

# PLANNING COMMITTEE



**WEDNESDAY, 3 JUNE 2020 - 1.00 PM**

**PRESENT:** Councillor D Connor (Chairman), Councillor A Hay (Vice-Chairman), Councillor I Benney, Councillor S Clark, Councillor A Lynn, Councillor C Marks, Councillor Mrs K Mayor, Councillor N Meekins, Councillor P Murphy and Councillor W Sutton,

Officers in attendance: Stephen Turnbull (Legal Officer), Elaine Cooper (Member Services) Jo Goodrum (Member Services & Governance Officer), Nick Harding (Head of Shared Planning), David Rowen (Development Manager) and Gavin Taylor (Senior Development Officer)

## **P88/19      PREVIOUS MINUTES**

The minutes of the meetings held on the 6 and 7 May 2020, were confirmed.

## **P89/19      LOCAL PLAN VIABILITY REPORT**

Nick Harding presented the Local Plan Viability Report to members.

Members asked officer's the following questions;

- Councillor Cornwell expressed the opinion that he is disappointed to see the constraints that the Council are going to have to work with. He referred to 12.63 in the officer's report, where it states that in the northern part of the District, the scope to receive financial contributions from the developer is limited and to that end he questioned whether those provisions will form part of the Garden Town Project in Wisbech? Nick Harding stated that the Garden Town is not a proposal which is going to feature in the allocation within the new Local Plan, due to the lead in time for that development proposal being in excess of the planned period that the new Local Plan is going to be accommodating. He added that some of the work that has been carried out on the new Garden Town has looked at viability and has recognised that a different delivery model would have to be used and it was decided that a development corporation would have to be formed to make that development happen.
- Councillor Sutton referred to 12.51 of the officer's report where it mentions base appraisals and asked whether there is the assumption that this information now overrides the 2014/15 ministerial statement. Nick Harding stated that the document does not override the ministerial statement and the only way we could ask for affordable housing to be provided on sites that are less than 10 dwellings is if we had in our new Local Plan clear evidence that this was needed in order to satisfy affordable housing need and it did not render small sites unviable.
- Councillor Sutton asked for clarity with regard to what kudos should be given to the document if an application is presented which states that the developer pays nothing at all and also what weight would an inspector give to the document, if there was a difference in opinion between the Council and the Inspector. Nick Harding stated that the viability report is generic in terms of its outlook and whilst it has tried to analyse a variety of development types, it can never be as good as a site specific viability assessment.
- Councillor Sutton asked for clarification and stated that when considering the Womb Farm agenda item, according to the officer's report the applicant is going to provide the amount of affordable housing, in line with the viability report being discussed. Councillor Sutton

expressed the opinion that there is nothing to stop the developer coming back at the reserved matters stage with a site specific assessment where there is no affordable housing provided and asked whether he has understood that correctly. Nick Harding stated that there is always that risk and always will be, when dealing with development. He suggested that with any application that is considered, the purpose of the Section 106 Agreement is to mitigate the impact that could be generated by that development. He added that there is not going to be a significant difference from one site to another in terms of its general viability position. There maybe nuances around specific pieces of exceptional costs such as drainage costs which need to be taken into account in terms of viability exceptional costs. He added that generally the costs of building houses, borrowing money, the preparation documentation to get full panning are normally the same wherever you are, it is just whether a site encounters a particular circumstance which would mean the costs would be higher.

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

- Councillor Hay expressed the view that she welcomes the report and is happy to note the outcomes of it. She added that the report clearly sets out that in the north of the district that viability may have to be accepted, however in the south developers will have to prove that it is exceptional, as the report clearly sets out that there is viability in the south of the district.

**Members AGREED to note the viability report which will be taken into consideration when determining planning applications from this point forward.**

*(This item was brought forward in the agenda, to enable members to consider the content, prior to determining the planning application on the agenda.)*

**P90/19**

**F/YR19/0834/O**

**LAND AT WOMB FARM, DODDINGTON ROAD, CHATTERIS, CAMBRIDGESHIRE; ERECT UP TO 248 DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS) WITH ASSOCIATED SITE INFRASTRUCTURE INCLUDING THE CREATION OF NEW VEHICULAR ACCESSES, INTERNAL ROADS, LANDSCAPING, OPEN SPACE (INCLUDING A NEW PLAY AREA), DRAINAGE AND A NEW OFF-SITE SECTION OF FOOTWAY ALONG THE A141 FENLAND WAY**

Gavin Taylor presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from Councillor Alan Gowler from Chatteris Town Council.

Councillor Gowler stated that overall, the general feeling from Chatteris Town Council is that this is a good development and it is highly welcomed.

