

PLANNING COMMITTEE



**WEDNESDAY, 17 SEPTEMBER 2025 -
1.00 PM**

PRESENT: Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French, Councillor R Gerstner, Councillor S Imafidon and Councillor N Meekins, Councillor M Purser (Substitute)

APOLOGIES: Councillor D Connor (Chairman),

Officers in attendance: Matthew Leigh (Head of Planning), David Rowen (Development Manager), Stephen Turnbull (Legal Officer), Jo Goodrum (Member Services & Governance Officer), Danielle Brooke (Senior Development Officer), David Grant, Kimberley Crow (Development Officer) and Zoe Blake (Development Officer)

P41/25 PREVIOUS MINUTES

The minutes of the meetings of the 6 August and 20 August 2025 were confirmed and signed as an accurate record.

P42/25 F/YR25/0111/O LAND NORTH WEST OF COBBLE HOUSE, GULL ROAD, GUYHIRN ERECT UP TO 24 DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

Danielle Brooke presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from James Burton, the agent and Luke Bokestyn, the applicant. Mr Bokestyn explained that his company specialises in delivering affordable homes with a positive track record of delivering homes in Fenland. He added that his company is currently building 148 homes, and read out a statement from Azar Ahmed, Assistant Development Director at Accent Housing, who is the preferred partner for the site, which stated 'At Accent, we care, and we manage over 20,000 homes housing over 35,000 people. We aim to deliver a large programme of newbuild homes to provide quality homes in sustainable communities and Accent is aware that there is a high need for affordable homes of all types in Fenland. With support from Fenland Housing, there is a clear housing need, and this rural exception site will give priority to those with a local connection. Accent is a registered provider and strongly support the delivery of this 100% affordable housing scheme and provide sustainable homes which are genuinely affordable to the local people'.

Mr Burton stated that the rural exception scheme is for up to 24 100% affordable dwellings ensuring homes for local people in perpetuity, with the Council's Assistant Director and Housing Enabling Officer both supporting the scheme and recognising that the scheme meets identified need to provide ring fenced affordable homes for the parish and they consider that the scheme meets the requirements of the rural exception site under the National Planning Policy Framework. He added that he has consulted with the Parish Council throughout the application process and amended that scheme and as a result the Parish Council have given their support.

Mr Burton added that he has worked closely with the Council's Housing Team, and they have informed the housing mix so that it includes one-bedroom units and have confirmed the need for

176 dwellings in the area with 31 having a direct link with Guyhirn. He stated that a formal housing survey has not been conducted but the housing register data provides the most reliable baseline for assessing demand and it demonstrates a significant local need, making the point that if a survey was carried out then the Housing Officer has stated that in their opinion the figures would rise.

Mr Burton expressed the view that LP3 of the Local Plan typically restricts development in Guyhirn below the affordable threshold which effectively prevents any affordable homes being delivered but made the point normally LP3 development will be considered on its merits but be limited in nature and to residential infilling. He added that the glossary within the Local Plan defines residential infilling as development of a site between existing buildings and this application site is located between number 6 and Cobble House on Gull Road, making the point that there have been 86 dwellings approved in Guyhirn since 2011 with around 350 in the parish and to the best of his knowledge there has not been a single affordable home which has been provided.

Mr Burton expressed the opinion that the merits of the scheme are compliant with LP3 and it is an opportunity to provide much needed affordable homes which is evidenced by housing need with developers and registered providers who are able to deliver. He stated that this is the reason why rural exception sites exist in order to allow housing where it normally would not be permitted to meet local need.

Mr Burton explained that Guyhirn is linear, and the site is central and would not extend the village boundary as the site has natural boundaries and infills between existing dwellings, which is consistent with the piecemeal development which is located opposite as well as the development nearby located to the north. He explained that the site is located five minutes' walk from the shop, two minutes' walk away from the Public House and ten minutes' walk to the local school, with the nearest bus stop being two minutes' walk from the site and providing links to Wisbech, March, Peterborough, Kings Lynn and Norwich and with buses running every 30 minutes, in his view, means that Guyhirn is one of the best-connected villages in the district.

Mr Burton made the point that he considers that the proposal is in keeping with the form and character of the area, with the proposal including a footpath with crossing points as well as a maintenance strip for the ditch and there is adequate parking including visitor parking. He explained that the method and approach concerning the sequential test changed during the application and as a result an expanded sequential test was submitted which justified the search area as being the parish boundary.

Mr Burton explained that the scheme will have a local lettings policy secured by Section 106 and there is a clear local need, with it being his belief that it complies with the new approach and the NPPF. He explained that the sequential test concludes that there are no reasonably available alternative sites within the parish and that the site is also technically safe from flooding, and the indicative street scene shows that the proposed heights are comparable with neighbouring dwellings, and the land levels will not be raised above road level, which mirrors the approach of the approved dwellings which are located opposite the application site, and they have no issues.

Mr Burton stated that he has also agreed to accept a condition for an A Rated Energy Performance Certificate to enhance the sustainability of the scheme and to minimize the impact of fuel poverty. He referred to Section 106 contributions and explained that officers have confirmed that the Council's Supplementary Planning Document requires no contributions if the scheme is 100% affordable and feels it is unfair to say that the applicant will not provide any contributions as they will contribute in line with the viability assessment to be undertaken, with the applicant willing to offer £2,000 per plot as per the previous arrangements for open market housing in the area as well as the £5,000 contribution to the Parish Council.

Mr Burton added that the applicant has also submitted Heads of Terms to demonstrate their

commitment to enter into a legal agreement, with the scheme being, in his view, policy compliant, has no technical objections and has the support of the Parish Council. He stated that the proposal will not encroach into the open countryside and is in keeping with the form and character of the area along with delivering 100% affordable homes for local people for current and future generations.

Members asked the following questions:

- Councillor Benney asked for the associated timescales with regards to commencement of construction and occupation? Mr Bokeestyn stated that the application is in outline form but if approved he would like to submit the reserved matters application as soon as possible. He added that Accent Housing are engaged as the housing provider and, therefore, they will work together to expediate the development as soon as is practicable, explaining that Accent Housing are the partner of the 148 homes in the district, and they have demonstrated that they can occupy the homes they manage very quickly.
- Councillor Benney asked for confirmation of the housing provider who will take on the dwellings when construction is complete? Mr Bokeestyn confirmed it is Accent Housing.
- Councillor Mrs French asked whether North Level Internal Drainage Board have been in discussion concerning the proposal? Mr Burton stated that no further discussion has taken place apart from what is included as part of the application. He explained that further investigation has taken place with the Lead Local Flood Authority and the ditch to the east is a riparian ditch, with there being a maintenance strip all the way along the riparian ditch and the ditch to the north of the site runs east and then northward. Mr Burton explained that it is an adopted ditch, and the surface water will be going into here with the appropriate contributions. Councillor Mrs French started that the water will not be going into the ditch unless further communication takes place.
- Councillor Mrs French asked why a viability study has not been undertaken? Mr Bokeestyn stated that at the current time due to the discussions with Planning Officers as well as the application being recommended for refusal the decision had been taken to wait for a positive outcome and then a viability study would be commissioned and submitted. He added that he has already confirmed the position on contributions ahead of that. Councillor Mrs French expressed the view the application could be considered as an incomplete planning application as a viability study has not been submitted.
- Councillor Gerstner asked, as there is no viability study, whether the agent and applicant could confirm that they are able to meet the contributions from Cambridgeshire County Council as detailed in the officer's report. Mr Burton stated that no they cannot commit to the figure of £617,000 which has been requested, and Mr Bokeestyn has referred to the fact that it would form part of the viability assessment.
- Councillor Gerstner expressed the view that it would take a considerable amount of infill of earth or imported material to build up the land, and he questioned whether there is any knowledge of how much material would be required and how long it would take? Mr Bokeestyn explained that some initial consultations have taken place with the engineers, and he added that he is quite well experienced in developing within Flood Zones 2 and 3 and are used to importing and dealing with that strategy. Councillor Gerstner reiterated that it would require a significant amount of material which would be required. Mr Bokeestyn agreed that it would be significant. Councillor Gerstner asked where the materials would be sourced from? Mr Bokeestyn stated that materials can be brought in from alternative sites in the district or elsewhere and he explained that construction of 500 homes is currently underway so materials can be sustainably recycled from other sites. He added that the other option is to work with local landfill sites to have the appropriate materials brought to the site. Councillor Gerstner asked whether that material would be inert? Mr Bokeestyn stated that it would be clean inert material which would be compliant with any highway's guidance in order that appropriate materials were being brought onto the site and would also be in line with the Environment Agency permit requirements.
- Councillor Meekins stated that the Highway Authority have made comment regarding the vehicle splays which have not been shown on the plans for the proposal, and he asked

