

PLANNING COMMITTEE

WEDNESDAY, 29 JULY 2020 - 1.00 PM



PRESENT: Councillor A Hay (Vice-Chairman), Councillor I Benney, Councillor S Clark, Councillor M Cornwell, Councillor C Marks, Councillor N Meekins, Councillor R Skoulding, Councillor P Murphy and Councillor W Sutton,

APOLOGIES: Councillor D Connor (Chairman), Councillor A Lynn and Councillor Mrs K Mayor,

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

P10/20 PREVIOUS MINUTES

The minutes of the meeting of 24 June 2020 were confirmed.

P11/20 F/YR19/0286F LAND NORTH AND SOUTH OF GROSVENOR HOUSE, GROSVENOR ROAD, WHITTLESEY.ERECTION OF 2 X 2-STOREY BUILDINGS COMPRISING OF 1NO RETAIL UNIT, 7 X 1-BED AND 2 X 2-BED FLATS WITH PARKING INVOLVING DEMOLITION OF OUTBUILDING AND BOUNDARY WALL.

David Rowen presented the report to members and advised them that the officer's recommendation had altered since the agenda and associated paperwork had been published with it, now being to grant planning permission. David Rowen explained the reason for the change in recommendation which related to the impact of the development on the windows and rooms of the adjacent building.

Members received a presentation in support of the application, in accordance with the public participation procedure from Mr Matthew Hall, the Agent.

Mr Hall stated that all the statutory consultees for the application have no objections to the proposal with the exception of Whittlesey Town Council. He added that at 10.6 of the officer's report it states that there are no policies which oppose this type of development and the Conservation Officer has confirmed that they also support the proposal.

Mr Hall advised that the applicant has provided a written confirmation that he has received from a housing association for all of the 9 units and the commercial unit for an as built development and is therefore keen to commence the build. He stated that the site is in Whittlesey with a car park opposite the proposed site and is an area containing both residential and commercial usage.

Mr Hall stated that to the rear of the site there are examples of other building taking place in close proximity to other buildings as it is a town centre location and added that Unit B is 2.3 metres away from Grosvenor House.

He expressed the opinion that there is information that has been omitted from the officer's report and explained that an initial pre application was submitted in 2018, along with associated plans and drawings with officers raising concerns, because a three storey building was proposed which was flush with Grosvenor House. Following a meeting at Fenland Hall with the applicant and

officers, discussions took place to step the buildings back and there were no concerns raised at this stage with regard to the windows of Grosvenor House.

Mr Hall stated that in 2019, the application was submitted and following another meeting with officers, they took suggestions on board with regard to the reduction in height and stepping back of the building with an email being received in May 2020, from officers advising that the proposal would be recommended for approval and would need to be determined by the Planning Committee. He added that he received an email on 2 July from the Development Manager, which stated that following discussions with the Head of Planning, the recommendation was now for refusal.

Mr Hall stated that the process has taken 22 months since the pre-application process commenced. He added that the officer's report is positive, as is the Development Managers presentation with the alteration in recommendation now being to recommend approval.

Members asked Mr Hall the following questions:

- Councillor Miscandlon asked Mr Hall to clarify that on the site plan drawing the outline in red takes in the front part of Grosvenor Road and asked why this is, and whether the land is owned by Fenland District Council? Mr Hall stated that when a red line is drawn on a planning application it has to adjoin an adoptable road, which is why the red line has been extended onto High Causeway and a notice was served to Fenland District Council to reflect this. Councillor Miscandlon clarified that the road was in fact Grosvenor Road.
- Councillor Miscandlon stated that the Highways Authority have raised queries over the drainage from the intended road having to run away from the highway and asked how this was going to be addressed? Mr Hall stated that a consultant has carried out a surface water drainage design which was submitted to the Lead Local Flood Authority and approval has been received. He added that written approval from Anglia Water has also been received to take all the surface water as well as the foul water from this site and the road.
- Councillor Marks asked for clarification with regard to larger deliveries referring to 10.30 of the report as he has concerns over the amount of room there is for larger vehicles. He also questioned the arrangements for refuse collection. Mr Hall added that on the plan for unit 8, there is a bin collection point for both commercial and domestic uses. Councillor Marks added what size are the largest delivery vehicles that can access the rear? Mr Hall stated that it will be a small delivery vehicle at the most a 3.5 tonne vehicle. Councillor Marks added that if a larger vehicle requires access, it would have to unload on the highway, where there are double yellow lines. Mr Hall confirmed that this would be the case.
- Councillor Cornwell stated that he also has concerns over the rear access for vehicles. He expressed the view that he would hope that there is adequate provision for both domestic and commercial refuse.
- Councillor Cornwell stated that at 10.28 of the report it states that there is a shortfall of parking spaces. He added that he can see 6 spaces on the plan, but the report states that there is a requirement for 17. He questioned whether the residents will be required to park in the public car park, which is opposite the development? Mr Hall stated that a survey was carried out during the application process over the period of a week and different times of the day to ascertain how busy the car park would be adding that the proposal is in a town centre location where the Local Plan states parking standards can be relaxed.
- Councillor Miscandlon added that the road that goes to the rear of the site is very restricted and to unload on the road is not permitted which is one of the concerns of Whittlesey Town Council. Mr Hall added that he agrees that there will be issues for any larger vehicles and whilst he appreciates that vehicles should not unload and load on double yellow lines, there are instances where this does take place.
- Councillor Murphy expressed the view that the data contained within the parking survey has not covered the majority of the day, which in his opinion, may not give a true picture of the parking requirements for the residents. Mr Hall stated that the parking survey timings were

agreed with the Planning Officer at their meeting.

- Councillor Meekins stated that if any parking takes place on the double yellow lines that will be down to the Police to deal with. He expressed the view that with regard to car parking and possible charges for parking, that is an issue for the tenants and the landlord to discuss. He added that, in his opinion, it is a very good proposal and he will be supporting the officer's recommendation.