He expressed the opinion that it includes affordable housing within it, which is in high demand and stated that the Town Council welcome the proposed improvements to bus stops and the fact that there will be a much needed footpath built to link the Doddington Road area to the Larham Way/Jacks underpass to prevent the need for people, particularly schoolchildren to cross the very busy A141 at Slade End roundabout. He added that the Town Council are slightly disappointed at the width of the path/cycleway.

Councillor Gowler expressed the view that with regard to the busy road, the one major objection that the Town Council have is the proposed access from the southern development directly onto the A141. He added that the submission from Highways in the officer's report at 10.27 and 10.28 is simply astounding and it mentions "No evidence of congestion", "Not give rise to severe

transport impact". He stated that Town Councils have compulsory input in planning matters due to the local knowledge that they hold on the areas likely to be impacted for various reasons and in this case, it is difficult to imagine a worse place to put a junction in the whole of Chatteris.

Councillor Gowler added that the small piece of road between the Jacks roundabout and Slade End roundabout gets extremely congested at both morning and evening rush hour with traffic tailing back sometimes nearly to the previous (Stainless Metalcraft) roundabout. He expressed the opinion that he personally knows of several people who have told him that when they leave both Jacks and places of work on the Honeysome Industrial Estate they turn right at busy times and go all the way through Chatteris Town Centre in order to head towards Doddington, March and Ely.

Councillor Gowler added that basically, Chatteris Town Centre is already being used as a "rat-run" and this entrance will fully exasperate this totally unacceptable situation. He added that he would implore the relevant authorities to investigate this and to consider a course of action to alleviate it including the possibility of a 30mph speed limit. He stated that regarding the Womb Farm development the Town Council would ask for the following solution to be taken into account which would be to have just one entrance to the development from Doddington Road and to use the A141 entrance as the emergency entrance as is currently proposed between the two distinct developments.

Members received a presentation, in accordance with the Public Participation Procedure, from Mr David Miller, the joint applicant for the proposal.

Mr Miller explained that he has prepared and submitted the outline planning application that is before members today in partnership with the site owner.

He added that the application has been developed with considerable care and attention to detail, starting with formal pre-application discussions with the planning officers and those at County level. He stated that following submission of the application in the autumn of last year, various requests for amendments to the technical submission have been requested and these have been made in the interests of the integrity of the scheme and for sound planning reasons.

Mr Miller stated that the planning officers have acted in a most reasonable, open-minded and professional manner and he expressed the opinion that, members have the opportunity today to facilitate the delivery of nearly 250 new market and affordable homes for Chatteris. He stated the proposed new homes will contribute significantly to sustaining and enhancing local shops and services, and in turn then supporting the Council's wider growth and inward investment agenda.

Mr Miller added that there are no barriers to delivery, such as a complicated land ownership position, and there have been expressions of interest from housebuilders, eagerly awaiting the outcome of today's meeting. He stated that whilst he fully endorses the officer's report, and clearly welcome the recommendation of approval, it is worth referencing the scheme's ability to make significant planning contributions, which he is aware has proven to be problematic on the basis of site-specific viability assessments being submitted with individual planning applications for new homes in Fenland.

Mr Miller stated that the scheme will deliver 50 affordable homes and just short of half-a-million pounds in financial contributions to education and library provision. These contributions have been made possible as a direct consequence of the viability report that the Council has commissioned from HDH Planning & Development, which is referenced at paragraphs 10.52-

10.58 of the officer's report. He added that a draft S106 Agreement has been submitted that confirms the intention to offer these planning contributions, which is referenced at paragraph 10.52 in the officer's report and it is simply now a case of completing the agreement if members are minded to grant outline planning permission.

Mr Miller concluded by stating that despite the economic uncertainty created by Covid-19 he remains very confident that the site will be delivered quickly to add to the existing housing offer in Chatteris and to support the wider role that Fenland's market towns will play in delivering the Combined Authority's economic growth agenda.

Members asked Mr Miller the following questions;

- Councillor Hay asked Mr Miller whether any consideration has been given to just having one entrance onto the Doddington Road? Mr Miller responded that one entrance was looked at and the advice that was received from the transportation consultants was to look at dual access scenario with emergency access from one way to the other. He added that this was discussed with the Cambridgeshire County Council Highways Authority and the consensus was this was the sensible approach to take.
- Councillor Cornwell asked for confirmation as to how this emergency access road will be secured to stop unauthorised vehicles using it? Mr Miller stated that there will be a fixed scheme in place, such as removable bollards or posts which will be agreed with the Highways Authority at Cambridgeshire County Council. Cycles and pedestrians will be able to walk through at all times, however unauthorised vehicles will not be able to gain access.
- Councillor Mrs Mayor stated that any fixed scheme must be removable and retractable, so that emergency vehicles have the ability to remove them when needed. Mr Miller agreed they will be retractable bollard system with responders.

