

PLANNING COMMITTEE



WEDNESDAY, 14 JULY 2021 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor I Benney, Councillor Mrs S Bligh, Councillor M Cornwell, Councillor Mrs M Davis (Vice-Chairman), Councillor Mrs J French, Councillor Mrs K Mayor, Councillor P Murphy, Councillor M Purser, Councillor R Skoulding and Councillor D Topgood, Councillor D Divine (Substitute)

APOLOGIES: Councillor C Marks and Councillor W Sutton,

Officers in attendance: Jo Goodrum (Member Services & Governance Officer), David Rowen (Development Manager), Gavin Taylor (Senior Development Officer) and Nikki Carter (Senior Development Officer)

P22/21 **F/YR20/1235/O**
LAND SOUTH OF, BRIDGE LANE, WIMBLINGTON
ERECT UP TO 88 DWELLINGS (OUTLINE APPLICATION WITH MATTERS
COMMITTED IN RESPECT OF ACCESS)

Gavin Taylor presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from County Councillor John Gowing.

Councillor Gowing stated that he is the County Councillor for the March South and Rural area, with Wimblington being in this division, and over the last few years he has seen the growth of new housing in Wimblington and the impact that it has had on the village. He stated that extra housing brings the already overstretched services such as schools and medical provision to breaking point and that although the advice is given that schools have capacity, it is often the case that parents have to transport their children to other schools in the area, being aware of families who have primary aged children who are enrolled in different schools, due to class sizes, which is not acceptable and more houses in Wimblington will only exacerbate the situation.

Councillor Gowing stated that by providing bus shelters and electronic real time data displays will not guarantee the use of public transport and parents will still use their own vehicles to transport their children to and from school, and in his report the applicant is just trying to demonstrate that less vehicles will be needed. He expressed the view that the bus service in Wimblington cannot be compared to that of Cambridge City centre where the bus service is far more frequent than that in Wimblington.

Councillor Gowing expressed the view that it is already very difficult to obtain an appointment with a doctor and it is likely that if the proposal was approved there would be the need to travel to a different surgery to see a doctor. He made the point that residents have raised concerns with regard to speeding through the village and the number of cars and traffic has become far more noticeable with the addition of recent housing.

Councillor Gowing expressed the opinion that the access for the proposed new development is on a dangerous bend and, in his view, traffic calming measures need to be considered taking into account the impact that the development in Nursery Gardens is already having on the village,

questioning who would pay for this. He stated that more importantly is the strain on the infrastructure to prevent flooding and he recalled the impact of the flooding events that took place last year which were both stressful and costly to residents.

Councillor Gowing added that Anglian Water have stated following the flooding episodes that they are obliged to accept foul water flows from the development and would, therefore, take the necessary steps to ensure sufficient treatment capacity was in place should planning permission be granted. He added that Anglian Water have now stated that Doddington Water Recycling Centre will have available capacity for the flow, but he questioned this as, at the time of the flooding, he asked why there was only one pump operating at a time in the Bridge Lane area when there was another pump on site and he was advised that the pipes could not accommodate the volume of water, which, in his opinion, suggests that whatever improvements that Anglian Water intend to make will not alleviate the situation.

Councillor Gowing stated that he is aware that there are historic ditches and drains which have been filled in without being piped and he would hope that these are being located and restored, but until these works are carried out the problem still exists. He reiterated his view that until the issue of water being able to reach the Doddington Water Recycling Facility is resolved, residents' properties will continue to be flooded.

Councillor Gowing concluded that the proposed new development could be the straw that breaks the camel's back and additional housing cannot continue to be built without first ensuring that suitable infrastructure is in place to support the existing developments, let alone new ones and the promise of upgrading overburdened resources is not good enough and there needs to be the proof that the infrastructure can adequately service what is already in place. He expressed the opinion that he strongly suggests that the proposal is refused for any further developments until assurances are given that the infrastructure is sufficient and if the proposal was approved this would be reckless and irresponsible and not best serving the residents of Wimblington.