whether the splays are achievable? He added that the Highway Authority also appear to have concerns with regards to the number of access points along with a query over the footpath and bin collection arrangements. Mr Burton explained that all those aspects will be covered as part of the reserved matters application and added that the scheme has been updated as part of the outline application. He explained that there will be a footpath across the extent of the frontage of the site which will include dropped kerb crossing points to allow crossing to the main footpath opposite, with as many of the entrance points as possible grouped together so there are fewer entrance points onto Gull Road. Mr Burton made the point that this is consistent with the development located on the opposite side of the road and has not caused any issue, adding that the highways boundary plan demonstrates clearly that the visibility splays can be achieved along the whole length of the frontage. He explained that he has made a commitment to the Parish Council that he will apply to reduce the speed limit in that area to 30mph which will reduce the visibility splays even further.

- Councillor Imafidon questioned why no contact has been made with North Level Internal Drainage Board? Mr Burton stated that he would make the appropriate application to the drainage board as part of the reserved matters application. He added that the drainage strategy which is being produced includes a mixture of attenuation crates and above the ground attenuation in the balancing pond, which will restrict the runoff rate from the site to green field rates by the riparian ditch and then further north. Mr Burton made the point that he will approach North Level and secure an agreement with them which will be subject to the appropriate contributions and any negotiations that need to occur at that point.
- Councillor Marks referred to viability and added that he does have concerns that this has not been undertaken. He added that there are thousands of tonnes of earth which will need to be brought to the site and should the proposal be approved and then prove to be non-viable what would then happen with the site. Mr Boekestyn explained that as part of the ongoing relationship with the registered provider all of the costs of the build are already factored into the development costs to create the residual land value. He stated that he has no concerns with regards to not being able to deliver and to engage in conversation with the housing associations there needs to be an assessment of the technical aspects of the build and there is no prospect that they would not further the site for development as he is already aware that the site needs raising.
- Councillor Marks asked what will happen if they cannot build? Mr Boekestyn stated that he cannot foresee any reason why he would not be able to build, and they are seeking outline approval with the intention of submitting a reserved matters application to develop for Accent Homes, adding that he should not be in a position where he is applying for planning permission that he cannot then deliver. He explained that his record as a business is that they follow through and deliver across various counties with various housing associations.
- Councillor Gerstner referred to the presentation screen which showed the land levels and road, and questioned whether the land located behind the strip of land is agricultural and being used at the current time? Mr Burton stated that the land to the east which is to the further part of the ditch is agricultural land which is currently being farmed. Councillor Gerstner asked whether the strip of land is not being used for agricultural purposes? Mr Burton explained that the piece of land is owned by the allotment charity, and they give grants out locally. He added that the piece of land is actually rented and used for grass growing but not for food production or agricultural purposes.
- Councillor Marks asked for further clarification on the statement that the grass is grown but not for agricultural purposes. Mr Burton confirmed that a local farmer grows the grass for round bales of hay and clarified that it is for agricultural purposes but not food production.

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

- Councillor Benney stated that his initial thoughts with regards to the application are that the site is in Flood Zone 3 and it has failed the sequential test, but he now feels that the site has several positives. He stated that with regards to the absence of a viability study to accompany the application, in his opinion, consideration needs to be given to the fact that it is an outline application and a proper viability study cannot be undertaken until it is known

what is going to be developed on the site. Councillor Benney stated that the sequential test has failed because it has been carried out over the whole of the district. He referred to the officer's report which indicates that there is a local need for housing, and he added that the Council has faced a significant cost to pay for bed and breakfast accommodation for those people in need of a home. Councillor Benney stated that it is a cost that the Council are having to endure, and those monies cannot be claimed back as bed and breakfast accommodation is not classed as a registered housing provider and, therefore, the money cannot be claimed back from Central Government. He expressed the view that the social misery for those people living in those circumstances needs to be considered and made the point that the applicant and agent have confirmed that the houses can be brought forward and there is a registered housing provider already engaging with the process. Councillor Benney added that with regards to building the land up, there will be a cost to get the works underway, and should it be decided that the costs cannot be met then the development will not take place regardless of whether the committee approve the application or not. He expressed the view that from a Council perspective, the houses are needed and there are people waiting the homes rather than residing in temporary accommodation and, in his opinion, the social need should override the lack of the sequential test because it is done over the whole district which really means that it will always fail. Councillor Benney made the point that with regards to building in the countryside, there are houses along the length of Gull Road which have been built over the last 20 years which have been developments of one of two dwellings. He made the point that there is no social housing in Guyhirn and there is a housing need for Fenland residents who want to stay in the area to be near their families. Councillor Benney stated that the scheme will move forward, and it does work although he appreciates that there will be costs to get the works underway and whether those costs prove to be prohibitive is not a concern for the committee as it is in outline form. He stated that the committee are looking at land usage and, in his view, it will bring forward some much-needed housing for the district and it will ease the burden financially on all the rate payers of Fenland who are having to finance the bed and breakfast accommodation costs.

- Councillor Mrs French stated that when she read the officers report initially, she whole heartedly agreed with the officer's recommendation.
- Councillor Mrs French asked officers to confirm whether the application site was involved with the Council's call for sites process for the emerging Local Plan? Danielle Brooke stated that the site did not form part of the call for sites process as far as she is aware.
- Councillor Mrs French stated that it is a rural exception site and, in her view, the issues of viability can be overcome. She made the point that she has never known an 100% affordable housing scheme to offer so much money as a Section 106 and, in her opinion, it is an unusual application. Matthew Leigh stated that viability is carried out at the outline stage of an application because it is a principal matter and whilst there maybe slight variances in relation to the change in the price of building materials through the lifetime of an application, whether or not a scheme is viable is something that is considered at the outline stage rather than at reserved matters. He added that with regards to the site being a rural exception site, the Council does not have a policy in relation to rural exception and officers have not explicitly stated that. Matthew Leigh explained that generally rural exception sites would be seen to be smaller than this application and contained within the NPPF (National Planning Policy Framework) it states that they should be quite proportionate to the scale of the development. He stated that you would normally expect a proper rural exception test to contain a greater deal of evidence and for it to be based around the need rather than just details of the Council's housing requirements. Matthew Leigh added that members can state that there are benefits to the scheme and there is weight to it but to use the terms rural exception, in his opinion, is not explicitly correct in this application.
- Matthew Leigh stated that in relation to the viability and the financial contributions at the present time there is no certainty with regards to those contributions, and the applicant and agent have only stated that in the future they may undertake a viability study but at the current time there is no definitive figure before the committee for consideration.