Members asked Officers the following questions:

- Councillor Cornwell expressed the view that there is an expectation that virtually the majority of the residents will use the A141 access as the main pedestrian and cycle access to the development. He added that causes serious concerns with children using an access on to the A141. The road is very heavily trafficked and there is the expectation that children will be expected to cross the road and there needs to be a scheme where pedestrians are separated from the traffic. David Rowen stated that the intention of the A141 access point in terms of the pedestrian linkage is to facilitate use of the underpass at the side of the Poundstretcher store, as opposed to pedestrians crossing the road itself.
- Councillor Marks asked whether consideration has been given with regard to introducing a scheme where traffic can only leave the site by turning left onto the A141? David Rowen stated he is unsure whether that type of traffic scheme had been looked at, and the application with an unrestricted access and egress is what the Highways Authority have formed their recommendation on.
- Gavin Taylor stated that the accident data over the last 16 months had been considered and there were no accident clusters identified which were included within that data which had given cause for concern.
- Councillor Marks asked officers to confirm where the accident data is sourced from.? Gavin Taylor stated that the data is available from the County Council website.
- Councillor Mrs Mayor expressed the view that the data may well be historic and there needs to be consideration given for an additional 248 dwellings accessing the A141. She expressed the view that the Local Councillors who know the area well do need to be listened to.

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

- Councillor Murphy expressed the opinion that by reviewing the map within the officer's report, there will be 25% of the houses which will exit the site onto the bypass and 75% of the houses will exit onto the Doddington Road. He added that the development is in very close proximity of the underpass.
- Councillor Benney expressed the opinion that he agrees with Councillor Murphy and it is only 25% of the houses that will come out onto the A141. He added that the proposed cycle way and footpath will prevent accidents and benefit the local residents in the surrounding roads. The footpath has been needed for a long time. Councillor Benney stated that the reinstatement of the footpath will benefit the traveller site and make it safer for the residents of the site.
- Councillor Benney expressed the view that he had been on site with Councillor Connor and they had observed the Apple Green roundabout junction. He expressed the opinion that the road width does not appear to be able to accommodate two vehicles when cars are approaching the roundabout and added that traffic flow at the roundabout appears to be a major problem and in his opinion Councillors need to be lobbying to see a change in the layout of the road.
- Councillor Benney stated he has visited Stainless Metal-Craft, who have stated that they have difficulties retaining staff, as there are not enough suitable homes in Chatteris for the employees. He added that the proposed development will provide much needed homes and in turn support the local businesses and economy. He stated that Aerotron have also recently moved to Chatteris and it is the type of industry that Fenland wishes to encourage.
- Councillor Benney expressed that view that the site where Jacks is has not been utilised to its full potential and the site needs to be developed further expanding into a leisure park and to include a restaurant and a hotel. The more people who live in Chatteris will ensure that the local facilities will grow and develop, which will enhance the area for all concerned. Councillor Benney stated that the training college is due to come to Chatteris, and there will be people looking for homes who wish to work and live in the same area and in his view the application should be passed.
- Councillor Hay expressed the view that there is the need for more houses in Chatteris and she would have welcomed the proposal if there had been just one entrance off Doddington Road. She added that she realises that the footpath and cycle way will help and recognises that the Slade End roundabout will be widened when the Hallam Land proposal comes forward. She expressed the view that she welcomes the fact that the locality of the development, means that the children residing in the area will be able to use the underpass in a safe manner and the type of housing proposed is the type of development to encourage businesses to come to Fenland.
- Councillor Marks expressed the view that Aerotron staff, who are relocating from Gatwick, are struggling to find suitable housing in the Chatteris area and he welcomes the proposal, although he still has concerns regarding the access and the A141.
- Councillor Sutton expressed the opinion that it is a good scheme and fits with planning policy however like other members he does have concerns with regard to the A141. He questioned whether a safety barrier could be considered between the path and the road to allay some of the fears and concerns raised. Councillor Sutton expressed the view that he welcomes the biodiversity aspect of the application, and stated that the development must not be allowed to impact onto the maintenance access strip for the drain.
- Gavin Taylor stated that the bollard design will form part of the detailed matters as part of the reserved matters stage and Highways, Police and Fire and Rescue will all be consulted to ensure that the design and access is agreeable to all. He added that with regard to house type it is an indicative layout and this is not prescriptive at this stage and will be dealt with at the reserved matters stage. Gavin Taylor stated that with regard to the comments in relation to the north and south part of the development, the plans are indicative and the 75% and

25% split noted by Councillors Murphy and Benney are not fixed at this stage but that future reserved matters would set this out and that the highways team would be consulted again to ensure that they are satisfied with all aspects at the reserved matters stage. He added that with regard to Councillor Sutton's concerns over the easement strip, the Middle Level Commissioners will be consulted with to ensure they are agreeable.