Members asked Councillor Gowing the following questions:

- Councillor Cornwell stated that Councillor Gowing appears to have strong concerns regarding education provision and £2843 per property is quite a high contribution towards education and he asked why those comments have not been received by the education authority? Councillor Gowing stated that he has had to represent residents at appeal hearings when children have not been accepted into local schools and he added that the education authority cannot guarantee that the child would go to the local school, but state that there would be a place for the child in Cambridgeshire. Councillor Cornwell asked Councillor Gowing whether he is suggesting that the financial contribution to education should be higher to fund the immediate local education facility as there is a school in the village? Councillor Gowing stated that he does not think it is anything to do with the cost, as there are sufficient places for children, but not at the local school. Councillor Cornwell expressed the view that there is a school in the village of Wimblington and if there are insufficient places at that school, then in his view, that is a problem for the County Council, which needs to be addressed. He expressed the opinion that development cannot be restricted, just because of the County Council, and he stated that there is a considerable contribution of almost £3000 per dwelling towards education, which is a very significant amount from a village development. Councillor Gowing stated that if there are no places in the village school, then the child will go to school elsewhere to be educated and residents of the village do not have the right to send their child to the village school. Councillor Cornwell stated that it would appear to be a County Council policy issue, which needs to be addressed.
- Councillor Mrs French stated that the issue of education does need to be addressed. She added that the County Council has a statutory duty to supply school places, which should be local, and the Council does not have a statutory duty to insist for Section 106 contributions to provide education. Councillor Mrs French stated that the Section 106

contributions being provided per dwelling with this development are relatively high, however, it is now becoming an issue where developments are becoming unviable due to the fact that the County Council are requesting more contributions. She expressed the view that the highway authority needs to review their own policy and the Council needs to look at the Section 106 and not insist on contributions for education as consideration needs to be given to the National Health Service. Councillor Gowing stated that education is just part of the problem in general and added that the main concern is around the issues of flooding.

Members received a presentation, in accordance with the Public Participation Procedure, from Councillor Mrs Maureen Davis.

Councillor Mrs Davis stated that the following statements were taken from the refusal decision notice of an application for only three bungalows immediately to the rear of this site where the notice states that under the current local plan, Policy LP3, the proposed site falls into an elsewhere location and other applications have been refused close to this site for that very reason. She stated that it also says that under Policy LP3 the site is currently open agricultural land and any building on this site will erode an important visual gap and area of separation between Bridge Lane and March Road and Wimblington Village and that under Policy LP3, the proposal would have an unacceptably adverse impact on the character and appearance of the area.

Councillor Mrs Davis stated that Wimblington is classed as a growth village within the current Local Plan and pre-empting that growth, there is a note within LP3 which says development in Wimblington and Doddington will be appropriate if capacity at Doddington Sewage Works can be addressed and, in her opinion, that capacity has not been at the sewage works for some considerable time, nor will it be any time soon. She added that under Policy LP12 of the current Local Plan if a proposal within, or on the edge of the village would, in combination with other development built since April 2011 and committed to be built, increase the number of dwellings in Wimblington by 15% then the proposal should have demonstrable evidence of clear local community support and support from the Parish Council.

Councillor Mrs Davis expressed the view that built and committed to be built properties in Wimblington exceed 15% and she stated that the pre-application consultation was undertaken during COVID-19 lockdown and was limited and sparse and news of the proposed development was spread more by word of mouth amongst residents than by the proposer. She added that the Parish Council made an immediate response to the proposer saying it would not support the application and she expressed the view that if Policy LP12 of the current Local Plan is ignored then all future local plans and all neighborhood plans might as well be ignored.

Councillor Mrs Davis stated that she is aware that she keeps making reference to the current Local Plan and that the committee struggle with the restrictions in it, with the new Local Plan set to change some policies, however, the current plan, as often reminded by officers, is what the committee is supposed to work with. She stated that she is aware of the need for housing in Fenland, but for Wimblington residents enough is enough, especially with plans for a further 100 properties to be built in Wimblington, which already include shared housing and a Rural Exception site for 14 homes.

Councillor Mrs Davis added that more representation about highways and infrastructure is likely, but she wanted to draw the committee's attention to some other conditions attached to this application. She has noted that one of the conditions from Highways is for two bus shelters with electronic timetables and welcome packs for the new homes with travel subsidy, but she feels that residents would not be using the bus availability and timetables currently on offer for Wimblington as the bus service is not user friendly.

Councillor Mrs Davis stated that it is a well-known fact that parents will take their children by car to all the local schools, and she added that this is further evidenced by what happens now from the

new development of 68 homes at the Nurseries also on March Road. She stated that in addition there are cars parked along March Road near to the proposed site dropping off and collecting children from the school bus.

Councillor Mrs Davis expressed the view that under the Section 106 details, there is 25% of affordable housing for this site shown, however, she doubts whether this will happen and a viability report that says it is not feasible will be produced once outline planning application has been approved. She stated that parts of Wimblington, including Bridge Lane, suffered from flooding in December 2020 and made the point that there had been no incidents of flooding in Bridge Lane prior to 23 December and as a consequence of that flooding residents were told not to shower, do their laundry, or use their toilets prior to then.