Members asked officer's the following questions:

- Councillor Sutton stated that he did not receive an update report for this application. David Rowen apologized to members and added that the change of consideration was taken at the last minute, which did not afford the time to prepare a formal update report.
- Councillor Cornwell referred to 11.4 of the officer's report and asked for clarification as to whether Grosvenor Road is an adopted road? David Rowen stated that it is not uncommon for Fenland District Council to own a road that has not been formally adopted but it is still a public road. He added that he is unsure whether the access from Grosvenor Road into the site, the private road known as Montague Way, falls under the control of the Council. Councillor Cornwell stated that he only has concerns over the parking and the turning area elements of the application.
- Councillor Miscandlon confirmed that Montague Way is a private road, which is in a very poor state.
- Councillor Marks added that he still has concerns over the deliveries which may take place on the road side and asked whether it can be conditioned so that the deliveries cannot take place via the side of the road? David Rowen stated that this is not possible as it would duplicate the controls of traffic regulations and it cannot be conditioned as part of the planning process.
- Councillor Sutton expressed the view that deliveries can take place on double yellow lines, and that it is legal for the purposes of unloading and loading.
- Councillor Murphy expressed the view that he cannot see any reason for refusal and will be supporting the application.

Proposed by Councillor Murphy, seconded by Councillor Benney and decided that the application be APPROVED as per the officer's recommendation.

(Councillor Miscandlon registered in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is the Chairman of the Planning Committee at Whittlesey Town Council and he has taken part in the discussion and voting on this item, but he reserves the right to change his mind should evidence and information be brought forward to alter his decision).

P12/20

F/YR19/0761F

LATTERSEY FIELD, BENWICK ROAD, WHITTLESEY. ERECT 4NO INDUSTRIAL UNITS (B1, B2, B8 USE), SECURITY OFFICE AND 3.0 METRE HIGH ACOUSTIC SCREEN WITH ASSOCIATED PARKING AND HARDSTANDING AREAS INCLUDING FORMATION OF SWALES, ATTENUATION POND AND ASSOCIATED DRAINAGE INFRASTRUCTURE (PART RETROSPECTIVE)

David Rowen presented the report to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure from Mr Ronan Gleeson, the applicant.

Mr Gleeson thanked the committee for the opportunity to address them today, and explained that he is a Director at JRL Group, and wished to speak in support of the application.

Mr Gleeson explained that the proposal is for the creation of a new plant and logistics depot with storage at Lattersey Field, Benwick Road, Whittlesey, to support his growing business adding that the proposal includes the erection of 4 industrial units, a security office and a 3.0 metre high acoustic screen with associated parking and hardstanding areas.

He stated that the JRL Group encompasses 14 divisions delivering bespoke solutions for the most complex construction projects and that it is an industry leading innovative construction business, operating at a national level, which turns over £500 million annually and employs over 3000 workers with the company able to offer total site solutions for construction projects, from just demolition to full turn-key solutions.

Mr Gleeson added that the company is working to revolutionise the construction industry by investing in innovation in off-site prefabrication systems to accelerate build programs, and deliver clean and energy efficient processes that support sustainable economic growth.

He stated that Lattersey Field was identified by the company as a fantastic opportunity to further expand their operations and reach, with the site located in close proximity to their existing operations in Peterborough, and strategically located between their sites in Nottingham and Bedfordshire.

Mr Gleeson added that within the officer's report, the site has already secured a hybrid planning approval for industrial and commercial uses, with detailed approval for site remediation and outline approval for commercial development. He stated that the company have seen the potential for the site to assist with its Plant and Logistics operations, while providing a site for the storage and repair of slip form structures used in the construction of tall buildings.

Mr Gleeson stated that the site will employ approximately 100 people including the creation of 60 new jobs in construction and trades, along with providing apprenticeships and training through existing partnerships.

He expressed the view that his company are committed to an investment of approximately £10 million in delivering the proposal and have already undertaken the remediation and decontamination, which was approved under the original application, along with introducing active ecological management of the existing site and the formation of specially design newt habitats.

Mr Gleeson stated that great care has been taken in the preparation of this planning application, with a key focus on ensuring its approach protects the amenities of neighbours. He added that JRL understands their responsibility to be good neighbours, and engages directly with residents to ensure their concerns and issues are addressed.

Mr Gleeson expressed the view that the design and operation of the site will ensure protection from noise, the control of dust and odours to protect air quality, while minimising visual intrusion from built structures, plant, machinery and lighting with a large area of additional soft landscaping and tree planting being proposed to screen the proposal from wider viewpoints, and further ecological enhancements to secure a net biodiversity gain.

He confirmed that all technical matters such as access, highway impact, flood risk and drainage have all been addressed to the satisfaction of statutory consultees which includes onsite surface water attenuation systems, the design of which has been fully vetted by the drainage boards

and the Lead Local flood Authority.

Mr Gleeson concluded by stating that, it is his intention to make this site a key asset to the JRL Group and a focus of investment and job creation going forward. In his view the development of this site for employment purposes is supported by the Development Plan, and the proposal is acceptable in planning terms both in principle and in detail.

Members asked Mr Gleeson the following questions:

- Councillor Sutton asked Mr Gleeson to confirm how many people are currently employed on site? Mr Gleeson stated that there are currently 25 people employed.