- Matthew Leigh stated that with regards to the point made concerning the fact that there are 31 people on the waiting list for accommodation and as the officers report has highlighted then you would normally expect a supporting statement to have been provided to evidence the local need and, in his opinion, there is no breakdown of the need of those people who are on the list for housing compared to what is being offered on the site. He added that whilst there may be several people who are on the housing list, they could be residing in temporary accommodation in one-bedroom properties, and the development may only consist of four bedroomed dwellings which would then not be suitable. Matthew Leigh added that it is all that finer detail of information which you would expect to see that would argue that point and it has not been provided to officers.
- Matthew Leigh stated that with regards to the sequential test, a need for a type of accommodation does not overcome the need for a sequential test and as stated in the officer's report it would move onto the exception test where it would state that the benefits of the scheme outweigh the conflict of the fact that they have not carried out the sequential test. He added that it does not mean that they should not do it, but it is the fact that have not chosen to do it and the harm from that is overcome by the benefits of delivering a certain scheme.
- Councillor Benney stated that the Council has many different elements which make up the authority, and they include housing and planning and he would expect them to work in conjunction to try and achieve the same goals and to try and provide housing for residents. He added that the Council should be people based and not property based and asked whether that further information had been requested from the applicant. Councillor Benney stated that everyone should be aware of what the targets and goals are of the Council and what we are trying to achieve, and he asked whether the applicant has been advised to provide that level of information so that it could be processed and form part of the application. Councillor Benney stated that every report that is requested from the agent costs them money and there is a certain element of doubt and uncertainty as to whether a proposal will receive approval when an application is submitted. He expressed the view that if an agent is asked to submit a further report they may choose not to do so unless there is a fair chance of an application being approved. Councillor Benney added that it all comes down to the viability of the site being brought forward and then as Councillors there is a lack of delivery of the much-needed homes and it those homes which elected members want to see. Matthew Leigh expressed the view if you are an agent who believes that there is a specific need of housing in an area then he does not believe that an agent would need to specifically approach the Council to ascertain what information is required in order to allow the committee to come to an informed decision especially when the officer recommendation is one of refusal. He added that the evidence officers have received is information from the Council's housing officers, however, that is not the only aspect which needs to be assessed and undertaking the assessment is not the responsibility of the Council as information has been passed to the applicant and it is their responsibility to progress that information and develop it and then provide it to the Council as the decision maker to assess.
- Matthew Leigh stated he appreciate that the reports are expensive but unfortunately the planning system does require a number of reports for an application to be acceptable.
- Councillor Mrs French stated that with regards to housing need, it does state in the officer's report at 5.8 the response from the Housing Strategy Manager. She added that whilst she appreciates that there is a need for housing and whilst there maybe homes required in Guyhirn there are over 3,000 people on the waiting list for some kind of home, and this application needs to be looked carefully. Councillor Mrs French stated that it does not have a viability study with it, and she is considering whether to ask for a deferment in order for viability information to be provided.
- Councillor Gerstner stated that he applauds the applicant for an application for affordable housing, but he has serious concerns that there are no contributions for education and health. He added that consideration does need to be given to the figure quoted by the applicant and also being mindful that the proposal is for 24 dwellings which could accommodate families with children who will need schooling and health facilities and there

appears to be no ability to contribute to that which causes him great concern.

- Councillor Gerstner added that he also has reservations on the amount of imported material which will be required to be brought in by numerous vehicles to build up the land quite substantially to overcome flooding mitigation. He added that because of having to build the land up, in his view, the houses are going to look out of place.
- Councillor Mrs French stated that the policy for 100% affordable homes means that applicants do not have to supply a contribution even though she has raised the point over many years. She stated that 100% affordable is 100% affordable and she referred to the site in Upwell Road, where there are 110 affordable homes and there are no contributions being provided to education or other services.
- Councillor Benney stated that there is a live document which states £2,000 per unit south of the A47 and no contributions because of viability north of the A47 and as this site is located north of the A47 there are no contributions to pay. He added that with regards to the movement of materials, it is a one-off situation whilst the application site is being built out, and he does not foresee the number of lorry movements to be that much of an issue or concern. Councillor Benney referred to another site in Manea which was built up and, in his opinion, you would not know that the land has been built up due to the landscaping, and it fits in very well. He made the point that everything that is built changes the character of the area and does not necessarily mean that it is a negative change and that until the reserved matters application is submitted then the number of houses will not be confirmed but even if it is 24 dwellings, in his opinion, the social benefit outweighs any negative points and the application will deliver homes for people which is what councillors should be doing.
- Councillor Meekins stated that there appear to be various concerns the Highways Authority have and he added that relatively recently there have been three applications on this site for up to four houses which were all refused for various reasons and now the committee are being asked to consider up to 24 homes. He added that if four homes on the same piece of land were refused why would the committee want to consider granting 24 dwellings as to him that makes no sense, and he will not support the application.
- Councillor Marks stated that it is nice to see that the Parish Council are in favour of the application.

A proposal to refuse planning permission was made by Councillor Gerstner and seconded by Councillor Meekins, however, this was not supported by the majority and the proposal failed.

Proposed by Councillor Benney, seconded by Councillor Mrs French and agreed that the application be GRANTED against the officers' recommendation with authority delegated to officers to add appropriate conditions and completion of a legal agreement in relation to affordable housing.

Members did not support the officer's recommendation of refusal as they feel that there will still be ample areas of open countryside left, they believe that the application is an infill development, they do not consider that the application contravenes LP3 and LP16 and whilst it fails the sequential test, there is significant benefit to the people of Fenland by providing much needed homes to those in need.

**P43/25 F/YR24/0627/F
LAVENDER MILL BUNGALOW, FALLOW CORNER DROVE, MANEA
ERECT 5 X DWELLINGS (1 X SINGLE-STOREY 2-BED AND 4 X 2-STOREY 2-BED), INVOLVING THE DEMOLITION OF EXISTING DWELLING AND GARAGE**

This application was withdrawn from the agenda.

**P44/25 F/YR25/0404/F
GARAGES AT RIVER DRIVE, MARCH
ERECT 1 X SELF-BUILD/CUSTOM DWELLING WITH A 2.0M HIGH BOUNDARY**

FENCE, INVOLVING THE DEMOLITION OF EXISTING GARAGES

David Grant presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Gillian Bean, in support of the application. Ms Bean stated that she is a resident of River Drive, and she has spoken to every resident in the road and is addressing the committee on their behalf. She explained that numbers 8 and 9 of River Drive are in favour of the application and the proposal will, in her view, reduce the issue of vandalism, drugs, vermin and due to the lighting in the road, it would ensure that people could walk through the entrance way safely.

Ms Bean added that the Council's core priorities are to improve the environment and street scene as well as giving residents a safer neighbourhood by reducing crime and anti-social behaviour and, in her view, by accepting the application and letting the application develop the site then the committee would be satisfying the Council's core responsibilities. She stated that the applicant is trying to improve the area where the District and County Councils, in her view, have done nothing in the area where she has lived for the last six and a half years and feels that the area does need something doing to it, and it is down to the committee to make that decision.