Councillor Mrs Davis expressed the view that there was untold damage in March and in Doddington and she stated that flooding episodes have also taken place recently in Peterborough. She stated that the application has not answered questions about local flooding, does not seem to have a redress to local flooding and seems to be relying on unguaranteed safeguards against local flooding.

Councillor Mrs Davis stated that it is reported within the papers that surface water can be dealt with by a retention basin and surface water can then drain into the ditch along the eastern boundary, but to her knowledge no one has spoken to the drainage board. She acknowledged that the site is in Flood Zone 1, but the report says flood data suggests there is a potential for groundwater flooding on this site and that finished floor levels should be sufficiently raised to address this risk and she expressed the view that to read this amount of concern for local flooding on this site, with presumably the risk to Bridge Lane residents, causes her great concern and the application should be refused unless and until far more confidence can be shown that local flooding will not occur as a result of its build out.

Councillor Mrs Davis asked the committee members to refuse this application today under LP3, LP12 and local flood risk issues.

Members asked Councillor Mrs Davis the following questions:

- Councillor Cornwell stated that he understands the concerns with regard to surface water drainage and he referred to the issues surrounding foul drainage making reference to paragraph 10.50 of the officer's report. He added that it states that there are current problems, the expansion has never been undertaken to which Anglian Water admit and it also states that Anglian Water raises no concerns over existing problems and indicate that the development can be suitably accommodated. Councillor Cornwell asked Councillor Mrs Davis whether she is doubting that Anglian Water would respond to the water requirements of the application should it be approved? Councillor Mrs Davis stated that she has severe doubts as the water company fails to respond to other applications so why should they treat this application any differently. Councillor Cornwell stated that he would like officers to advise how assurance can be received from Anglian Water on their obligations once planning applications are approved.

Members received a presentation, in accordance with the Public Participation Procedure from Rhian Freear, an objector.

Ms Freear stated that the foremost concern of the residents of Bridge Lane is drainage and surface water issues and that after heavy rainfall in December there was bubbling up and overspill of foul water in people's homes, which is something that Anglian Water are aware of and this had not happened in the last 32 years prior to the Nursery Garden's development and, therefore, it can only be presumed that capacity has been over stretched and would not cope with further pressure. She added that Anglian Water have stated previously that they do not have the capacity for waste

water and in a revised response on 7 July they have now stated that they will now have the capacity, which in her opinion seems strange as planning permission is yet to be granted.

Ms Freear stated that there is one Primary School in Wimblington, which has already had to turn away children due to lack of capacity, and whilst she appreciates that there will be a contribution made to education there is no suggestion as to how education will be aided and improved, and the secondary school provision is even further affected due to continued building of new developments in both March and Chatteris, which add to the pressure on those sites. She stated that Wimblington is part of a wider group practice, encompassing a further 4 GP practices and there are only 4 full time Doctors employed across the practice, along with 2 part time and 8 locums, and the addition of further housing will only add to the pressure onto the health service.

Ms Freear expressed her shock to learn that more consideration has not been given to the levels and increase in traffic levels and she stated that March Road is already a very busy road and with a bend in the road just before Bridge Lane, it is hazardous to pedestrians with the speed and frequency of traffic. She added that opening another access point along March Road, cannot be without additional problems and expressed the view that the 12.6% uplift to traffic monitoring at peak times to take into consideration the impact of Covid is sufficient when many people are working at home.

Ms Freear stated over the past five years she has already seen development on King Street, Nursery Gardens and the potential development on Bridge Lane itself and, in her view, granting planning permission would lead to over development in the village. She added she would be interested to know whether thought has been given by any of the developers into sustainable energy sources and the fact that the agricultural land is being built on thought should be given to preserving what agricultural land is left.

Ms Freear concluded that consideration should be given to all the points she has outlined, which would bring harm to the area and residents, particularly where drainage and flooding is concerned, which will affect people's homes and potentially their health.

Members received a presentation, in accordance with the Public Participation Procedure from Mr Mendez, an objector.

Mr Mendez stated that he moved into the village 16 years ago and, in his opinion, at that time, it was one of the most attractive villages in Cambridgeshire. He advised that he resides beside the Matthew Homes development and that development has affected him and his family as the dwellings on that development are no further than 2 metres away from his home and he stated that there is not a single angle where he does not see somebody else's window or roof.

Mr Mendes expressed the opinion that the village is full of development and there is also a large increase in traffic and a further 18 dwellings will only exacerbate the situation to what was once a nice village.