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

- Councillor Sutton expressed the opinion that he does not understand why Whittlesey Town Council has not supported this proposal. He added that it is an industrial operation in an industrial area and will bring an additional 75 jobs to the area and this should be welcomed. He added that he cannot see any reason for refusal.
- Councillor Miscandlon stated that Whittlesey Town Council do welcome this type of proposal and investment, but the local infrastructure is not in place to support the large heavy goods vehicles, which would need to enter and exit the site. He added that the junction of Inhams Road and Cemetery Road is a death trap and there is the potential of accidents with there having been many near misses. He added that when the order was put in place as the approved route, it was for 20 tonne lorries and 20 foot trailers however it is not uncommon now to see 45 tonne lorries and 40 foot trailers. He added that for the Highways Authority to say there is no issue at that junction with regard to this proposal is negligent and short sighted because there is a problem and it needs to be addressed. He added that whilst he welcomes Mr Gleeson's investment into Whittlesey, the infrastructure needs to be in place to ensure the safety of the residents of Whittlesey and for the employees who work on site.
- Councillor Marks stated that he appreciates the comments raised by Councillor Miscandlon with regard to the large vehicles, however there are larger vehicles already utilising the site with large plant machinery. He expressed the opinion that there is somebody who wishes to invest and bring business and employment into the district and this should be welcomed and supported.
- Councillor Benney concurred with Councillors Sutton and Marks, and stated that all road building is constructed on statistics. He expressed the view, that by bringing the development forward, it will assist with the statistics and prove the need for a relief road. He added that he welcomes the proposal and will be supporting it.

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

(Councillor Miscandlon registered in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is the Chairman of the Planning Committee at Whittlesey Town Council and he has taken part in the discussion and voting on this item, but he reserves the right to change his mind should evidence and information be brought forward to alter his decision).

P13/20

F/YR20/02240

LAND WEST OF 36, PETERBOROUGH ROAD, WHITTLESEY. ERECTION OF 9NO DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS AND LAYOUT) INCLUDING DEMOLITION OF EXISTING

GREENHOUSES (RETROSPECTIVE)

David Rowen presented the report to members.

Members asked officer's the following questions:

- Councillor Miscandlon made the point that there is a zebra crossing which is not seen in the photographs, westbound on the A605, and asked why it had been omitted from the information supplied to the committee? David Rowen stated that there was no intentional omission of that information and the photographs that were provided were a fair reflection of the site. He added that in relation to the proximity of the crossing, the Highways Authority, have been consulted and have raised no concerns.
- Councillor Cornwell stated that the County Council response, which is in 5.2 of the officer's report refers to the proposed development as being located on an urban street when in his opinion the proposal is actually on a principal route and certainly not an urban street. He expressed the opinion as to whether the Highways Authority has carried out a proper assessment on the application, as he feels it is a generalised response. David Rowen stated that the comments of the Highway Authority are set out in the report and the professional recommendation of that body is that there is no reason to refuse the application on highways safety grounds.

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

- Councillor Miscandlon concurred with Councillor Cornwell and stated that the Highways Authority has submitted a standard report adding that the report states that there will be no problems, however, in the close proximity there is a busy car wash and a car sales garage. He expressed the view that although the dwellings are welcomed, there will be additional vehicles and the proposed new junction could be facilitated by moving the zebra crossing with a traffic light control to incorporate this entrance, which will enhance the safety of people exiting the site and from the garage.
- Councillor Murphy asked for clarification with regard to refuse collection and stated that at 5.3 in the officer's report, it makes reference to a private road having to be constructed to a suitable standard to accommodate a 26 tonne vehicle, and questioned what is deemed as suitable. David Rowen stated that a suitable road would need to be constructed to accommodate physically a vehicle of that size. A condition is included with regard to the agreement of a refuse collection strategy to be in place prior to the first occupation and as part of that if it is the intention of the applicant to build a road, which would be to an adoptable standard, which would allow the Council's refuse vehicles to collect. If it is not the intention of the applicant to construct a road, then alternative collection arrangements would need to be put in place as part of that condition.
- Councillor Marks asked the local members whether they have any knowledge of any road traffic accidents having taken place at the location? Councillor Miscandlon stated there have been collisions there, both from the nursery and also the garage, albeit not very many.
- Councillor Meekins questioned whether the site will remain derelict if the application is refused today? David Rowen stated that if members refuse the application, the site will remain in its current state.
- Nick Harding stated that the report to members makes it clear from the highway comments, that the A605 is a busy principal route and they have also looked at the accident history of the area, including the 2 existing accesses in relation to the site and the host existing property.
- Councillor Miscandlon stated that in principal Whittlesey Town Council, do not object to this type of development on piecemeal sites and added that it is the safety aspect of the vehicles entering and exiting the site in relation to the garage and car sales site.
- Councillor Hay added that the report from Highways clearly states that the development will result in the existing sub-standard site access being stopped up and replaced with a bell

mouth access with acceptable visibility, which offers some improvement of the existing situation.

- Councillor Benney expressed the view, that while he appreciates the concerns raised by Councillor Miscandlon over the increase in vehicular movements, he will be supporting the application.

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

(Councillor Miscandlon registered in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is the Chairman of the Planning Committee at Whittlesey Town Council and he has taken part in the discussion and voting on this item, but he reserves the right to change his mind should evidence and information be brought forward to alter his decision.

P14/20

F/YR20/0301/F

LAND SOUTH EAST OF 70, FIELD SIDE, COATES. ERECT 8 X 2-STOREY 3-BED DWELLINGS AND 2.0 METRE HIGH BRICK WALL

David Rowen presented the report to members.

Members received a presentation in accordance with the Public Participation Procedure from Mr Tim Slater, the Agent.

Mr Slater thanked the committee for giving him the opportunity to address the meeting on behalf of the applicant and thanked officers for their support in relation to this proposal. He would endorse the officer's report as a fair and accurate assessment of the proposal with the material considerations and the planning balance necessary to make a positive recommendation.

Mr Slater stated that the site has been vacant for several years and has a short but significant planning history, key to which is the extant planning permission for 4 large 3 /4 bed dwellings, which is a comparison and fallback position against which this application should be considered.

He added that in terms of the suggestion that the proposal is overdevelopment, it is noted that the footprint of the 4 detached dwellings on the previous approval was 528sqm and the footprint of the 8 semis on the latest scheme is 389.2sqm and, therefore, the footprint of the current proposal is significantly smaller, 26% smaller than the 4 plots previously approved and the current proposal is more in keeping with scale of local development and the prevailing need for smaller 3 bed properties.

Mr Slater stated that following the grant of the previous scheme the local market has changed and there is now limited demand for larger properties and, therefore, in order to maintain an economic viable scheme it has been amended to more closely align to current housing demand in the area.