Members asked the following questions:

- Councillor Mrs French stated that Ms Bean has referred to two residents who are in support of the proposal and she questioned whether they have officially written to the Council opposing the application in the first place. Ms Bean explained that not to her knowledge and they have both advised her that they have emailed the Planning Department to state that they are in support of the application and she also obtained their signature to state that they are happy for her to speak on their behalf.
- Councillor Gerstner stated from the presentation slides, it does look as though the area is ripe for anti-social behaviour and he asked Ms Bean whether she can provide any statistical information with regards to the instances of anti-social behaviour which have taken place? Ms Bean explained that she does not hold any statistics, but she made the point that she knows that the resident from number 8 took it upon themselves to ask some individuals to leave the area after playing loud music and drug taking earlier in the week and she added that it is not what the residents in any road wants in their area. She added that many of the residents in the road are elderly, and it is a quiet area with the residents just wishing to get on with life and to help each other out. Ms Bean stated that residents are finding rats in their gardens, and the residents want to see some change, adding that whilst the proposal will not look as though it is part of River Drive, it will look considerably better in her opinion.
- Councillor Benney asked whether Ms Bean is aware who the landowner is for the application site? Ms Bean stated that she is aware but has never met him prior to the meeting today. Councillor Benney asked Ms Bean whether she has considered approaching the landowner in order to try and get the site tidied up as when he undertook a site visit the brambles were so high that he could not reach the garage, however, the site was padlocked and, in his view, if Ms Bean would like to see the site tidied it would be worth contacting the landowner. Ms Bean stated that as far as she is aware before the applicant purchased the site it is her understanding that the Council owned the site as she believes the garages were rented out from the Council.
- Councillor Mrs French stated that the Council sold its housing stock in 2009, and she does not believe that the garages are something that the Council would own. She added that she does agree that the site is in a very bad state which she saw on her site visit. Ms Bean stated that is the main reason that the residents want something done about it.
- Councillor Imafidon stated that when he went to the site he walked from The Drive to the main road through the alley way and it would appear that number 8 uses the alley as an access. He asked Ms Bean whether that is correct and also whether any of the other residents also use that access? Ms Bean stated that there are no other properties who use that for vehicular access but there is a number of people from the road who use it as a

walkway.

- Councillor Imafidon stated that there several garages which appear to be padlocked even though they appear not to be used, and he asked whether Ms Bean knows who owns them. Ms Bean stated that they are likely to be used for anti-social behaviour purposes.

Members received a presentation, in accordance with the public participation procedure, from Nicholas Underwood, the applicant. Mr Underwood stated that the site sits 50 metres back from Deerfield Road, River Drive and Cotswold Close which are dead end cul-de-sacs only used by residents. He added that due to the back land setting and the existing building lines the site can only be glimpsed when passing directly in front of the three restricted view points and the proposal will have very little visual impact on the wider area but it will have a positive impact on the character of access road and improve the safety of the public realm for the benefit of the wider community.

Mr Underwood made reference to the presentation screen and added that the officer's report makes reference to comments made by the Inspector at the appeal, but they all relate to the previous scheme and are not relative to the revised proposal before the committee which has completely been changed to address the objections. He added that the report also fails to convey that four out of the six previous grounds for refusal were also dismissed by the Inspector and that that the Inspector's comments with regards to harm to local character all relate to the previous design being two storey which led to a concern over the bulkiness of the dormers on the first floor and also concern of overlooking into the garden of 29 Cotswold Close.

Mr Underwood made reference to the presentation screen and stated that by deleting those, the issues fall away and references to the linear form and cramped area all related to the car ports which significantly extended the building mass up to the south east boundary and this has also been deleted which reduces the building by a third and allows for a greater separation to all the boundaries. He stated that the points made with regards to overdevelopment and contrived layout related to the amount of private amenity space and that was also dismissed at appeal, with the Planning Inspector praising the innovative and novel approach and concluded that due to the quality and usability of the spaces, a reduction below the one third guideline was deemed to be both appropriate for the development and compliant with LP2, LP15, LP16 (h) as well as the March Neighbourhood Plan (h2).

Mr Underwood added that the private amenity space has also been increased to meet the one third guidance to add another twenty square metres and expressed the view that it is disappointing to see in the officer's report where it claims that the design is out of character, with the Inspector highlighting that there is no prevailing architectural style that is evident and many of the buildings in the area have already been modified and altered over time. He explained that the Inspector also agreed that the contemporary approach of design and architectural detailing is entirely appropriate for the location, referring to the presentation screen in terms of prevailing character, with River Drive consisting of two block types with various setbacks from the road and the proposal has now been revised to match the same scale and massing of the smaller block type and follows the precedent which has been set by the other corner plot such as one and two in the bottom corner.

Mr Underwood referred to the screen and stated that the outline of number 33 Cotswold Close is shown in red and when that is overlaid onto the ground floor plan, it is comparable and is slightly shorter and smaller. He explained that the street scene view can demonstrate that the height is now comparable to the adjacent buildings, having been reduced and the outlook from the properties in Cotswold Close falls well below the 25-degree rule from BRE, even when standing right against fence and dispels any claim of prominence.

Mr Underwood added the presentation screen shows that the previous application did not include the bamboo screening on the drawings for clarity and instead just relied on the description and the images in the design and access statement, which as a result failed to demonstrate to the

Inspector that this will form a continuous barrier rather than just isolated plants. He explained that in the current application shown on the presentation screen he has made it clear that the 2 metre high fence is extended to 2.4 metres high and uses the continuous bamboo screening and the sight line has been shown which demonstrates the prevention of any views below 2.4 metres and certainly not into the properties garden.

Mr Underwood made the point that when the appeal decision was issued 5 weeks ago on the 12 August, it raised concerns based on the previous scheme that planting would take too long to mature and it was only seen as a temporary measure. He added that he disagreed with that view and emailed the planning officer the following day reconfirming the intent to provide a 2.4-metre-high planting on day one and even when disregarding the contribution for the bamboo, the fence itself would also provide a restriction to any views.

Mr Underwood explained that drawings were provided to the Case Officer which demonstrated the change in height of 2.2 metres, but officers would not accept those drawings, even though it does resolve the problem. He referred to the presentation screen and explained that he was only aware of the massive hedge along the fence when the agenda was published.

Members asked the following questions:

- Councillor Mrs French asked Mr Underwood to confirm when he purchased the site and did, he purchase the site from the Council? He explained that the Council sold the site to Clarion Housing, and he purchased the site from Clarion.
- Councillor Mrs French asked Mr Underwood to confirm when he purchased the site? Mr Underwood responded 18 months ago when he commenced the planning application, he anticipated that permission would be sought quickly in order for him to demolish the garages and make the area better but he did not anticipate the process to take as long as it has done.
- Councillor Mrs French asked Mr Underwood to confirm why he has not chosen to tidy the site up as the Council could have chosen to serve a Section 215 notice on the applicant because of the condition it has been left in. She further asked Mr Underwood whether he will be living in the dwelling or is it something he is looking to build to sell on? Mr Underwood stated that the intention was for him to live in it and following his father's passing earlier this year, the original plan was to move his family in and now the intention is to move his mother in and have it for his retirement.

Councillor Marks stated that he would like the Legal Officer, Stephen Turnbull, to provide some advice and guidance to the committee. The Legal Officer stated that from the answers to members questions provided by the applicant this is not going to be a self-build in the sense that somebody else is going to be living in it. He added that consequently there needs to be a bio net gain assessment and obligations which have not been submitted by the applicant and, therefore, the application cannot be determined.

Councillor Marks asked the applicant to return to the public speakers table for further questions to be asked of him by the committee:

- Councillor Marks asked Mr Underwood to provide further clarity with regards to the points made by the Legal Officer. Mr Underwood stated that the intention is for him to live in the property in the first instance and then his mother will reside there.
- Matthew Leigh stated that members will be aware that appeal decisions have been quite clear that the only way to ensure a self-build is through a legal agreement. He added that there is now the requirement for applicants to sign an agreement and if that is not undertaken then that would result in a significant breach of the law.
- Councillor Marks stated that there appears to be a lack of information which has not been provided to officers and as a result of advice given by both the Legal Officer and Head of Planning, he would like to suggest that the application be deferred in order for the correct information to be provided to officers.

