garages that comply with the Local Plan and the site is 0.63 hectares for 9 dwellings, which he does not consider to be over-development. He made the point that the whole site is located in Flood Zone 1 and they have not only submitted a drainage strategy but also carried out on-site percolation testing that was agreed with the Lead Local Flood Authority and carried out further trial holes on site that confirms that sand and gravels are present to over 2 metres which is also confirmed on the geological survey sheet, all being agreed and approved by

the Lead Local Flood Authority. He stated that the applicants are aware that if approval is given on this outline application that there will be a condition in relation to detailed drainage design, with the applicants confirming this site has been in the Dale family ownership for over 60 years and no flooding has occurred, with one of the applicants being on the Drainage Board.

Mr Hall referred to a photo shown on the presentation screen which is taken from the back garden of Plot 1 and the rear of Plot 1 would merely overlook Blackthorn Court road and the second photo was taken when standing in the north-east part of the site where there are number of rear gardens and the other large executive houses on Feldale Lane are 40 metres away. He referred to the mention of the access, 8 of the properties would access The Fold which has been approved by Highways and the reason why one of the properties is accessed off Feldale Lane is because one of the applicants is a farmer, his land and shed is all to the north-west of the site abutting this site so this would allow easy access to shed and land.

Mr Hall reiterated that the site is in Flood Zone 1, is not over-development, there are no objections from the Lead Local Flood Authority or Highways and he considers it rounds off development in this area.

Members asked questions of Mr Hall as follows:

- Councillor Benney asked if the amenity space can be achieved on all of the properties? Mr Hall responded that in Whittlesey Town Council's first comments they said it needs to be a third garden area which is in Fenland's Local Plan, with 9 properties on this site this can be achieved.

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

- Councillor Benney referred to the comments of the Town Council saying it is over-development but as far as he is concerned if the minimum standard can be achieved of amenity space that is not over-development and he is aware of other places that have had a lot less garden space in the District. He feels it squares off the north-west side of Coates so he is not sure how it can be in the open countryside as indicated in the report and there are 3 letters of objection which is small number and no planning reasons within these objections that cannot be answered and he feels it is a good development.
- David Rowen stated that as indicated in the report the broad principle of development is not in question, it is whether the amount of dwellings and the development of the entirety of the site being applied for is acceptable or not. He referred to whether it is squaring off the settlement with the policies of the Local Plan being quite clear that where a site relates more to the open countryside that is not viewed favourably and the photos show the site fronting onto Feldale Lane relates more to the open countryside than the built form of the settlement so if there was an application site that related purely to the existing built footprint where the existing yard and agricultural buildings are then there would not be a concern. David Rowen stated in relation to amenity space, the dwellings shown on the plan do have adequate amenity space, however, what also needs to be considered and is one of the reasons for refusal is the visual impact of the site with Plot 1 seemingly projecting out into the street scene on The Fold and Plot 7's relationship with Peakes Drive. He advised that it has not been demonstrated in officer's view that this number of dwellings can be accommodated satisfactorily on the site and in compliance with the relevant policies of the Local Plan.

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

Members do not support refusal of planning permission as they feel that as long as each property has the required amenity space it is not deemed to be over-development, it would not result in encroachment into the open countryside as it will nicely square the village off and it is a brownfield site where there is a presumption in favour of development.

(Councillor Gerstner registered that he was a member of Whittlesey Town Council's Planning Committee when this application was considered and, therefore, took no part in the discussion or voting thereon)

(Councillor Benney declared that he knows the agent for this application and he has undertaken work for him and also worked with him on the Growing Fenland project at Chatteris, but he is not pre-determined and will approach the application with an open mind)

P34/23 **F/YR23/0118/F**
91 HIGH STREET, MARCH
ERECT A 3-STOREY BUILDING COMPRISING OF 2 X COMMERCIAL UNITS
(CLASS E) AND 7 X DWELLINGS (4 X 1-BED FLATS AND 3 X 2-BED FLATS)
WITH ASSOCIATED WASTE AND CYCLE STORAGE INVOLVING DEMOLITION
OF EXISTING 2-STOREY BUILDING

This item had been withdrawn.

