

PLANNING COMMITTEE



WEDNESDAY, 9 OCTOBER 2019 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor A Hay (Vice-Chairman), Councillor I Benney, Councillor A Lynn, Councillor C Marks, Councillor N Meekins, Councillor P Murphy and Councillor W Sutton, Councillor Mrs J French (Substitute) and Councillor R Skoulding (Substitute)

APOLOGIES: Councillor A Bristow and Councillor S Clark,

OFFICERS IN ATTENDANCE: Nick Harding (Head of Shared Planning), Sheila Black (Principal Planning Officer), Izzi Hurst (Member Services & Governance Officer), David Rowen (Development Manager) and Stephen Turnbull (Legal Officer)

OBSERVING: Councillor D Laws and Councillor A Miscandlon

P33/19 PREVIOUS MINUTES

The minutes of the meeting of 11 September 2019 were confirmed and signed.

P34/19 F/YR17/0349/VOC VARIATION OF CONDITIONS 2 AND 3 OF APPEAL REFERENCE APP/D0515/C/15/3008989 RELATING TO PLANNING PERMISSION F/YR14/0854/F TO INCREASE THE NUMBER OF STATIC CARAVANS FROM 5 TO 8 AND TOURING CARAVANS FROM 1 TO 5 (TO BE USED BY THE OCCUPIERS OF THE STATIC CARAVANS ONLY), AND TO ALLOW EACH RESIDENTIAL PITCH TO HAVE ONE ASSOCIATED COMMERCIAL VEHICLE NOT EXCEEDING 3.5 TONNES IN WEIGHT; THE SPINNEY, HORSEMOOR ROAD, WIMBLINGTON, MARCH

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

David Rowen presented the report to members.

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

1. Councillor Marks asked for confirmation that the proposal is to allow one associated commercial vehicle per residential pitch. David Rowen confirmed this as correct.
2. Councillor Skoulding asked for confirmation that the front boundary hedge is to be maintained to allow visibility for vehicles entering and leaving the site. David Rowen confirmed that condition 6 of the recommendation ensures maintenance of this hedge for this purpose (page 26 of the agenda pack).
3. Councillor Murphy highlighted that when members had visited the site, it had been well maintained and tidy. He hoped that if members approve the application today, that this continues.
4. Councillor Meekins stated that when members had visited the site, there had been vehicles onsite exceeding 3.5 tonnes in weight. David Rowen explained that this restriction had been imposed by the Planning Inspector and if vehicles are onsite that exceed this, appropriate enforcement action may be taken.
5. Councillor Sutton asked for clarification on the weight of proposed associated commercial

vehicles. He asked if this weight limit included the load on the vehicle or just the weight of the vehicle itself. David Rowen confirmed that the Planning Inspector had not specified this however if there were reports of vehicles exceeding this weight onsite, the matter would be investigated.

6. Councillor Sutton said further clarification is required in relation to the maximum vehicle weight to avoid potential issues in the future. Nick Harding suggested that if members approved the application, delegated authority could be given to officers to undertake the necessary investigation into this definition via the DVLA.
7. Councillor Marks asked if a condition could be added stipulating that an operating licence is required for those vehicles exceeding 3.5 tonnes in weight. Nick Harding explained that this could not be included in the planning permission as this is governed by separate legislation that cannot be duplicated as part of the planning process.
8. Nick Harding confirmed that one definition is; the maximum authorised mass. Therefore the 3.5 tonne limit includes the vehicle itself plus whatever is on board the vehicle.
9. Councillor Mrs French highlighted that if a motorhome is onsite this would exceed this weight limit. Councillor Connor confirmed that this would not be classed as a commercial vehicle.
10. Members asked for further clarification on the definition of the commercial vehicle weight. Nick Harding confirmed the following definition; commercial vehicles up to 3.5 tonnes are referred to as light commercial vehicles and covered under the category N1. Category N1 is vehicles designed and constructed for carriage of goods that have a maximum mass not exceeding 3.5 tonnes.
11. Councillor Benney confirmed that he was happy with this clarification.

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

(Councillor Lynn joined the meeting at 1:13pm and took no part in the vote or discussion for this agenda item).