- Councillor Benney expressed the view that he agrees with the comment raised by Councillor Sutton with regard to a barrier being placed along the road, is a very good idea to protect the children.
- Councillor Cornwell expressed the view that he would support a barrier to split the footpath and the cycleway from the carriageway. He supports the proposal.
- Gavin Taylor stated that safety is paramount and the design detail will have to be vetted by the transport team at County Council and the conditions proposed require a scheme to provide a footway and members comments are noted to request detail as part of that condition.
- Councillor Sutton expressed the view that he is happy with the development, but has a strong fear of pedestrian safety and therefore with regard to the transport conditions, he would suggest that an additional condition (f) is added which states that at least look into the provision of a safety barrier. David Rowen stated that the proposal to add a point f is reasonable if members are minded to grant planning permission and suggested that the wording of installation of the necessary safety infrastructure be used.

**Proposed by Councillor Sutton, seconded by Councillor Benney and decided that the application be APPROVED with the addition of a condition with regard to safety measures, as per the officer's recommendation.**

*(Councillors Benney, Hay and Murphy stated that they are members of Chatteris Town Council, but take no part in planning matters)*

#### **P91/19      ADOPTION OF PLANNING VALIDATION REQUIREMENTS**

Nick Harding presented the Adoption of Planning Validation report to members.

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

- Councillor Sutton expressed the view that he would like further time to consider the information sent to members and requested a deferment of the item.
- Councillor Cornwell expressed the view that he will not be voting on this item as he requires further information before he can make a decision.

**Proposed by Councillor Sutton, seconded by Councillor Hay and agreed that the item be DEFERRED to the next meeting.**

#### **P92/19      LOCAL PLANNING ENFORCEMENT PLAN**

Nick Harding presented the Local Planning Enforcement Plan report to members.

Members asked officers the following questions;

- Councillor Sutton stated that there are certain scenarios and situations which arise, which mean that the five day notice in the proposed timeline will not be acceptable and therefore he would like to see something in the policy which reflects, that if members have serious issues or concerns then the 5 day timeline is reduced to an immediate response. Nick Harding stated that a revision could be added where it states that the Council will go out sooner where the harm arising is immediate and so significant that it warrants a speedier response

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

- Councillor Sutton stated that he is happy to approve the policy subject to the slight amendment as Nick Harding has suggested. He added that going forward he would like to see a regular enforcement report brought forward to Planning Committee.

**Proposed by Councillor Sutton, seconded by Councillor Mrs Mayor AGREED that the Local Enforcement Plan Policy be adopted with the revision to the five day timeline.**

**P93/19      PLANNING APPEALS.**

David Rowen presented the report to members with regard to appeal decisions over the last few months.

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

- Councillor Benney asked officer's to clarify what the differences were between the appeal decision in Chase Road and the planning application that was recommended for approval on the site at Bevis lane in Wisbech St Mary, which had been discussed at a recent Planning Committee meeting? David Rowen stated that the appeal in Bevis Lane, was a case where there was only one plot being considered which was more comparable than the two plots in another application that had been discussed at Committee for the site in Sealeys Lane in Parson Drove. David Rowen added that the distinct difference is the location site relative distance to the nearest settlement. The site in Chase Road is 2.5 km outside of Benwick and the only access is via a B road which is heavily trafficked. The sites in Sealeys Lane and Bevis Lane are only a kilometre from the nearest village and access is along country roads with less traffic. He added that all three sites are also located in flood zone 3 and flood hazard mapping was available for Bevis Lane and Sealeys Lane which demonstrates what the real risk of flooding would be should there be a breach in defences. In the Chase Road site there is no hazard mapping available and the Inspector decided that he could not apply that information in his decision making
- Councillor Benney asked what the distance is from the appeal site at Bar Drove to the centre of Friday Bridge. David Rowen stated it is approximately a mile from the centre of Friday Bridge.
- Councillor Sutton stated that there does appear to be discrepancies in decisions made by Inspectors.

**Members noted the recent appeal decisions reported.**

3.19 pm

Chairman