P35/23 **F/YR23/0161/O**
105 NENE PARADE, MARCH
ERECT 3 X DWELLINGS INVOLVING THE DEMOLITION OF EXISTING
DWELLING (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT
OF ACCESS AND LAYOUT)

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Lee Bevens, the agent. Mr Bevens hoped members would have seen the PDF presentation that he had e-mailed to them and was being shown on the presentation screen. He stated that the application was submitted in January having spent over 4 months evaluating the site and working with consultants to overcome the numerous constraints with the trees, existing house and the access.

Mr Bevens advised that they have tried throughout the process to actively engage with officers, the first of which left a few months ago without any feedback. He stated that the PowerPoint presentation focuses on the access, which is one of the grounds for refusal, he has tried to engage with the Highway Engineer and Planning Officer on this, with their currently being 9 dwellings served by this driveway from Creek Road, which is not deemed a classified road, and the proposal would see a further 2 dwellings served given that Nene House would be demolished, which is an 18% increase in dwellings and not 33% as suggested on Page 10 of the officer's report.

Mr Bevens made the point that there is an existing passing place down the driveway and they are proposing a turning head at the end of driveway to not only improve the situation for the proposed 3 dwellings but to make it easier for all existing dwellings with refuse collection, deliveries, emergency vehicles and visitors. He referred to planning approval granted by the Council in November 1999 which granted permission for a new dwelling to the south of 161 Creek Road and condition 7 stated that the access road must be maintained at 4.5 metres wide, this is not the case and subsequent approvals down this driveway have not made any mention of access width.

Mr Bevens expressed the view that there are numerous examples of developments in March where there are more than 5 dwellings served from a reduced access width and this scheme would see a very limited intensification of the access whilst offering mitigation with the turning head. He expressed the opinion that he has worked hard with the tree consultant to ensure all dwellings respect the root protection areas of the protected trees and have good levels of private amenity and he has tried on numerous occasions to engage with the officer but to no avail and he has only seen the issues raised when the officer's report was published.

Mr Bevens expressed the view that Plot 1 does have suitable private amenity space and its garden is larger than the two adjacent dwellings recently built, having a rear garden area of 312 square metres, Plot 2 does have a good level of outlook with the nearest bedroom, bedroom 3, being a minimum of 4 metres away from the current tree canopy and the other two bedrooms facing the rear having an average 8 metres and as part of tree works the Lime tree canopies on that boundary will be raised by 4 metres from the existing ground level as 50% of the garden is outside the tree canopy it has a rear garden area of 406 square metres and Plot 3 has the fourth bedroom approximately 4 metres away from the TPO tree, the other bedroom has a clear view past the tree and has a rear garden area of 370 square metres, with a typical 4-bedroomed house having 120 square metres. He referred members to other schemes where trees are close to proposed housing, with there being one in Chatteris at Juniper Drive/Elder Place built by Cannon Kirk where two large 4/5-bedroomed houses are less than 2 metres from a TPO Oak tree and were approved by the Council.

Mr Bevens stated that materials for the driveway and surfacing would form part of a reserved matters application and can mitigate any noise concerns from cars, which is typical of numerous approved schemes in Fenland. He referred to Item 7 earlier today where members gave great weight to the Town/Parish Council support, which this scheme has and stated that the scheme has been carefully considered against the constraints and is an outline application with only the access and layout committed, the application, in his view, supports Policies LP1, LP15 and LP16 of the Local Plan and accords with the latest NPPF with the presumption in favour of sustainable development on brownfield land and he asked members to go against officer's recommendation and approve the scheme.

Members asked questions of Mr Bevens as follows:

- Councillor Mrs French queried the address being 105 Nene Parade as she feels it is the rear of 161 Creek Road and asked, as she know that the roads and banks collapsed at 99 and 109 Nene Parade, why it is 105? Mr Bevens responded that when the scheme was validated that was the address given to it.

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

- Councillor Mrs French stated that she does know this site and it has had very large houses built surrounding it but until the presentation was sent she had forgotten about all these applications that had been approved, with many of them approved under delegated powers. She expressed the view that the distance from Creek Road to where the proposed site is not as long as some of the other sites already seen and with a passing place she feels once the old house is demolished there will be enough room.

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

Members did not support officer's recommendation of refusal of planning permission as they feel highway safety would not be prejudiced as the access is sustainable and consists of a passing place, and adequate private amenity space can be provided taking into account both forward and rearward outlook.