He expressed the opinion that the National Planning Policy Framework (NPPF) at paragraph 120 confirms that planning decisions made should reflect the changes in demand for development and that much of the current residential development within the village and its surrounds is for larger 4+ bed properties and, therefore, supply of smaller homes is limited.

Mr Slater made the point that the housing need assessment to accompany the new local plan has not yet been carried out and as such the Whittlesey Neighbourhood Plan, Housing Needs Assessment (including Coates and Eastrea) is the most up to date document, which confirms that there is a need for new homes within the plan area and in particular there is a significant need for smaller family homes.

He added that number of the objectors do, in fact acknowledge the need for smaller homes in the

village and he referred members to NPPF at paragraph 122, which confirms planning policies and decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it and the local market conditions and viability.

Mr Slater stated that with regard to amenity space, it is considered that the current proposal has significantly less impact on residential amenity of adjacent properties than the previously approved scheme with the proposed dwellings having a lower ridge than the previous approved plots and the rear garden sizes are longer than those on the approved 4 plot layout.

With regard to garage provision, he stated that it is noted that nowhere in the adopted Local Plan or in the NPPF is there a policy requirement for new residential development to incorporate garages the requirement is to provide off street parking in accordance with material policy and in this case all properties provide the requisite 2 off street spaces in accordance with the Local Plan Annex A.

Mr Slater added that there are no objection to the proposal on highway grounds from the Highway Authority and the applicant and agent have worked closely with the Planning Officer and implemented numerous design changes to the plans as requested, including lowering the ridge height, the removal of 2 large gables on the front of the properties and simplifying the design to give a cottage style appearance to resemble workers' cottages, which fits well in the local area. He concluded by stating that overall, it is considered that this is an appropriate and acceptable development for this site, it meets an acknowledged housing need, makes efficient use of development land and has less visual impact than the previously approved scheme.

Members asked Mr Slater the following questions:

- Councillor Marks asked Mr Slater for clarification with regard to the provision of garages. Mr Slater that garages do not form part of this proposal. In the previous scheme, garages were included.

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

- Councillor Sutton expressed the opinion that he has never been keen on development in this area, however, he does not see anything wrong with this scheme and he will be supporting the proposal.
- Councillor Miscandlon expressed concern over the two metre high brick wall and added that it detracts from the beauty of the village of Coates. David Rowen stated that the wall has formed part of the application and officers are satisfied that the scheme is acceptable.
- Councillor Sutton stated that the 2 metre wall is already in place and was given planning permission previously.

Proposed by Councillor Sutton, seconded by Councillor Clark and decided that the application be APPROVED, as per the officer's recommendation.

(Councillor Miscandlon registered in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is the Chairman of the Planning Committee at Whittlesey Town Council and he has taken part in the discussion and voting on this item, but he reserves the right to change his mind should evidence and information be brought forward to alter his decision).

P15/20

F/YR20/0335/O

LAND SOUTH AND WEST OF 4-5 MILL HILL LANE, MARCH.ERECT UP TO 2X DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN

RESPECT OF ACCESS)

David Rowen presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from Mr Matthew Hall, the Agent for the application.

Mr Hall explained that the site is located in an area where a number of approvals have been granted over the last two years. He added that the comments are noted from County Council with regard to over development, but they had actually recommended approval when the proposal was for 3 dwellings.

Mr Hall stated that the site is three quarters of an acre in size and this proposal is for 2 bungalows. He added that following previous concerns a turning head is included for emergency and refuse vehicles and the drainage ditch that has been referred to has an ecological report carried out and no concerns were raised.

Mr Hall explained that in conjunction with the Highways Officer various amendments have been made to the private drive and the Byways Officer has also been consulted and both have commented on the application and have raised no objections. He stated that the existing property to the south has retained far greater than a third garden area left and it should be noted that there are other properties in March, which are accessed by a private drive and this proposal is no different to those. Mr Hall stated that he has noted from the officer's report that there is a plan which shows other developments, which have been approved since 2018, all off of private drives and they do not have passing places. He added that some of these have been approved by the Planning Committee, others by officers, some of which have had permeable block paving and one is a gravel drive with no passing places.

Mr Hall concluded by stating that the proposal is in Flood Zone 1, the broad concept of the site is not at odds with relevant policies, Highways have raised no objections they are single storey units which is a low density development of two bungalows in three quarters of an acre with adequate turning facilities on the site, which will use an existing access point off Mill Hill Lane.

Members asked officers the following questions:

- Councillor Cornwell questioned whether the area that is covered by this application and the area that this application almost land locks, should form part of the work taking place with regard to the Broad Concept Plan? David Rowen stated that it is his understanding that the broad location for growth is the land to the south of the site and the application site is not within the broad location for growth. Councillor Cornwell referred to the land that the application site seems to almost land lock, as there is an area to the north of the site which is not accessible. David Rowen advised that whether a site is land locked should not be a consideration when determining this application and it would be a matter for the land owners to assess at that particular time on any future land development proposals.

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

- Councillor Sutton expressed the opinion that the proposal fits with all polices, and the only issue with the application is the lack of amenity space. He made reference to previous planning appeals with regard to applications in Whittlesey and Chatteris and added that members should be consistent when making decisions and give consideration to appeal decisions that have been heard by the Planning Inspectorate.

Proposed by Councillor Sutton, seconded by Councillor Benney and decided that the

application be APPROVED, against the officer's recommendation.

Members did not support the officer's recommendation of refusal of planning permission as they feel that there would not be a detrimental impact on the amenities of neighbouring properties and, that previous appeal decision, where the Inspector has over turned decisions to allow similar applications should be given weight.

It was decided that the conditions imposed on the planning permission be delegated to officer's in agreement with the Chairman, Councillor Benney and Councillor Sutton.

(Councillor Skoulding declared an interest in this item as his mother lives in Mill Hill Lane and took no part in the discussion on this application and voting thereon).