P35/19 F/YR19/0152/O - ERECTION OF UP TO 50NO DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED); LAND SOUTH OF, 8 - 59 FAIRBAIRN WAY, CHATTERIS, CAMBRIDGESHIRE

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

David Rowen presented the report to members. He highlighted to members that the conditions numbered 10 and 14 in the report, are duplicated and proposed that condition 10 is removed if planning permission is granted.

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

1. Councillor Benney stated that as a resident of Chatteris, he is aware of parking issues on Fairbairn Way due to the narrow width of the road. He asked that consideration is given to this as part of this proposal. David Rowen explained that this is an outline application however an indicative site layout proposes the road width to be 5.5m, which will be an adoptable standard. He confirmed that each dwelling will also have parking provision.
2. Councillor Sutton asked for clarification on the formula used to calculate the increase in education contributions as part of the Section 106 agreement (S106). David Rowen explained that discussions are ongoing in relation to the exact level of education contribution.
3. Councillor Sutton explained that he has considered the objections submitted and whilst there will be an impact on residents, the site already has planning permission for development and the increase in dwellings will not cause any further detrimental impact to

residents.

4. Councillor Connor agreed and stated that as housing is needed, he supported the application.

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

(Councillor Hay declared a Pecuniary Interest by virtue of the fact that her property is adjacent to this site. She left the Chamber for the duration of this agenda item)

(Councillor Benney declared an interest by virtue of the fact that he is a member of Chatteris Town Council but takes no part in planning matters)

(Councillor Murphy declared an interest by virtue of the fact that he is a member of Chatteris Town Council but takes no part in planning matters)

P36/19 F/YR19/0510/LB - DEMOLITION OF A LISTED BUILDING (EXISTING DERELICT STRUCTURES); 11 - 12 HIGH STREET, WISBECH, CAMBRIDGESHIRE

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

Sheila Black presented the report to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Matthew Brint (Project Manager).

Matthew Brint thanked members for the opportunity to speak at today's Planning Committee. He explained that he is acting as Project Manager and both he and his client are very pleased to be involved in this project. He explained that the proposal represents a significant step in the rejuvenation of the High Street in Wisbech. He stated that as developers, he is aware of the historic nature and the listed status of the building however the building is currently in a very poor state of repair. Both he and his client are committed to rebuilding the building in a sympathetic manner and wish to preserve the historical nature of both the original building and the High Street as well.

He explained that he has worked closely with both the Council's Planning team and Conservation Partners and asked members to support the application.

Members had no questions for Matthew Brint.

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

1. Councillor Meekins explained that as a resident of Wisbech he has noticed demolition work has been underway on the site. He asked if the photographs provided as part of Sheila Black's presentation were taken before this demolition work. Sheila Black confirmed that demolition work has been undertaken on site as part of emergency work measures required due to the instability of the building. She confirmed that the photographs had been taken on 17 September 2019. Matthew Brint confirmed that the last set of emergency demolition works had been undertaken in August 2019.
2. Councillor Meekins stated that as a local resident, he supports the development of this building as it has required remedial work for a number of years. He said the proposed design is in keeping with the High Street and the development will provide sought after retail and residential units for Wisbech.
3. Councillor Sutton agreed and supported the application.

4. Councillor Lynn agreed as both retail units and residential accommodation are urgently needed in Wisbech.
5. Councillor Benney stated that from a health and safety perspective, the building needs to be demolished. He agreed that the proposal will assist in the regeneration of the High Street in Wisbech.

Proposed by Councillor Meekins, seconded by Councillor Lynn and decided that the application be GRANTED; as per officer's recommendation.

(Councillor Hay and Councillor Murphy declared an interest by virtue of the fact that they were members of Cabinet and had been involved in a decision in relation to this proposal. They took no part in the discussion or vote for this item)

(Councillor Meekins and Councillor Lynn declared an interest by virtue of the fact that they are members of Wisbech Town Council but take no part in planning matters)

P37/19 F/YR19/0509/F - ERECT 5-STOREY MIXED USE DEVELOPMENT (1 X RETAIL UNIT TO GROUND FLOOR AND 11 X 1-BED AND 4 X 2-BED FLATS TO REMAINING FLOORS) INVOLVING DEMOLITION OF EXISTING DERELICT STRUCTURES IN A CONSERVATION AREA; 11 - 12 HIGH STREET, WISBECH, CAMBRIDGESHIRE

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

Sheila Black presented the report to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Matthew Brint (Project Manager) and Lianne Toothill (Architect).