(Councillor Mrs French declared, under Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of March Town Council but takes no part in planning)

(Councillors Benney, Mrs French, Hicks and Marks declared, under Paragraph 2 of the Code of Conduct on Planning Matters, that they had been lobbied on this application)

P36/23

F/YR23/0282/F

LANGLEY LODGE REST HOME, 26 QUEENS ROAD, WISBECH

ERECTION OF A SINGLE-STOREY SIDE/REAR EXTENSION AND FORMATION OF CAR PARKING TO FRONT OF EXISTING CARE HOME INVOLVING DEMOLITION OF EXISTING 2-STOREY BUILDING AND REMOVAL OF SWIMMING POOL

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

Members received a presentation, in accordance with the Public Participation Procedure, from Councillors Hoy and Tierney, District Councillors. Councillor Hoy asked members to refuse this application as it is, in her view, contrary to LP16 which states that extensions will only be allowed where it does not adversely impact neighbouring residents and she believes this proposal does. She referred to 10.16 of the officer's report where it states the rear elevation of 24 and front elevation of Langley Lodge overlap and queried how this cannot be an impact.

Councillor Hoy stated that the plan now includes external steps which are close to the boundary and she feels this will create additional noise by people going up and down them and it is not known what time as it is a care home it could be late into the night so how could this not be an impact, with the steps being an addition to the previous proposal. She referred to 10.26 of the officer's report where it is admitted that the extension will overshadow No.24's garden and queried how is this not an impact and she believes this clearly shows there is an impact and the proposal should be refused under LP16.

Councillor Hoy added that 22 parking spaces are required as per the Local Plan but as the development only provides 11 due to being near the Town Centre this reduction is acceptable, however, in Appendix A of the Local Plan says a reduction can be agreed by negotiation, who had this negotiation presuming it to be Planning Officers and the developer but she does not believe as a local member that this negotiation is acceptable. She acknowledges that Somers Road Car Park is nearby but this is already full.

Councillor Tierney expressed the view that there are significant differences to this proposal to the one in 2018, he did oppose the previous application and was disgusted when committee approved it as attention is always given to proposals where lots of people are involved or protest and one person's right to enjoy their property is just as important as a lot of people's right to enjoy their property. He advised when he came last time, he came with the lady and her husband, since then with the shadow of this hanging over them he has passed away and she has become unwell and is not able to be here today and it is her home and she loves it, phoning him frightened about this effect on her property.

Councillor Tierney expressed the opinion that it clearly overshadows her property and officers admit that in the report but are saying it does not matter as it only overshadows a bit of the garden, but she has the right to enjoy all her garden and he feels that none of this is fair and it is not right because this could have been built in such a way that there was no overshadowing, no overlapping and enough parking spaces but they have not done this because they feel this committee will be a soft touch and it will just be pushed through as there is business value to it but there is also individual value against it. He urged committee to refuse the application.

Members asked questions of Councillors Hoy and Tierney as follows:

- Councillor Mrs French referred to 5.1 where Wisbech Town Council supports the application and made the point that they are both Town Councillors as well so why is it being supported by the Town Council? Councillor Hoy responded that she thinks it might be due to the reports that the Town Council gets, which are from the website opposed to the committee's report published a week before the meeting and if they had had the same report as

committee they may have made a different decision. She stated that when the residents contacted her and on first look at the plans she herself did not see what the issue was but on reading the report that has been put together by professional Planning Officers and seeing how close it was, she saw the point about the overlapping and external steps and thought actually the residents do have a point. Councillor Tierney added that he missed this application going to the Town Council's Planning as he would have gone to speak on it there and he knows the lady who is closest to the proposal and the other residents were not aware or would have gone too. He believes that if the Town Council had understood the full depth of the proposal and heard the opinions of local people they would have been against.

- Councillor Marks referred to the concerns about parking, with 11 spaces being provided and is it known how many staff work here? Councillor Hoy responded that she does not but officers have clearly made the point that it should have 22 parking spaces as per the Local Plan for the type of dwelling it is and have mitigated this by saying it is close to the Town Centre, but people often park in the road in Queens Road and whilst it is a wide road 11 additional cars on that road will not be easily taken and Somers Road Car Park is often at capacity.
- Councillor Gerstner stated that his concern is the car parking as it has the potential for a lot of people going in and out and looking at the plans he feels it is over development for what its needs are.