P16/20

F/YR20/0365/F, F/YR20/0371/F,F/YR20/372/LB

LAND EAST OF 133, HIGH STREET, CHATTERIS.F/YR20/0365/F: ERECT 9 X 2-STOREY DWELLINGS COMPRISING OF 7 X 3-BED AND 2 X 2-BED WITH GARAGES AND ERECT DETACHED GARAGE AND 2.4 (APPROX) METRE HIGH WALL TO SERVE 133 HIGH STREET

F/YR20/0371/F: DEMOLITION OF A WALL WITHIN A CONSERVATION AREA

F/YR20/0372/LB: DEMOLITION OF EXISTING WALL AND REBUILDING OF 2.4 (MAX) METRE ALL TO A LISTED BUILDING

David Rowen presented the report to members.

Members received a presentation, in support of the application, in accordance with the Public Participation Procedure, from Councillor Bill Haggatta of Chatteris Town Council.

Councillor Haggatta stated that he is speaking on behalf of Chatteris Town Council regarding planning application F/YR20/0356/F concerning the building of 9 houses and wall to serve 133 High Street, Chatteris adding that a previous planning application regarding the same site, but containing 3 houses was approved by Chatteris Town Council and Fenland District Planning Committee, with concerns regarding access being raised. He expressed the view that the same concerns are now also being raised as in the previously approved application, this time due to the addition of 6 more houses, which Chatteris Town Council finds difficult to understand that the additional 6 more houses can make the accessibility more of a problem than the original plan to erect 3 houses, especially as in the past Blackhorse Lane, which exits onto the High Street was used by Harry Phillips Coaches and Enterprise Coaches, who operated several passenger coaches and double decker buses, along with another large transport company SS Motors, which supplied fuel. All were based in Blackhorse Lane, with vehicles constantly entering and exiting onto the High Street and have now ceased to operate from this site.

Councillor Haggatta added that since the construction of the A142 bypass a great deal of traffic which used to run through Chatteris Town Centre, now avoids the High Street, making it still well used, but considerably less so than when the previously two companies mentioned, used Blackhorse Lane. He expressed the view that Chatteris High Street contains many exits and entrances, very similar to Blackhorse Lane and by the very nature of its past formation, these exits and entrances negotiated with due care, caution and responsibility, are without any more problems than you would expect in any many other similar locations.

Councillor Haggatta expressed the opinion that Chatteris also needs to build more houses for the local economy in these volatile times. He respectfully asked that the committee consider their

decision in the light of these comments and vote to support the renewed application and decision of the Chatteris Town Councillors, as in the previous supported application, this time with the additional 6 houses.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Mr Lee Bevens, the agent.

Mr Bevens explained that when the original applications were prepared back in 2013, the scheme was for 8 dwellings and the Listed Building. He added that despite providing mitigation for that scheme, the Planning Officer and Highways raised objections on the number of dwellings and the junction and so the application was withdrawn with the scheme being amended and one year later after lengthy discussions the scheme was granted for the current extant consent of the Listed Building renovation and repair and 3 x 4 bed executive houses.

Mr Bevens stated that the Planning Officers and Highways were still concerned with this scheme about the impact of new dwellings on the Listed Building and the junction of Blackhorse Lane and High Street and conditions were provided to ensure that any developer did not come along and build the new houses and try and avoid doing the repairs to the Listed Building.

He added that his clients purchased the site off the previous applicants and at the time the Listed Building was on the 'Buildings at Risk' register and was in a very poor state, with holes in the roof, leaking water into the building, rising damp, rotten floors, no water and anti-social behaviour at the address. Discussions with the Conservation Officer at FDC suggested that the Listed Building should be prioritised ahead of the new build.

Mr Bevens stated that his client followed that advice and has spent over a quarter of a million pounds renovating and repairing the Listed Building to a high standard and has worked closely with the Conservation Officer throughout the process to make sure attention to detail was secured.

He expressed the opinion that it is a material consideration that the Listed Building has been renovated and repaired at the great expense to his client and has brought back a valuable asset to Chatteris and is now a habitable dwelling.

Mr Bevens stated that the applicants have looked to market evidence regarding the 3 x 4-bedroom approved houses and it is felt that there is not a strong demand for this type of unit in this location, which are predominantly smaller units and recent nearby approvals have not been for 4-bedroom houses.

He feels this area of Chatteris has been neglected for a long time and there are still a number of either vacant or derelict dwellings along the High Street including but not exhaustive; 81 High Street, 113 High Street and 130 High Street and this site has the potential to provide good quality, well thought out open market housing, vastly improving the local area and providing much needed two- and three-bedroom houses that will not detrimentally impact on the Listed Building.

Mr Bevens expressed the view that that the impact on the Listed Building is minimal, it will be enhanced by the amended boundary wall, and a detached double garage, which it currently does not have, only parking spaces and the Listed Building will still have an appropriately sized garden of some 101 square metres which has been well designed by his clients as part of the Listed Building work. He highlighted to the committee the distances between the new houses and neighbouring dwellings, including the Listed Building and the detached double garage, which will help screen the impact of the new dwellings.

Mr Bevens added that one of the other principal concerns is highways and he stated that he has had detailed discussions with highway officers for some 15 months, who have suggested that it

was down to the applicant to prove that the junction with Blackhorse Lane and High Street was suitable for a scheme of 9 dwellings. He stated that the applicant at additional expense has had independent consultants prepare a speed survey at this junction which was carried out in August 2019, coincidentally when there was an issue along the By-pass that day and more traffic was coming through town, and the results proved that vehicles were within the speed limits and there was not an issue as such with the junction. Further evidence from County Council proved that there had been no recorded accidents at the junction for the past 20 years.

Mr Bevens expressed the opinion that he fails to understand that if Highways suggest carrying out reports at the applicant expense and the evidence presented shows that there is not a problem, how the Highways Authority can maintain an objection with no further evidence provided by them that there is a problem?