Matthew Brint explained that extensive work has been undertaken with the Council's Planning team to adjust the design of the building and their comments have been considered to make the scheme acceptable.

Lianne Toothill stated that it had been a pleasure to work on such a project that has real potential to create an improvement for the town centre in Wisbech. She explained that she had worked in collaboration with her clients the Planning team and the Council's conservation officer to produce the scheme members are considering today. Consideration had been given to the key views of the development as well as the impact of the building on the current landscape. The materials proposed are in proportion and keeping with the history of the building whilst the rear elevation proposes a more appropriate modern look. She stated that the development will inject new life in to the town and asked members to support the application.

Members asked Matthew Brint and Lianne Toothill the following questions;

1. Councillor Lynn thanked both Matthew Brint and Lianne Toothill for their work on this proposal.
2. Councillor Sutton highlighted that during her presentation, Sheila Black had stated that the retail façade may be altered. He asked for clarification on this. Sheila Black explained that the retail frontage may change if the shop is split into two separate retail units. Matthew Brint added that the proposed frontage has been designed in accordance with the Council's Policy on shop fronts and potential retailers will need to comply with this policy too.

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

1. Councillor Mrs French said she supported the application and is keen to see the development start.
2. Councillor Sutton asked for clarification on the figures provided as part of the viability assessment (10.56 of the report). He queried this and asked for the formula used as the figures do not correlate. Sheila Black confirmed that the figures were provided by the Council's S106 Viability Officer.
3. Councillor Meekins praised the design and said it was sympathetic to the surrounding buildings. He added that whilst extra height is proposed to the existing roof line, the adjacent buildings are all of differing heights and therefore there will be no detrimental impact on the surrounding area.

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

(Councillor Hay and Councillor Murphy declared an interest by virtue of the fact that they were members of Cabinet and had been involved in a decision in relation to this proposal. They took no part in the discussion or vote for this item)

(Councillor Meekins and Councillor Lynn declared an interest by virtue of the fact that they are members of Wisbech Town Council but take no part in planning matters)

P38/19 F/YR19/0684/O - ERECT UP TO 3NO DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS); LAND EAST OF 4A, PRIMROSE HILL, DODDINGTON, CAMBRIDGESHIRE

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

David Rowen presented the report to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Gareth Edwards (Agent).

Gareth Edwards thanked members for the opportunity to speak at today's meeting. He explained that the applicant was unable to attend today's meeting. He stated that the applicant had been raised in the adjacent bungalow and the proposal for 3 dwellings would allow her to return to Doddington with her sisters.

He highlighted that Doddington is a growing village and the site is within a 'small extension' of the village in accordance with LP3 of the Local Plan. The development would be in keeping with the continuous build form on the opposite side of the road and the site benefits from a bus stop at its entrance. He stated that the land has only been pasture land for many years and is located within flood zone 1. The proposal has support from all statutory consultees and has received letters of support from neighbouring residents too. He argued that the site is not located in open countryside and it would follow the built form of the surrounding area. He asked members to support this application.

Members had no questions for Gareth Edwards.

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

1. Councillor Sutton supported the application and disagreed that the location is considered outside of the village. He explained that as a local resident he considers the site as being

located within the village boundaries. He reiterated that the land has not been used for agriculture during his lifetime as he has known the site for many years. He stated that he was against officer's recommendation to refuse this application.