- Councillor Mrs French stated that the officers report states that there was an objection from River Drive and the public speaker has stated that there was no objection, and she would like officers to provide further clarification as, in her view, it would have a negative impact and an application should not be approved should it be detrimental to somebody else. David Rowen stated that with regards to the representations received from River Drive contained within the officer's report on Page 99, it states that there are seven supporting comments received from the residents of River Drive and then a further comment received from a resident of River Drive which has also been summarized. He added that he does not believe that there is anything within the report that indicates that there have been objections received from residents in River Drive.
- Councillor Benney expressed the opinion if the applicant is not going to reside in the dwelling then the committee have the wrong application in front of them, with a self-build dwelling being a different type of application to other housing and because of it being the wrong application there are several uncertainties. He added that whilst he appreciates the concerns of the supporter to the proposal wishing for the site to be tidied up, planning is concerned about land usage and whether the land is suitable and, in his opinion, the right application is not in front of the committee to determine.
- The Legal Officer stated that there appear to be too many question marks with regards to what the application involves and, in his opinion, a deferral would be the best course of action to ascertain whether it is actually a self-build dwelling and then deal with it appropriately at a future committee.

Proposed by Councillor Mrs French, seconded by Councillor Imafidon and agreed that the application be DEFERRED in order for further information to be obtained concerning the application.

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

P45/25

F/YR25/0396/F

LAND NORTHEAST OF 93 DARTFORD ROAD, MARCH

ERECT 1 X SELF-BUILD/CUSTOM BUILD DWELLING INCLUDING THE DEMOLITION OF EXISTING GARAGE

Zoe Blake presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Shanna Penney, the agent and Andrew Eastol, the applicant. Mr Eastol stated that he has a fond connection with the area in question and has made memories both happy and sad after losing his wife whilst living at 91 Dartford Road. He explained that he has now moved to 93 Dartford Road, and it has always been his wish to have a small retirement bungalow built on the large garden which is the land to the north east of 93.

Mr Eastol added that the reason that he has applied again for planning permission is because his existing property is far too big now for his needs as it is a four bedroomed house and he has no children. He explained that, as he is semi-retired, he now has more free time available to self-build a small single bedroomed home and he intends to compete much of the work himself as well as employing local tradesmen to undertake other aspects of the work.

Mr Eastol added that the proposal will also help with the Council's supply of self-build properties and made the point that he feels that the proposed design is very well thought out internally with plenty of light coming into the property and rear and front external gardens and space around the perimeter for maintenance purposes. He explained that parking is located away from surrounding properties and it will have good vehicle turning space and existing site access, which is already

used for number 93, with the large garage being demolished.

Mr Eastol stated that he has secured the land to make it safe from anti-social behaviour and unwanted wildlife by erecting three sturdy fences to neighbours' properties which they were unable to do. He explained that this is his last opportunity to build a home for himself due to an arthritic condition, adding that he does not have a great deal of money as his business collapsed whilst he was caring for his late wife, but he explained if he is granted planning permission by selling 93 Dartford Road it will enable him to cover all of the building costs and enable him to spend the rest of his life in a home which he has built himself and can be proud of.

Ms Penney explained that the proposal is for a bespoke dwelling for Mr Eastol and it is located within the built-up settlement of March, adding that it is different from the previous schemes as it is now for a self-build plot and the application has been recommended for refusal due to the alleged cramped nature of the scheme. She stated that she acknowledges that the dwelling is small, however, it is designed for a single person and is directly comparable to the footprint of other properties in Dartford Road.

Ms Penney stated that the nationally prescribed space standards require a dwelling for a single person to be 39 square metres, and the size of the proposed unit is 49.6 square metres which exceeds those required standards, with parking being provided in accordance with the Local Plan and a garden space which is more than one third of the plot. She explained that from a technical perspective the proposal provides all of the necessary amenities required by local and national standards and she fails to see how it can be defined as cramped, making the point that the proposal will barely be seen from a public view, and she questioned how it can be deemed as being out of keeping with the character of the area when it will be barely visible.

Ms Penney expressed the opinion that the second reason for refusal is not reasonable, and she added that there is case law within the district which states that the RECAP guidance of wheeling a bin for more than 30 metres is not a reason enough for refusal and, therefore, that reason should be disregarded. She expressed the view that the third reason for refusal relates to the failure to provide a Section 106 to secure the self-build nature of the project but made the point that this is a last-minute reason which has been added due to the changes to the Council's guidance, and should the application be granted then they would be happy to provide a Section 106 within an agreed timeframe.

Ms Penney stated that the proposal complies with all the adopted size standards, will barely be visible from a public perspective, the issues regarding RECAP are a misnomer and explained that the self-build status can be secured by a Section 106 agreement which can be provided. She added that the scheme is acceptable in principle, and it will provide self-build housing within a primary market town on Flood Zone 1 land and asked for the application to be approved.

Members asked the following questions:

- Councillor Gerstner asked Mr Eastol how he proposes to move his waste bins backwards and forwards to the collection point due to his dexterity problems? Mr Eastol stated that he is not disabled, and he can build the house and move bins, but he is forward planning for the future as in a few years he may not have the same strength as he does now.
- Councillor Meekins asked for clarification as to why the fencing was 2.4 metres whereas he was of the understanding that most smaller height fences were 2 metres? Mr Eastol explained that the fences are already erected, and they all have a concrete lintel at the bottom and then the fence is 6ft. He added that is the height of all the fences in the locality and he just matched the fencing that was already there.

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

- Councillor Mrs French stated that there appears to be several self-build applications coming forward to the committee and as a result they appear to be missing information relating to

Section 106. She stated that this application appears to be like the last application, and she stated that maybe consideration should be given to deferring the application for the legal agreement to be prepared and brought back to the committee.

- Councillor Benney asked officers to confirm the numbers of self-build dwellings which are held on the Council's register at the current time. David Rowen stated that he is aware that there is an excess supply of self-build properties relative to the people that are registered on the list.
- Councillor Mrs French asked for the exact figure to be provided to members of the committee at the next meeting as it could prove useful for future applications. Matthew Leigh stated that the figure will be provided to the committee, but he is aware that the Council does have above the minimum necessary requirement of self-build dwellings.
- Councillor Purser stated that he knows the area well and the proposal cannot be seen from the road. He added that by Mr Eastol choosing to build a small one bedroomed property, he is freeing up his existing home for a larger family, which, in his opinion, is positive.
- Councillor Benney stated that he would like to see the application refused as it is a small site and it is ruining the garden of a nice four bedroomed dwelling. He added that it is about land use, and he feels that officers have made the correct recommendation.

Councillor Benney stated that he would like to propose to go with the officer's recommendation and refuse the application. This proposal was not supported by members and, therefore, the proposal failed.

- Councillor Mrs French stated that she would like to see the application deferred to give the applicant the opportunity which has been afforded to the last application.
- Matthew Leigh stated that best practice is when there is a Section 106 required for an application, should the application be refused a reason for refusal is imposed that ties into the need for that. He added that should members choose to approve this application or any other applications in future for self builds, against officers' recommendation, then rather than delegating conditions to officers there would be a request that the delegation would be to give authority to officers to enter into Section 106/Unilateral Undertaking for self-build. Matthew Leigh explained that the difference between this application and the previous application on the agenda which was deferred is that the applicant has not brought into question the fact that it is a self-build. He added that members do not need to defer the application they could delegate the authority to officers to complete that agreement.
- Councillor Mrs French stated that after considering the point made by Matthew Leigh, then she will recommend approval of planning permission on the site subject to the delegated authority being given to officers for the Section 106.
- Councillor Mrs French stated that the committee have previously approved a bungalow on a site in Chatteris which was far smaller than the application being determined.