He stated that the existing junction has been re yellow lined and despite the proximity of buildings to the junction and the fact that no cars are allowed to park within sensible distances of the junction this is not an issue for the applicant to resolve if they do.

Mr Bevens added that up until approximately 33 years ago the bottom of Blackhorse Lane was used by a coach company prior to which a haulage company used the site and agricultural machinery was used and stored at the rear of 13 High Street as well, which would have seen much larger vehicles using the junction, which is the same now as it was then. He stated that he cannot find any evidence of accidents or issues at this junction.

Mr Bevens added that the existing junction has been re-yellowed lined which helps improves the visibility and it could be argued that it has better visibility than recently approved developments at 91 High Street and 54 Bridge Street, which have limited visibility and do not have the benefit of yellow lines at the highway access.

He expressed the view that it is frustrating that despite trying no evidence is forthcoming from Highways to prove that the access is not suitable for additional dwellings despite the applicant providing evidence that it is. He added that Plot 1 still has nearly 50% of its garden outside of the tree canopies and the garden is east facing so mid-morning to mid afternoon sun will not be to the detriment of the occupants.

Mr Bevens concluded by stating that he is not aware of any issues on the site with Japanese Knotweed and believe that these are false claims adding that should any be found then it will be dealt with in a controlled and appropriate manner. He asked the committee to see that the benefits to the community and Chatteris as a whole with this scheme outweigh the officer's grounds for refusal and that they concur with the Town Council and the 18 letters of support with the applicant keen to deliver these houses at the earliest opportunity.

Members asked Mr Bevens the following questions:

- Councillor Sutton asked for clarification as to why the access road had been relocated? Mr Bevens explained that the road has been moved to enable it to be of an adoptable standard to serve the 9 dwellings and it needed to be wider. He added that the access detail is different and had to be moved over, to widen the access to Blackhorse Lane, which has impacted onto the listed wall.
- Councillor Murphy referred to 10.23 of the officer's report where it states that the size of the proposed garages do not conform to the minimum size requirement. Mr Bevens stated that the garages are at least 3 metres internally and whilst the policy states that garages should be 7 metres, the garages proposed are 6 metres and a number of planning applications have been approved by the Council with dimensions of that size.

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

- Councillor Benney expressed the view that the road is very heavily used by traffic but there have been no road traffic collisions at this junction to his knowledge. He referred to a previous application for the erection of three luxury dwellings on this land which was deemed to be acceptable, in order to allow for the Listed Building to be renovated, however, in his opinion, this type of development is in the wrong location. He stated that the building was derelict, like many others in Chatteris, and whilst he appreciates that the developer has made a good job of the building, the message that the Council needs to be communicating, is that we should be working with developers and encouraging them to bring forward schemes for renovations to take place.
- Councillor Benney added that the proposal will clear up this piece of land, which is a blot on the landscape, and has been victim to anti social behaviour and he welcomes this application.
- Councillor Cornwell stated that when you pull out of Blackhorse Lane, you have to take great care as it is dangerous and that the road is unadopted and is in a bad state of repair agreeing with Councillor Benney that something does need to be done. He expressed the view that large expensive houses are not the solution in this location but it would be good to see this land built on and used and it will upgrade the area and he will be supporting the application.
- Councillor Miscandlon expressed the view that he remembers when the Listed Building was derelict and that has now been renovated and the site behind it now needs to be developed. The applicant has devised an application to eradicate an eyesore and tidy up that piece of land and he will be fully supporting the proposal.
- Councillor Marks stated that he is familiar with the area. Chatteris is looking run down and he will be supporting this application.
- Councillor Murphy agrees with the other comments made by members and he will also be supporting the application.
- Councillor Hay expressed the opinion that she agrees that something does need to happen to the piece of land and added that three executive homes in that location is out of keeping in that area. She added that she will also be approving this application.
- Councillor Sutton stated that he also knows the site well and carried out a site visit and, in his opinion, the new wall is out of keeping with the Grade 2 Listed Building. He added that when you pull out into the High Street, from Blackhorse Lane, the visibility is very poor and, in his opinion, there is the need for road improvements to be carried out to the junction. He is reluctant to vote against safety issues raised by the County Council and questioned whether it could be expected that the developer carries out improvement works or whether it could fall under the remit of Chatteris Town Council and the Local Highways Scheme.
- David Rowen stated that the proposal does not include any junction or pedestrian improvements and the application has to be determined on the basis of how it was submitted. He added that the Agent was aware of longstanding highway issues with that access and no mitigation scheme has been included in the application submission.
- David Rowen stated that there is a highway objection in 10.10 of the officer's report, and members need to take this into consideration when determining the application.
- Councillor Sutton stated that whilst he agrees with the comments highlighted by David Rowen, he expressed the view that historically the Planning Committee and the officers recommendation, approved an application against highways officers recommendations, a precedent has been set and this needs to be given weight. He questioned whether the extra cars that come with this development as opposed to the other development are so severe that the committee would change their minds in terms of highways safety with this application compared to the historical one.
- David Rowen stated that planning permission was granted 6 years ago for three dwellings on the site, contrary to the recommendation of Highways and he added that at that time officers were endeavouring to work proactively to bring the Listed Building back into use, which was a significant material consideration at that time. He added that three houses and 9 houses are

significantly different, and as set out in the Highways comments at 5.2 of the report, where the proposal is an additional 24 trips per day on a substandard junction and without the justification for the renovation of the Listed Building. The extant planning permission for the three dwellings should not be the sole reason for the decision taken by members today.