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

Mr Mowatt stated that the application has been submitted in outline with all matters reserved for future consideration, with the proposal delivering 66 new market and 22 affordable new homes in the village of Wimblington, and he stated that the applicant aims to deliver the homes in a short timescale, with there already being a great deal of interest and discussions from 2 well known regional providers regarding the delivery and management of the affordable units. He stated that LP3 of the Local Plan sets out a strategy for growth and defines Wimblington as a growth village with development on new service provision encouraged, either within the existing urban area or as a small extension to the village and due to this the applicant welcomes the in-principle support for

the proposal.

Mr Mowatt stated that he understands that there has been public objection to the proposal and added that any new development generates an emotive response, but the applicant has tried to design a scheme which fits in with the existing built form and the overall pattern of growth within the village, with a number of amendments made to the application as a result of the community consultation, which include the access point of the development being relocated further south on March Road, increased landscaping across the scheme and the creation of a wider green corridor to include cycle paths and walkways. He stated that the officer's report also notes the response to public comments and the Statement of Community Involvement addresses some of the points including local services ability to cope, highway safety, loss of use, precedent, strain on utilities and flood risk, which have all been satisfactorily addressed by the Statutory Consultees.

Mr Mowatt stated that the development site is not constrained by any environmental designations or identified on any adopted policy plan as an important landscape area or strategic landscape gap. He explained that the development location has been further urbanized by the introduction of a new 2-metre-wide footpath across the entire western boundary, providing a continuous link from the village towards March.

Mr Mowatt expressed the view that future landscaping will provide an attractive buffer between the development and Bridge Lane and further opportunities will exist to provide meaningful landscaping and a play area, which will benefit both new and existing residents. He explained that there are outstanding technical objections from any of the statutory consultees or the Council and the Section 106 contributions have been agreed and are significantly more than the Council's own viability assumptions for the developments size.

Mr Mowatt expressed the view that the benefits of the development should be given weight and they include that 25% of the dwellings will be affordable and this exceeds the affordable housing requirement by 5% according to the Council's Housing Viability Assessment of June 2020. He stated that the neighbouring development, which is of comparable size, is not providing any affordable housing and he added that over the past few years no affordable homes have been delivered in March or Wimblington.

Mr Mowatt explained that as part of the viability assessment, it states that Section 106 contributions should be fixed at £2000 per dwelling, however, the applicant has undertaken their own robust viability assessment and concluded a financial contribution of £2843 per dwelling can be made, which exceeds the Council's own viability assessment, and is £2031 per dwelling more, than the contribution which has been achieved on the neighbouring development. He added that this financial contribution will go towards early needs and secondary education and has been agreed by the County Council, with the other benefits to include upgraded bus shelters, welcome travel packs to each household and a contribution to local park and green space, allotments, and sports.

Mr Mowatt stated that the proposal is policy compliant and there are no technical objections and all outstanding matters relating to the Reserved Matters submission have been addressed through draft planning conditions. He stated that the proposal seeks to provide 22 affordable homes where there have been none built over the last three years along with 66 market homes and Section 106 contributions, which will provide benefits to residents and he asked the committee to grant the planning permission.

Members asked Mr Mowatt the following questions:

- Councillor Topgood asked whether the Internal Drainage Board (IDB) had been consulted considering the flooding issues? Mr Mowatt stated that it is his understanding that the IDB have been consulted and in terms of addressing surface water and the drainage ditches he is aware that the land to the eastern side there is a drainage ditch with a covenant on it

which grants the Council permission to access and clear the ditch, to ensure free flow of water. Councillor Topgood asked why the IDB report does not form part of the application and Mr Mowatt stated that the Case Officer has the responsibility of consulting with the IDB.

- Councillor Mrs French stated that Internal Drainage Boards are not a statutory consultee, they are consulted, but they do not have to respond. She added that she is also very concerned about flooding, following the flooding events that March suffered from last year and she asked Mr Mowatt whether he has carried out a sequential approach to flooding, in accordance with the Local Plan? Mr Mowatt stated that the sequential and exception tests are not required when the application is in Flood Zone 1 and, therefore, in this case it is not a requirement.
- Councillor Connor asked when the viability study was carried out and asked whether the increase of building materials and costs has been taken into consideration for the profitability of the scheme? Mr Mowatt stated that discussions have taken place with the case officer regarding viability and the County Council with regard to the education contributions. He was made aware of the Council's own viability assessment which looks at the deliverability of sites and he recognises that delivery in the southern part of district has been difficult in the past. Mr Mowatt added that with regards to viability it very often comes down to what people will pay for the land to start with and, in his opinion, when the planning application was submitted, there was the intention of a slighter higher provision of affordable homes, but in order to make the scheme viable and provide the Section 106 contributions, the number of homes was adjusted through the planning application. He stated that he understands the concerns over the viability and delivery and added that detailed discussions have taken place with both County Council and the Planning Officer and it is still the view that the proposal can be delivered including the agreed level of Section 106 contributions.
- Councillor Mrs French expressed the view that she hopes that when the full application is submitted the affordable home part of the proposal will still be included.