Proposed by Councillor Mrs French, seconded by Councillor Purser and agreed that the application be GRANTED against the officer's recommendation, subject to the legal agreement, Section 106 and appropriate conditions to be delegated to officers.

Members do not support the officer's recommendation of refusal as the committee have passed other applications previously with smaller areas and they believe that the proposed dwelling has more than the minimum required space standards both internally and externally and, therefore, do not believe the proposal can be classed as cramped. Members feel that should the applicant require assistance in the future with regards to bin collection then the Council operate an assisted collection service and the amount of refuse and recycling generated for one person will be minimal.

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

Zoe Blake presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Councillor John Clark, the Ward Councillor for the application site. Councillor Clark stated that 18 years ago he became a Fenland District Councillor to represent and speak up on behalf of residents and especially those of March, making the point that he cannot think of anything more deserving than to support this planning application after receiving a request from the applicant who is a resident of his ward. He explained that the applicant, Mr Haydon, is a former partner of Whiting Accountants who retired after working for them for 40 years and he is also one of his neighbours whose property is located at the bottom of his garden where he has lived for 40 years.

Councillor Clark stated that ten months ago Mr Haydon's wife passed away and he is looking to support his family along with his own wellbeing, explaining that Mr Haydon has a severely dyslexic son who needs help and guidance with simple tasks such as reminding him to eat and not miss meals. He added that his daughter has a son who is autistic and has also been diagnosed with ADHD who also needs frequent support, and Mr Haydon would like to see his daughter and family move into the main dwelling, with his son already living in Stonecross Way, which abuts his garden so if approved Mr Haydon would move into the proposed annexe to create an intergenerational family welfare support unit.

Councillor Clark stated that Mr Haydon has applied to convert his garage into an annexe to the main property and the first application was refused, with the officers' reasons for refusal being considered prior to submitting the current application and addressed by reducing the size of the application by 50% with only a modest single storey side addition. He stated that the application includes a large community space and garden, and the parking area remains unchanged.

Councillor Clark explained that officers have concerns that this could be sold as a separate dwelling and in order to address the concerns Mr Haydon is content to enter into a legally binding agreement to tie the proposed annexe to the main dwelling in order to stop the unlikely event of it ever being sold as a separate dwelling. He referred to LP16 of the Local Plan and expressed the view that the proposal meets all the fourteen A to N criteria with the only area for discussion being part D but, in his view, it does not adversely impact either in design or scale of the street scene, settlement pattern or landscape character of the surrounding area.

Councillor Clark stated that the application has 11 letters of support including many from neighbours and is, therefore, very unlikely to be legally challenged and he asked the committee to support the proposal.

Members asked the following questions:

- Councillor Mrs French asked whether the personal circumstances of the applicant had been highlighted when the application was submitted? Councillor Clark consulted the agent who stated that they were not included as part of the application.
- Councillor Mrs French asked whether the Listed Building referred to is Councillor Clark's home? Councillor Clark stated that the Listed Building extends for the whole of his garden and the properties either side do not, and he clarified that that the application site abuts his land.
- Councillor Imafidon asked what visual impact the extension will have on his property? Councillor Clark stated that he was content with the first application, and he did not consider it to be overpowering, and he knows all the residents in the neighbouring

properties, and he has not had any negative feedback and, in his view, it will not make any difference at all to the area.

- Councillor Imafidon asked whether Councillor Clark considers the proposal to be out of character with other buildings in the area? Councillor Clark explained that he does not consider it to be out of character and the type of brick in the building will compliment all of the other buildings in the vicinity.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent and Mark Haydon, the applicant. Mr Hall read out a statement on behalf of Mr Haydon, 'My family's life dramatically changed suddenly and unexpectedly late last year when COVID struck down my wife after 47 years of happy marriage and now I need to ask for your help by allowing me to support my family and for them to be able to support me over the coming years'.

Mr Hall stated that Councillor Clark has outlined the personal circumstances of the applicant very well and made the point that the officer said there is a material planning change, with the first-floor windows being removed following concerns with them and the modest extension has been scaled back to single storey. He added that there are no objections to the application and as highlighted on the plan the garden and all the parking has been kept open, together with the existing dwelling and the annexe remaining open with no fencing separating them, making the point that the officer's report confirms that there is no impact on neighbouring properties and the building can barely be seen from the street scene and 80% of it is there already.

Mr Hall explained that there is no overlooking from the proposal and there is no overshadowing from a single storey extension. He referred to the map displayed on the presentation screen, and he indicated the application site outlined in red which is one of the largest plots in Elwyndene Road, explaining that the white outlined area is the actual annexe and, in his opinion, the site is substantial and not overdeveloped.

Mr Hall indicated on the map to the east there is another white rectangle which is a single storey annexe and that property is currently listed for sale, marketed as an annexe and the plot is far smaller than the application site and on the same side of the road is a single storey annexe which is located two doors further up on a much smaller plot. He expressed the view that the committee have in the past been sympathetic in the past to annexe proposals and a larger annexe was approved at Honeysome Road in Chatteris which is far larger than the current application and in a rural location as well as a two bedroomed annexe at Lynwood Farm in March.

Mr Hall stated that the current application is within the built-up form of March for a modest one-bedroom annexe and if approved it will free up the space in the applicant's existing five-bedroom house for his family to move into. He made the point that he has just received notification of a delegated approval in Norwood Road for a former double garage to be converted into a one and half storey annexe which is very similar to the application being determined.

Mr Hall stated that the proposal has always been submitted for an annexe, and a separate residential property has never been considered even though the site is large. He stated that the applicant would be happy to accept a condition if the proposal was approved to ensure the annexe is not sold off separately and is not subservient to the main residence.

Members asked the following questions:

- Councillor Benney asked whether the annexe will be on the same supply as the house for its utility services or will it be a separate supply? Mr Hall explained that all the drainage would be connected to the existing drainage for the main house as well as the utilities. Mr Haydon explained that there is already a toilet in place and the sewerage and water as well as the electricity are all connected to the main house.

Members asked questions made comments and received responses as follows:

- Councillor Benney expressed the view that families who choose to support other members of their family should be supported by the committee as looking after a family member is a very time-consuming activity but a very worthwhile thing to do to look after elderly or younger people. He expressed the opinion that he does not believe that there are enough families who support and look after each other and there is too much abandonment of older people. Councillor Benney made the point that when an application comes before the committee such as this, in his opinion, is why as councillors they should view the application with a human heart. He stated that the application is worthy of support, and the family have their own issues to deal with and manage and, in his view, as councillors they should be doing everything they can to support the proposal. Councillor Benney made the point that if it was looking to be sold to develop you would not put a bungalow on the site as something far larger could be built. He added that it has been confirmed that the utilities are going to be fed from the same supply as the house and it is only going to be an annexe, feeling that this is a very genuine and worthwhile case and he asked members of the committee to support him by approving the application. Councillor Benney made the point that it is a shame that the previous application had not been approved as it has probably caused the applicant some distress and he urged members to support the application.
- Councillor Marks stated that he concurs with the views of Councillor Benney and he added that the family are looking to the future, with the annexe freeing up the larger house for the family to live in and he will fully support the proposal.
- Councillor Gerstner stated that he will also support the proposal and added that this application is significantly different to the previous one which was refused as it is 50% smaller. He made the point that the applicant has gone away and has considered the required criteria for the application, and he will support it.
- Councillor Imafidon stated that he undertook a visit to the site and from a street view perspective he could not see the site, and he had to go right to the front of the property to see where the application site was located. He stated that, from a human perspective, by allowing the application to proceed it is likely to take a large burden away from Social Services and whilst that might not be planning consideration from a human perspective, he will fully support the proposal.
- Councillor Purser stated that he concurs with the views of Councillor Benney and added that it appears that the detail concerning the applicant's family had not been included in the initial application. He stated that had it been included then, in his view, there would not have been an issue with the proposal, and he will fully support the application.
- David Rowen stated it appears that a lot of the personal information which has been presented to the committee today is the first time that it has been raised as part of the application. He added that it is becoming a regular occurrence from several agents where the application is being presented at committee meetings rather than at the submission stage. David Rowen stated that if the committee decide to grant the application then a reference had been made earlier with regards to entering in a legal agreement to secure the accommodation as related to the dwelling. He added that if members make a proposal to grant the application then they do need to consider whether that needs to be included within the proposal.
- Councillor Marks suggested that the issue of information being presented at committee rather than within the application at submission stage could be raised at the Fenland Developer Forum. David Rowen stated that it should be obvious to experienced agents that if an application is being refused because of a lack of connectivity to a main dwelling in terms of assessing an annexe accommodation then that should be one of the obvious aspects to potentially address with the subsequent application.
- Matthew Leigh stated that, when information is presented to members, they take that information as being factually accurate. He added that part of the process for a planning application is that the information should be given to officers to process it and consider it in order that it can be included within the officer's report to give members a fair and balanced understanding of the situation and that is not what is happening. Matthew Leigh made the point that this is becoming a regular monthly occurrence and is very frustrating for officers

and it has already been raised with Agents and Developers at the forum, however, it is within the gift of members to say that they cannot give any weight to something being presented to them for the first time at committee.

- Councillor Marks stated that he does take some comfort today with the information which has been presented to the committee as it has been provided by the Ward Councillor for the application site.
- Councillor Mrs French stated that she is sure that the committee support the proposal, but she would like to see a condition put in place to ensure that full information is received prior to committee. Councillor Marks asked whether Councillor Mrs French means a condition for future applications? Councillor Mrs French stated that she would like something put in place to clarify the personal circumstances for applications going forward to give officers comfort when considering applications.
- Councillor Benney stated that he takes on board the point made by officers but there is also the issue to be considered where applicants need to come and explain their difficult circumstances to the committee for an application which should have been looked at favourably, making the point that it is an annexe and not a separate dwelling.
- Councillor Marks stated that agents should be providing the information to officers during the application process and not at committee which would mean that applicants do not have to address the committee.
- David Rowen stated that such personal information could be included as part of a confidential submission with the application.

Proposed by Councillor Benney, seconded by Councillor Imafidon and agreed that the application be GRANTED against the officer's recommendation with delegated authority to officers to add appropriate conditions and a legal agreement to tie the annexe to the existing property.

Members did not support the officer's recommendation of refusal as they do not consider that the application is contrary to LP16 as they believe that the size and scale is for an annexe and will be used for its intended purpose and they believe it is a worthy application.

(Councillor Benney declared that the agent has undertaken work for Chatteris Town Council and himself personally, but he is not pre-determined and will consider the application with an open mind)

(Councillors Imafidon and Purser declared that the agent has undertaken work for them both personally, but they are not pre-determined and will consider the application with an open mind)

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

(All members present declared that Councillor John Clark is a fellow councillor, but they do not socialise with him and will consider the application with an open mind)

P47/25

F/YR25/0499/F

8 BRAMBLE WALK, MARCH

ERECT A SINGLE STOREY REAR EXTENSION AND PART TWO STOREY AND PART FIRST FLOOR SIDE EXTENSION TO EXISTING BUILDING

Zoe Blake presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent. Mr Hall explained that the applicant moved into the property in 2020 with her parents who have lived in the property since 2011 and the applicant has now purchased the

property from her parents and resides with them to provide support. He stated that there have been changes made since the previous application was refused by reducing the first-floor element and, in his opinion, he considers that to be a material planning change.

Mr Hall referred to the presentation screen and the proposed elevations and explained that the proposed left hand corner elevation has no first-floor windows, with the two windows downstairs already being there and there are no windows on that side meaning that there is no overlooking. He stated that the proposal is 12.5 metres away from the two-storey element of the neighbouring property and the proposed extension will be the same height as the existing building and will have the same ridge line and materials.

Mr Hall referred to the presentation screen and a photo of the property and indicated that the proposal is to build over the existing garage and there have been no statutory consultee objections to the proposal. He stated that in the officer's report at 10.8 it states that the front extension from the street scene is of an appropriate size and scale to the host dwelling and it also states that the extension would not have an adverse impact on the character of the area.

Members asked the following questions:

- Councillor Imafidon stated that within the officers report it appears to refer to 2 The Hollies a great deal and he asked whether any objection had been received to the proposal that he is aware of? Mr Hall stated that the residents of that property did object to the application, however, the applicant has advised him that her father had discussed the proposal with the residents prior to the submission of the application and they stated that they did not object. He explained that the residents have objected during the application process, and it is only that property who have raised an objection.
- Councillor Marks referred to the presentation screen and questioned whether the elevation depicts extractor fans? Mr Hall stated that he believes that they are air conditioning units.
- Councillor Marks referred to the photos taken by officers from the applicant's garden. Mr Hall stated that he agrees that the neighbouring property does look to be in proximity.

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

- Councillor Benney stated that he does not see any issues or concerns with the application and whilst the brickwork will be coming forward slightly further, on the plan as the sun sets in the west it would be at the end of the day if it were to cast any shadow. He added that there is already brickwork there with the garden and everything you build can be detrimental to somebody whilst having a positive effect for somebody else.
- Councillor Mrs French started that there is only one reason for refusal, and it comes down to interpretation.
- Councillor Imafidon expressed the view the proposal is in keeping with the street scene and other properties in the area. He added that it is an extension over the garage, and it is the same height as the existing building and will not increase the footprint of the original property.
- Councillor Gerstner stated that he does not see any issue with the proposal but has slight reservations with regards to the air conditioning units due to the noise impact.
- Councillor Marks stated that they will be located on the other side of the building so will not have an impact.

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

Members did not support the officer's recommendation of refusal as they feel that the proposal will have very little impact to the neighbouring building, will be in keeping with what is already there and is not contrary to LP16 of the Local Plan.

(Councillor Benney declared that the agent has undertaken work for Chatteris Town Council and himself personally, but he is not pre-determined and will consider the application with an open mind)

(Councillors Imafidon declared that the agent has undertaken work for him personally, but he is not pre-determined, and will consider the application with an open mind)

(Councillor Mrs French declared, in accordance with 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)

(Councillor Purser declared that due to personal reasons he would take no part in this item in its entirety and took no part in the discussion and voting thereon)

P48/25

F/YR25/F/YR25/0458/A

18 BROAD STREET, MARCH

DISPLAY OF 1 X INTERNALLY ILLUMINATED FASCIA SIGN (RETROSPECTIVE)

Kimberley Crow presented the report to members.

Members asked officers the following questions:

- Councillor Gerstner referred to the presentation screen and questioned whether the sign above Domino's Pizza business has an illuminated sign? It was confirmed that the sign is externally illuminated.
- Councillor Gerstner stated that the application site has an internally illuminated sign. Councillor Marks clarified that the sign in question is backlit. David Rowen stated that sign above Domino's Pizza has lights above it which externally illuminates the sign whereas the signing on the application site has lighting which is inbuilt within the sign.
- Councillor Imafidon asked officers to clarify how long the sign has been in place? David Rowen explained that it has been erected between 6 and 12 months. Matthew Leigh explained that the application is before the committee as a result of an enforcement complaint and as a result officers have advised the applicants that they needed advertisement consent.