- Councillor Benney questioned whether the highways report was a desk stop study? David Rowen stated that he cannot confirm how the Highways Officer, came to their recommendation of refusal under highway safety grounds.
- Councillor Benney expressed the view that the Highways Authority has provided no evidence to substantiate their views and recommendation. He added that Chatteris Town Council have discussed whether the developer could improve the junction, and it was agreed that there was not much that could be done with the junction. It would also not be fair for the developer to pay for an existing problem.
- Councillor Benney stated that if this application is approved it is sending the right message out to developers to say that Fenland is open for business. He added that this part of Chatteris is poor and there are many derelict buildings and developers need to be supported and encouraged to invest their money and bring these derelict buildings into use. He added that he will be supporting this application
- Councillor Murphy expressed the view that it may take many years before any junction improvements could take place, and in his opinion, to expect the developer to pay for any junction improvements is very unfair. He added that he would like to see the wall removed and replaced with something more in keeping.
- Councillor Marks expressed the view, that with regard to vehicle movements, historically there have been larger vehicles using the junction over many years and this application should be supported. David Rowen stated in terms of the historic use of the road, members should give very little weight to this in their decision making.
- Councillor Miscandlon stated that when the planning permission was granted for the 3 houses, discussions took place with regard to the build out of the junction.at that time. At that time, County Council were to be approached as they had considered that a build out may alleviate the problem, however nothing has happened and whilst a build out may alleviate the problem, who would pay for it?
- David Rowen stated that if members are minded to approve the application, there is also a reason listed for refusal with regard to the 9 dwellings in terms of the relationship of neighbouring plots and members may like to give some consideration as to whether they agree whether that relationship is acceptable or not.

Councillor Benney stated that he wished to propose that the application be approved against the officer's recommendation, as in his opinion the proposal site is currently a piece of waste land that needs to be brought back into use, which will reduce the anti social behaviour and is for the betterment of the town of Chatteris.

Nick Harding stated that it is preferable for the proposer to identify reasons for approval for each of the officer's reasons for recommendation for refusal.

F/YR20/0365/F

Proposed by Councillor Benney, seconded by Councillor Murphy and agreed that the application be APPROVED, against the officer's recommendation.

Members do not support officers' recommendation of refusal of planning permission as they feel that the development would not have a detrimental impact on the setting of the Listed Building,

would protect and enhance the heritage asset and its setting, that a safe and suitable access to the site can be achieved for all users and that the junction of Blackhorse Lane and High Street would not result in unsafe vehicular movements at that junction, the development would not adversely impact on the amenity of neighbouring properties and that Plot 1 would have an acceptable level of usable private amenity space.

It was decided that the conditions imposed on the planning permission be delegated to officers' in agreement with the Chairman, Councillor Benney and Councillor Murphy.

F/YR20/0371/F

Proposed by Councillor Murphy, seconded by Councillor Sutton and agreed that the application be APPROVED, as per the officer's recommendation

F/YR/0372/LB

Proposed by Councillor Skoulding, seconded by Councillor Benney and agreed that the application be APPROVED, against the officer's recommendation.

Members do not support officers' recommendation of refusal of planning permission as they feel that the development would not be an unacceptable loss of a historic setting.

It was decided that the conditions imposed on the planning permission be delegated to officers' in agreement with the Chairman, Councillor Skoulding and Councillor Benney.

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

P17/20

F/YR20/0416/O

LAND SOUTH EAST OF THE POPLARS, BEVIS LANE, WISBECH ST MARY. ERECT UP TO 2X DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)

David Rowen presented the report to members.

Members received a presentation in accordance with the Public Participation Procedure from Mr Burton, the Agent.

Mr Burton explained that this application has been prepared following an appeal decision and is a joint application. He added that this approach has been adopted to overcome the primary reasons for refusal and ensure the proposal abuts the existing built form is no longer separated by the larger area of garden land and is a true village extension as required by LP3.

Mr Burton stated that the applicants are third generation farmers and have lived in Wisbech St Mary for 64 years having recently retired from the farming operations and are hoping to remain in the village in their retirement but to downsize from their current dwelling.

He stated that the proposed site is 2/3rd of a mile closer to the village centre and a far safer

location for walking to the village, which will allow the applicants to remain in the village that they have lived in all their lives, to continue to contribute to the community whether through church or street pride work and to continue as a hobby farmer on the 5 acre grass land to the rear.

Mr Burton stated that the scheme has no objections from technical consultees or local people and in fact has numerous letters of support including the Parish Council and local councillors.

He explained that the proposal is an Outline Application with access committed, the indicative site layout plan demonstrates that the proposal can deliver a high quality development that follows the existing built form and as noted in the appeal inspectors decision the proposal will accord with the development pattern on this side of Bevis Lane.

Mr Burton added that he has attempted to work proactively with officers throughout however; he has only become aware of a number of issues when the reports pack was published and therefore he has reviewed and responded to overcome the reasons listed for refusal.

He referred members to the slides being shown which show that the plans have been amended to include the following:

- compliant vision splays added within highway boundary
- tree stumps to be removed to the site frontage and a proposed replacement native hedgerow. It should be noted the stumps were removed to allow for hay harvest and comprised of self-set saplings and the proposed native hedgerow will have greater ecology benefits.
- existing hedge and trees within the site being retained, respecting the natural boundaries
- bat and bird boxes being proposed to enhance biodiversity
- confirmation of the trees to be removed at the access of the Poplars as self-set sycamores and a lightning damaged tree

Mr Burton expressed the opinion that the updates overcome the majority of the reasons listed for refusal and added that with regards to sustainable access it has been noted that the proposed site is within 0.4 miles of the village centre and its services, as such it is considered a sustainable location.

He added that this is a rural lane, is regularly used by pedestrians and cyclists including himself and given the short distance to the existing footpath it is considered common place throughout Fenland and explained that, in addition, it should be noted that three dwellings were approved under delegated powers at the top of Bevis Lane without a footpath,

Mr Burton highlighted the relationship of the two sites shown in the slides with the application site in red and the approved site in green and explained that mobile homes have also been approved further towards North Brink, in Flood Zone 3 and with no footpath links.

He expressed the view that he considers this proposal does not result in any increased harm or safety concerns above these approved schemes, with vehicles not typically travelling at 60mph in this location due to its proximity to the junction and added that notwithstanding this if the committee is minded to approve and considers a footpath link required the applicant is prepared to accept a condition to provide a footpath.