Members received a presentation, in accordance with the Public Participation Procedure, from Bridget Harris, an objector. Ms Harris stated that she lives on Queens Road and lives to the left hand side of and shares a long boundary with Langley Lodge. She did send in a letter objecting to the proposal, this is a residential area, with a number of older properties, and she has a long plot ending with her vegetable garden, with there being a boundary wall between herself and Langley Lodge, and she can see greenery, grass and trees, with the extension that is there being very enclosing and she would not wish the equivalent of this on the occupant of the property on the other side of Langley Lodge, who is an elderly lady and came to see her so upset about the proposal and dreading it.

Ms Harris expressed the view that there does not appear to be in any of the paperwork a piling risk assessment, she has enquired with the case officer but she did not get a reply, she has also been onto Building Control and has also heard nothing so it has been difficult to find out information and it could be said that there is not going to be any piling but they do not know either way. She referred to a new build detached house being approved in 2014 at the bottom of Langley Lodge's garden just over the boundary wall and that was piled and those piles went down 20/30 feet, it was horrendous day after day with the noise and vibrations and asked for it not to be inflicted on residents again.

Ms Harris referred to the swimming pool being removed and to her knowledge that outdoor swimming pool has been filled in with soil and queried if this was going to be particularly stable ground here she does not think so. She stated that the area is close to the river and is on a bed of silt, with Queens Road houses already having a number of defects and showing signs of stress, one of which is on the existing extension of Langley Lodge.

Members asked questions of officers as follows:

- Councillor Mrs French asked for information on the overshadowing and whether it is thought to be acceptable? David Rowen responded that the officer judgement is that there may be a degree of overshadowing but it would not be significantly detrimental to the amenity of the adjacent property. Councillor Mrs French stated that she would disagree and under Human Rights this resident's enjoyment of her home is being taken away, which is a fundamental right.
- Councillor Mrs French asked how many residents will be accommodated in the care home? David Rowen responded that it is important to remember that this is an established care home, which already has an under provision of car parking but the extension proposed

indicates that there will be a further 8 single bedrooms.

- Councillor Hicks asked how the calculations are worked out to say that 22 car parking spaces are required? David Rowen responded that the calculation is set out in the Appendix to the Local Plan which gives the number of car parking spaces for certain uses relative to the number of bedrooms and it is important to remember as set out in the report that there is an existing under delivery of car parking relative to the operation of the care home and it is not considered that the additional car parking spaces that would come about because of this application would be so problematic given the Town Centre location and proximity to Somers Road Car Park so no reason for refusal can be justified on that basis, which was also the conclusion in 2018 when nearly the same application was granted. Councillor Hicks asked if the benchmark is taken for a dwelling or is there a specific provision to be made for residential care homes? David Rowen advised that the calculation is based on a care home.

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

- Councillor Gerstner stated that his main concern is the over development of the site regarding parking, there is a shortfall of parking of at least 11 spaces unless the lawn was removed and care homes have a lot of comings and goings, having to accommodate ambulances and doctors where good access is required at all times. His concern is in relation to the 39 metre extension, the overshadowing and lack of car parking.
- Councillor Marks stated that he has concerns, not just about parking although it is being increased to 11 there will be 8 additional bedrooms and there will be staff and people visiting wanting to park and may be parking on the road, but as it is a care home there are going to be ambulances, doctors and very large delivery vehicles so they are either going to have to stop on the road or alternatively they are going to come off the road causing congestion. He stated that he will not be supporting this proposal.
- Nick Harding reminded members about the planning history with there being a previously approved not wholly dissimilar scheme and there were no concerns expressed then in relation to inadequate provision of car parking and equally no expressions of concern in respect of overshadowing of the neighbour's garden to the north. He stated that if committee were to refuse this application he would have significant concern about the award of costs against the Council irrespective of whether the case was won or not.
- Councillor Gerstner stated that he has seen that a scheme had been given approval before and questioned why it has not been built within the three-year period? David Rowen responded that he is not aware of why it has not been built out but it may have been due to their commercial interest and the Covid pandemic playing a part but whether it was built out or not is not the issue it is that there has been a planning permission granted relatively recently. Councillor Gerstner stated that he acknowledges this is a new application but this is a new Planning Committee and may be the previous Planning Committee did not flag up the issues being flagged up today. David Rowen made the point that there is an expectation that a Planning Committee as a decision-making entity notwithstanding its make-up will display a degree of consistency in decision-making and as Mr Harding indicated unless members can articulate a significant change in circumstances in any reasons for refusal since 2018 there is a distinct possibility if the case goes to appeal that the Council would be liable for an award of costs against it for unreasonable behaviour. Nick Harding added that there are no objections from the Highway Authority and if committee is going to say there is a risk to highway safety as a consequence of having inadequate on-site parking then Highways support would be needed in an appeal situation.
- Councillor Mrs French stated that she does not like this application at all but does not think there are any material considerations to refuse it on. She made the point that Highways have not objected and she feels sorry for the lady next door as her human rights are being taken away if this is approved.
- Councillor Gerstner stated that looking at the access as it is now it looks a very good access and asked if a condition could be placed on the proposal that more car parking is provided by perhaps removing a little bit of the lawn at the front, which will mitigate some of the parking concerns. David Rowen referred to 10.32 of the officer's report which sets out the