2. Councillor Murphy disagreed and stated that the site is located outside of the village. He highlighted that by approving the application, a precedent will be set for other sites located in open countryside. He supported officer's recommendations to refuse the application as it does not comply with policy.
3. Councillor Hay agreed with Councillor Murphy and highlighted the open countryside adjacent to the site.
4. Councillor Benney disagreed and highlighted that development has already taken place within close proximity to the site. He stated that in his opinion, the site is within the village boundaries and as the land is not used to grow produce, development would be a good use of this site.
5. Councillor Lynn highlighted that there is an existing bungalow adjacent to the site and development is taking place on the opposite side of the road too.
6. David Rowen reminded members of the definition of LP12 concerning developed footprint and explained that the site cannot be reasonably described as a built form of the settlement. He added that there is the issue of the character of the site and area and whilst members may believe there are no issues with the proposal being in the built form this does not mean that the development would be in keeping with the area. He drew member's attention to a recent appeal decision in Addison Road, Wimblington.
7. Councillor Sutton disagreed and highlighted a recent appeal decision in Kirkgate, Tydd St Giles. He said it was unfair to say the site was not located in Doddington village.
8. David Rowen confirmed that the appeal decision at Kirkgate, Tydd St Giles is included in a later agenda item. He reiterated that the issue is not with the site being in the built form of the settlement but the character.
9. Councillor Murphy explained that in his experience, infill development has never been classed as 3 dwellings. Councillor Sutton reiterated the recent appeal decision at Kirkgate, Tydd St Giles and the Planning Inspector's comments on this.
10. Councillor Skoulding asked if the site is located within a 30mph speed zone. Members confirmed this.
11. Councillor Benney explained that whilst he had the utmost respect for officer's recommendations and planning policy, there are occasions in which members have to consider the requirements of local residents. He stated that he supported this application as the site is part of the village of Doddington, is located in an area of settlement and the application has not received any objections.
12. David Rowen reminded members that the number of letters of support for or objections against a planning application is not in itself a reason to approve or refuse an application.
13. Councillor Sutton stated that elected members must listen to what residents say and supported the application. He said consideration must be given as part of the Council's work on the new Local Plan, as to where the boundary of Doddington lies.

Proposed by Councillor Sutton, seconded by Councillor Lynn and decided that the application be GRANTED; against officer's recommendation.

P39/19 F/YR19/0612/F - ERECT 2 DWELLINGS (1 X 3-STOREY 3-BED AND 1 X 2-STOREY 2-BED) INVOLVING PARTIAL DEMOLITION OF EXISTING DWELLING AND GARAGE; 31 BOWTHORPE ROAD, WISBECH, CAMBRIDGESHIRE, PE13 2DX

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

Sheila Black presented the report to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Gareth Edwards (Agent).

Gareth Edwards explained that he is speaking today on behalf of a colleague who is unable to attend today's meeting. The application is for an additional 2 dwellings to be built on a large residential plot which currently has 1 dwelling situated on it. He explained that the site is located in a residential surrounding within Flood Zone 1. The proposal is compliant with both the National Planning Policy Framework (NPPF) and the Local Plan. He stated that there have been no objections from the statutory consultees and the application has the support of both Wisbech Town Council and the Council's planning officers.

Gareth Edwards confirmed that work has been undertaken with planning officers to achieve this proposal and explained that due to the level of objections received, the application is before members today. The letters of objections received had raised concerns about the property being used as a House of Multiple Occupancy (HMO), lack of parking and lack of amenity space. He offered assurance that the properties will be separate residential dwellings and will not be used as HMOs. In relation to the lack of parking and amenity space, the dwellings will each benefit from off road parking and the amenity space allocated is compliant with policy. He added that currently the garage to the rear of the existing dwelling is not compliant with current parking standards and there is no further parking so the development will improve this situation.

Gareth Edwards highlighted that the development is located within a sustainable, residential area and asked members to support this application.

Members had no questions for Gareth Edwards.

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

1. Councillor Lynn stated that he was against the proposal as he feels the site is too small to accommodate three dwellings. He highlighted that Bowthorpe Road suffers from lack of parking and feels this development will only add to this issue.
2. Councillor Hay agreed and stated that she felt the proposal was overdevelopment of the site. Whilst she supports the application for the dwelling to the rear of the existing property, she cannot support the proposal for the dwelling adjacent to the existing property due to the lack of space.
3. Councillor Sutton disagreed and argued that the proposal will in fact improve the parking issues on Bowthorpe Road as an additional 6 parking spaces will be provided. He reiterated that the proposal is compliant with policy and can see no reason to go against officer's recommendation.
4. Councillor Hay disagreed that the parking issue will be improved as a result of the development and added that an additional 2 dwellings will bring even more vehicles to an already crowded road.
5. Councillor Benney said whilst he initially believed the proposal was overdevelopment of the site, it is policy compliant and therefore he has no choice but to support the application.

Proposed by Councillor Sutton, seconded by Councillor Meekins and decided that the application be GRANTED; as per officer's recommendation.

(Councillor Meekins and Councillor Lynn declared an interest by virtue of the fact that they are members of Wisbech Town Council but take no part in planning matters)

P40/19 PLANNING APPEALS.

David Rowen presented the report to members with regards to appeal decisions in the last month.

2.57 pm

Chairman