Mr Burton expressed the opinion that he believes the scheme abuts the built form and is separated

from the Poplars only by the drive and planting border and not by garden land that relates more to the open countryside.

He referred to the next slide which showed the former development boundary for Wisbech St Mary and explained that the land to the rear of the Poplars has been developed extending St Mary's Close to the development area boundary which clearly shows the Poplars as within the built form with his proposed site abutting this boundary and, therefore, abutting the built form as required by policy.

On the next slide, Mr Burton pointed out that the scheme recently approved for 76 homes and added that he believes this site relates more to open countryside and abuts only garden land rather than built form and is also within Flood Zones 1, 2 & 3.

He expressed the opinion that he believes the scheme is consistent with recent approvals within the village and is also consistent with a number of recent approvals by this committee within Fenland to deliver high quality development.

Mr Burton highlighted on the presentation that the site is in Flood Zone 1, shown by the yellow marker with large parts of Wisbech St Mary being in a higher risk of flooding, and stated that he believes this proposal should be supported as being sequentially preferable with no barriers to development ensuring high quality sustainable homes in Fenland.

He expressed the view that the site will also allow the applicant who has lived in and massively contributed to the Parish to downsize and retire within his home village.

Mr Burton concluded by stating that he has responded and amended the scheme to overcome the previous appeal dismissal and issues identified in the officer's report. The site is within Flood Zone 1, is sequentially preferable, abuts the built form and former development area boundary, has no objections, local parish and councillor support and will deliver high quality housing in this growth village while meeting LP3 & 12.

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

- Councillor Meekins stated that on page 138, some of the properties listed on the plan, fall within his ward and the proposed site falls into another members ward; he does not feel that 2 extra properties in Bevis Lane will cause any detriment to the area and for that reason he will be voting against the officer's recommendation.
- Councillor Sutton stated that he agrees with Councillor Meekins, and he expressed the opinion that the proposal is adjacent to the built form. He added that the proposal is for two nice dwellings, although he does have concerns over connectivity but stated that a private pathway from the driveway of plot 2 across the front of plot 1 and adjoining the Paddocks driveway could resolve that issue and he will be voting to approve this application.
- Nick Harding stated that there has been a very recent appeal decision and, therefore, if members are minded to approve the application, they need to give very clear reasons to identify why something has changed since the inspector last reviewed this.
- Councillor Murphy stated that in the officer's report it states that the appeal was dismissed for the following reason "finding harm to the character and appearance of the area by the felling of the trees along the site frontage, that the site failed to accord with Policy LP12 as it did not lie adjacent to the developed footprint of the village". Councillor Murphy expressed the view that the appearance of the area, can be altered, but not the fact that the site does not adhere to Policy LP12, so in his opinion that same reason would stand in another

appeal. David Rowen stated that the current application does include the upper half of the site which was not part of the previous proposal. He added that some members have already disagreed with the officer's report which states that, The Poplars has a very substantial garden area to the side and it is not immediately adjoining the built form of the settlement as required for Policy LP12.

- David Rowen added that LP12 also states that developments do not have an adverse impact on the character and appearance of the surrounding countryside and farmland, are of a scale and in a location that is in keeping with the core shape and form of the settlement, do not extend linear features of the settlement or result in ribbon development, whilst retaining natural boundaries such as trees and hedgerows and respecting ecological and biodiversity features of the land. He added that there are still a number of character issues which count against the application as the Inspector identified as being unacceptable along with the lack of connectivity. He stated that members need to consider what has changed in the last 18 months, since the Inspector reached his conclusion.
- Councillor Miscandlon stated that he has concerns and if it was 1 house on the edge of a village, it may be acceptable, but this is for two dwellings and the fact that there is the possibility of progression does not sit comfortably with him.
- Councillor Sutton stated that there may be further applications for additional dwellings to come in the future, but we are determining the application before us today.

Proposed by Councillor Sutton, seconded by Councillor Meekins and agreed that the application be APPROVED against the officer's recommendation.

Members do not support officers' recommendation of refusal of planning permission as they feel that the application is adjacent to the built form and complies with LP12A, under LP16 they believe that it improves the character of the local environment and does not have an adverse impact on the character of the surrounding area, under LP15, the proposal is only indicative and the designed element will be dealt with at reserved matters stage and the habitat issue, can be conditioned.

David Rowen referred to one of the reasons that Councillor Sutton has cited with regard to the development needing to provide a well-designed, safe and convenient access for all, and added that is in relation to lack of pedestrian connectivity and needs to be resolved at this time and not at the reserved matters stage. Councillor Sutton stated that as long as there is a pathway from the eastern most driveway to The Paddocks then the connectivity is no worse for those residents than is currently the case.

It was decided that the conditions imposed on the planning permission be delegated to officers and agreed in conjunction with the Chairman Councillor Benney and Councillor Meekins, but to include the provision of a pedestrian footpath from the properties.

P18/20

F/YR20/0440/F

**22 COLVILE ROAD, WISBECH.CONVERSION OF DWELLING TO 2 X 2-STOREY
3-BED DWELLINGS**

David Rowen presented the report to members.

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

- Councillor Meekins stated that he is familiar with the area and stated that the house is a

large property he notes from the report that the developer has proposed that he intends to make the property into two dwellings, and that he will reside in one of them. Councillor Meekins added that some of the objections are not relevant and he will support the officer's recommendation.

- Councillor Cornwell expressed the view that it is a large property, albeit slightly out of character for the area, however, there are some very large houses in the Trafford Road area. Councillor Cornwell expressed the opinion that the developer has obviously given thought to some of the work they wish to carry out with the area lending itself to two three bedroomed properties and if the proposal means that this old property will be protected, then he will support it.
- Councillor Sutton stated that he is pleased to note the planning history and he will be supporting the officer's recommendation.
- Councillor Meekins stated that the only issues with regard to parking would be at the relevant start and finish times for the two local schools.

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

P19/20 APPEALS REPORT

David Rowen presented the appeal report to members

Members agreed to note the content of the appeal report.

5.30 pm

Chairman