position on car parking so it is going from a situation where there is already significant under provision of spaces to a level which addresses the additional requirement arising from this extension so the recommendation is to grant so there is no issue raised in respect of the car parking. He made the point that there is an application in front of members which indicates additional car parking that still keeps the access arrangement and he does not think from a visual point of view that the entire frontage should be taken up with hard standing.

- Councillor Marks referred to the extra ramps that have been added and asked if the height is known for these as these are going to be overlooking properties so there must be a privacy issue, one of them is for a matron's door so that is going to be used 24 hours a day and they are quite high up so they are going to be overlooking into someone's garden. David Rowen referred to the slide on the presentation screen which shows on the left image where the steps are and they are up to the floor level of the building so it is not anticipated that there should be any further overlooking as a result, with the platform of the steps being the same level as the windows. He stated that on the previously approved plans there was a footpath down the side of the building which could have engendered a certain degree of activity anyway so it is not considered that the likely activity to serve one door is going to be such that it would justify a reason for refusal.

Proposed by Councillor Gerstner, seconded by Councillor Imafidon to grant the application as per the officer's recommendation, which was not supported on a majority vote.

Proposed by Councillor Marks, seconded by Councillor Mrs French and agreed that the application be REFUSED against officer's recommendation.

Members do not support officer's recommendation of grant of planning permission as they feel that the proposal would result in a shortfall in car parking provision for Langley Lodge and will result in on-street car parking to the detriment of road safety, contrary to the aims and objectives of Local Plan Policy LP15 (Part C) and by virtue of the siting of the set of access steps to the north elevation of the development, an unacceptable level of noise and disturbance would be created as well as overlooking and loss of privacy for the residents of the neighbouring property, number 24 Queens Road, to the detriment of the amenity of the occupiers of this property and contrary to Policy LP16(e) of the Local Plan.

(Councillor Rackley registered that he was a member of Wisbech Town Council's Planning Committee when this application was considered and, therefore, took no part in the discussion and voting thereon)

P37/23

F/YR23/0451/VOC

27 LINDEN DRIVE, CHATTERIS

VARIATION OF CONDITION 6 (LIST OF APPROVED DRAWINGS) RELATING TO PLANNING PERMISSION F/YR21/0060/F (ERECT A SINGLE-STOREY 3-BED DWELLING WITH DETACHED GARAGE) RELATING TO THE ON-SITE PARKING/TURNING AREA

David Rowen presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from Stewart Newman, an objector. Mr Newman advised that he lives at 25 Linden Drive adjacent to this proposal and he spent his working life in the architectural and design profession, with one-third of that time spent on housing so he has a vast experience and knowledge in this field. He expressed the view that he spent a long time sitting down with the original developer of 27 agreeing the bungalow's position and the open green spaces to the front and side, which gave him and his wife what they had before and having agreed these conditions he backed the development because the majority of the people living in Linden Drive wanted the bungalow rather than a road going through to serve the land at 16 London Road.