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

- Councillor Benney stated that he does see that there is anything wrong with the sign and the whole of Broad Street has undergone significant change because of the regeneration works. He stated that if businesses are not supported then they will close, and he made the point that anybody who chooses to invest anything in business should be supported. Councillor Benney referred to the presentation screen and stated that the signage is hiding the keystones above three windows and he added that the keystones will still be there long after the sign comes down. He stated that signs are above businesses for a reason as they are supposed to attract custom and the sign fulfils its need. Councillor Benney expressed the opinion that he sees nothing wrong with the sign and it brightens up the High Street.
- Councillor Purser stated that he is aware of comments made by members of the public who have commented on the significant brightness of the sign. He added that whilst he appreciates that businesses do need to be supported, the business owners in this case do not appear to be taking any notice of advice and guidance being provided to them by the Council which, in his opinion, needs to be addressed. Councillor Purser added that he thinks business owners need to submit proper planning permission before they undertake any works to their business rather than retrospectively.
- The Legal Officer stated that retrospective planning permission is not a material consideration and should not influence the members decision when determining the application.
- Councillor Imafidon stated that he is very much in support of local businesses and their efforts to grow and advertise. He added that he knows how difficult the current economic

climate is for businesses such as this, but he has to agree with the officers, and made the point that when you compare the previous NatWest sign which, in his view, was very sympathetic and the heritage aspect was still visible especially when considering that the site is in a Conservation Area. Councillor Imafidon stated that the NatWest sign was far more presentable, and the new sign is not acceptable to him as it does not consider the Conservation Area and, in his opinion, the heritage value of the building is diminished by the sign. He stated that he will not support the application and the officer's recommendation, in his view, is correct.

- Councillor Meekins referred to the officer's report and stated that March Town Council object to the sign due the location being in a Conservation Area. He expressed the view that if signage such as this is permitted there is no point in having Conservation Areas and he will be supporting the officer's recommendation of refusal.
- Councillor Purser referred to the Domino's sign which has lighting that directs downwards whereas the signage in question is illuminating the whole street. He added that the previous NatWest sign did not cover the whole building and cover all of the architecture and he will not be supporting the application.
- Councillor Marks stated that the sign is in place to attract people out of normal daytime hours to bring in custom when it is mainly dark. He referred to the presentation screen and stated that the NatWest sign is taken before the regeneration works. Councillor Marks added that as a result of the regeneration works to Broad Street the flow of traffic is now a lot further away from the businesses and he appreciates why the sign is now larger. He made the point that he agrees that the sign does cover some of the architecture but there is also another veterinary business with a neon green sign which he believes is also in a Conservation Area.
- Councillor Benney stated that the Council has just applied to demolish Barclays Bank which is in a Conservation Area and the committee supported that application albeit against the officer's recommendation. He stated that at the time the NatWest sign was erected it probably would have been in keeping with it at that time, but things change and evolve. Councillor Benney expressed the view that it brightens the High Street up and questioned whether the new High Street wants to include empty shops or wants to see new businesses thrive.
- Matthew Leigh stated that this is a Conservation Area and as decision makers there is a duty to preserve and enhance the special character of the Conservation Area, He explained that the Council has decided to protect this area, and it considers that the surrounding area and the architectural features have something worthy of protection. Matthew Leigh stated that if that was not the opinion of the Council then they would choose to remove the Conservation Area, however, as one is in place then it is a material consideration of significant weight when determining the application. He stated that when members are coming to their decision, they do need to weigh the difference between the fact that they are discussing 'this sign' or 'a sign'. He made the point that there is no objection to the principle of a sign on the building and there is no objection to the principle of the business trying to attract customers and members need to determine whether the current sign is acceptable. Matthew Leigh stated that the members debate appears to be with regards to the principle of a sign and the need to attract customers rather than the sign that is in place, which are two different matters, and it is a commercial area and there was a sign erected previously. He stated that there is no objection in principle from the authority, however, there needs to be consideration as to whether the sign fits with the character of the area and generally internally illuminated signs are not acceptable in Conservation Areas which is standard practice due to the level of illumination, the materials, what they attract and the way that they appear does not generally fit in with the traditional character and setting of a Conservation Area. Matthew Leigh added that generally there are very bespoke specialist signs on the buildings which have lights illuminated onto them rather than internal lighting. He made the point that significant weight must be given to that special character and appearance of this area when developments are looked at as it is something which is a requirement as there are architectural features of this building which are being hidden.

Matthew Leigh stated that he agrees with the point that Councillor Benney made with regards to the fact that those features will still be there, however, they are not there now for the benefit of the public. He added that the Council has invested significant money to improve the area and aspects such as the sign will erode the special character and features and he stated that members need to consider this very carefully when determining the application and remembering that it is an area that the Council has decided to protect.

- Councillor Marks stated that as well as the large sign there are also three smaller signs, however, the focus is on the large sign which is covering up architectural features. He questioned that if the large sign was moved so that it was located above the features would it then be deemed as acceptable. Matthew Leigh stated that a smaller sign would be acceptable, however, there would still be concerns with regards to an internally illuminated sign. He added that the officer's report states that a number of the signs on the building do benefit from consent and where they do not need to come to the Council to gain permission. He added that it is the extra signs as well as the larger sign which exacerbates the harm to the character of the Conservation Area and the proliferation of advertisements on the one single elevation which is what the Council has concerns with.
- Councillor Benney made the point that there appears to be other commercial businesses in the Town Centre who have internally illuminated signage and he questioned whether enforcement action is going to be taken against other businesses as a precedent has already been set. Matthew Leigh explained that he will investigate this further as some of the businesses may have already obtained consent.
- David Rowen stated that to the best of his knowledge the majority of the signage in March Town Centre is externally illuminated and if there are internally illuminated signs and whether they are lawful or not is a moot point. He added that the committee needs to focus its debate on the application site as it has a number of signs and combined with the architectural features it is very much a bespoke building, especially when comparing it to the Domino's building next door. David Rowen added that the application site is a far grander building with far nicer architectural features to it and, in his opinion, the committee need to consider that fact.
- Councillor Gerstner stated that the High Street in March has completely changed and has now been modernised. He made the point that he feels that the applicant needs to be considered, and he questioned that if the internally back lit signage is not deemed as acceptable would an externally lit sign like the one at Domino's be acceptable. David Rowen stated that he feels that the committee are roaming into the realms of designing an alternative signage scheme rather than focussing on the determination of the application.
- Councillor Imafidon stated that the committee are not just considering the internal illumination of the sign, they also need to consider that the sign covers the architectural and historic features of the building. He added that size of the sign is massive in comparison to what was there before and he understands the importance of passing trade but if your business is in a Conservation Area then that does need to be respected. Councillor Imafidon stated that this is an enforcement matter and this needs to be dealt with as it has been flagged up to officers and the building is far grander than some of the others in Broad Street. He expressed the view it will be a failure of the committee if they do not support the recommendation of officers and enforce the issue, acknowledging that the street has been modernised, but Conservation Areas exist for a reason and as he is the Portfolio Holder for Heritage it would not sit well with him if he does not support the officer's recommendation.

Proposed by Councillor Purser, seconded by Councillor Imafidon and agreed that the application be REFUSED as per the officer's recommendation.

(Councillor Purser declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of March Town Council, but take no part in Planning)

(Councillor Mrs French declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of the Broad Street Regeneration Committee and has also

been involved with the grant funding for shop fronts which is something that the applicant could apply for should the application be refused, and took no part in the discussion or voting on this application)

4.05 pm

Chairman