Mr Newman expressed the view that he is more than surprised that the planner has ignored all of his and other residents comments as for him and his wife it will be devastating and devalue his property, it is on record that the same planning department have refused other developments as they did not have enough green space and now the same department is deleting green areas from a development which already exists. He stated from his experience the planners have not worked to the Government's guidelines for planning relating to neighbours, Fenland Planning and Chatteris Planning Committee have a responsibility for due care to neighbours adjoining any new developments and in this case he feels they have failed.

Mr Newman stated it is clear to him and others that the planners have totally disregarded the impact it will have in Linden Drive and the neighbours surrounding No.27. He stated that when he moved to Linden Drive he had an open green area in front of him which was originally classified as a common space, if the proposal is allowed for car parking it will destroy his enjoyment and retirement of his bungalow and its location.

Mr Newman assumes that members have all looked in detail at the information sent to the planners so they will see how cars will come and park right up to his front door and bay window thus losing his privacy and it could be that when he opens his front door the back of a large 4x4 is just in front of him and he does not think anyone would want that. He stated that a big question that most people in Linden Drive are asking is why does this property want more parking as it has more parking than most people in Chatteris, do they want it for business reasons or do they just not want cars standing in the front of their bungalow and want to bring them round the side in front of his property.

Mr Newman expressed the opinion that he has great concerns about Chatteris Town Planning Committee, he cannot find any minutes or discussion notes about this application yet their support was sent to the planners before any residents of Linden Drive received their notification letter so queried how they managed to get their support without first obtaining the neighbours reactions. He expressed the view that he is sure the committee would not want to face what he and his wife could face and stated that he is not an unreasonable person and in an effort to find a solution he would not object to the front section being extended up to the side of their bungalow which will give them additional parking and retain the open green area.

Members asked questions of Mr Newman as follows:

- Councillor Benney stated that he was on the Planning Committee when the original application was considered and this was one of the most supported applications that he had ever seen from a residential area, with the majority of Linden Drive in support of this application and asked if he was living there at the time and part of this support as he remembers that both the residents either side being in support? Mr Newman responded that when the original application was submitted for No.27 he worked very hard with the developer agreeing the position of the bungalow, making sure there were green spaces to the side and front, which was critical and if this had not been undertaken he would not have supported the application and in the letter he sent in at that time it said he had good consultation with the developer but if he had said it was going to be car parking there he would have objected. He expressed the view that it was critical to have these green spaces as the cars could drive straight up against the fence and he would be confronted with vehicles outside his front door, with this property already having a massive amount of parking space and he cannot believe they want more parking.

Members received a presentation, in accordance with the Public Participation Procedure, from Matthew Hall, the agent. Mr Hall stated that as the previous speaker said members will remember this bungalow when it was approved in 2021 by the Planning Committee, with the original applicant being an elderly lady at the top of the road and she sold the site to a developer, with the applicant purchasing the bungalow after completion. He advised that the applicant has confirmed to him that he is not running a business from this property, with this proposal it still leaves a third garden area

to this dwelling and the officer has not raised any concern in that regard.

Mr Hall stated that he has visited here twice since this has been built and there is quite a steep slope on the block paving from the main road and this proposal, at the applicant's cost, is to take up that paving which is not believed to be permeable and set permeable block paving, there already being about a third currently approved for block paving. He advised that the applicants want a low maintenance area and they are not keen gardeners but this proposal is similar to other properties down Linden Drive as alluded to by the officer, with Nos 4 and 20 having their entire frontage blocked paved.

Members asked questions of Mr Hall as follows:

- Councillor Benney asked if this additional block paving going to be used for car parking or is it just to reduce the gardening? Mr Hall responded that the applicant has confirmed to him in an e-mail that he wants a low maintenance garden, he has not said there will be additional parking there and the fence that faces the objector's property is 3 foot high currently and he is happy to extend that up to 6 foot. He stated that when you turn into Linden Drive the property is at a point at the end of a cul-de-sac and currently accessing the drive can be difficult.

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

(Councillor Benney declared, under Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Chatteris Town Council but takes no part in planning and also declared, under Paragraph 2 of the Code of Conduct on Planning Matters, that he had been lobbied on this application)

(Councillor Benney declared that he knows the agent for this application and he has undertaken work for him and also worked with him on the Growing Fenland project at Chatteris, but he is not pre-determined and will approach the application with an open mind)

5.40 pm

Chairman