Members asked Officers the following questions:

- Councillor Cornwell asked officers to confirm how assurances regarding commitments from utility providers to fulfil their obligations with new developments can be guaranteed? Gavin Taylor stated that Anglian Water have a statutory obligation to manage foul flows from all developments and they are controlled through permits from the Environment Agency (EA) and the planning service does not have the authority to insist that Anglian Water deliver anything through planning legislation as the Council is guided by the statutory bodies as to whether the service can be accommodated, but as an authority we cannot insist. He added that Anglian Water did come back with a revised position for the application and this follows some clarification that was provided with a previous position on another application in Newgate Street, Doddington, determined by the committee, where originally the EA objected to the scheme due to the fact that Anglian Water were not operating as they should and a proposed arrangement of works was submitted and the EA issued relevant permits to allow Anglian Water to continue without penalties and in that case both the EA and Anglian Water both accepted that there is capacity and the programme of works is acceptable to accommodate flows in the future. Gavin Taylor reiterated the fact, that the planning authority cannot insist that Anglian Water deliver their infrastructure. Councillor Cornwell stated that as an authority the statutory overseer can be contacted, and representation can be made to them to advise them of the lack of action. Gavin Taylor stated that if the Council as a whole feel it is in the best interest of the authority to contact the statutory undertaker to raise concerns then it is something that could be considered. Councillor Cornwell stated that the Council's Overview and Scrutiny Committee have engaged with Anglian Water, which is proving to be a helpful and worthwhile exercise. He added that the March Internal Drainage Boards have been proactive ensuring that whatever surface water drainage provision is made by a contractor is acceptable to the IDB's before work commences. David Rowen stated that the issue concerning what representation can be made to Anglian Water is something for

either Full Council or Cabinet to determine rather than Planning Committee and he added that both Anglian Water and the IDB's both have their own obligations under their own legislation and as a planning authority there is the requirement for the Council to trust those bodies that they are fulfilling their roles that they are obligated to do.

- Councillor Mrs Bligh asked how frequently the EA update their flood zones as she is concerned that the proposal site is suffering from flooding and it is in a Flood Zone 1 area? Gavin Taylor stated that the site is in Flood Zone 1 and he is unaware of the site having any flooding issues. He added that the Local Lead Flood Authority have identified that there may be a high-water table area on this site, which can be managed through levels and there has been nothing identified to suggest critical drainage issues with the application site.
- Councillor Mrs Bligh added that she notes that there have been over 100 letters of objection to the proposal and asked whether there were any letters of support? Gavin Taylor stated that the representation received earlier did contain some supportive comments, but there were no letters of support received.
- Councillor Mrs French referred to 10.50 of the report where it states that Anglian Water had advised that foul drainage for the development is in the catchment of Doddington Water Recycling Centre and there is currently no capacity for the flows and then it also states that this could be subject to securing an agreed scheme for an onsite foul drainage works. She added that she is concerned that there is not adequate capacity for water flows in place for the development.
- Councillor Skoulding stated that he is surprised that the Highway Authority have not raised any concerns over the S bends on the road in Wimblington. Gavin Taylor stated that officers are guided by the Transport Team and Highways with regard to travel and road safety, there is a policy requirement to ensure it does not cause any safety issues on the highway and that people can access in a safe and effective means and there have been no objections received on that basis. Councillor Skoulding stated that he would class it as a dangerous road.
- Councillor Skoulding expressed the view that that the site for the proposed development has always been a flood field and asked where the water is going to disperse to as, in his view, it is only going to move the water to other properties. Gavin Taylor stated that the application is supported by an outline drainage strategy, which shows that the surface water will flow to an attenuation basin at the south east corner of the site and then discharge into an IDB managed watercourse on the eastern boundary.
- Councillor Skoulding stated that the schools are at capacity and he is concerned about that.
- Councillor Mrs Bligh asked for clarity over the IDB position with regard to the proposal and questioned as to whether they have any objections to the proposal. Gavin Taylor stated that following discussions with the Graham Moore of the IDB, he has indicated by phone that they have no issues with the proposal. Councillor Mrs Bligh stated that it imperative that this is all correct as we cannot have any more homes being victims of flooding.
- Councillor Cornwell stated that he is aware that if an IDB feels that something needs to be designed to manage an issue on a development, they can insist that a developer provides that, to meet the specification and the requirements of the IDB. He expressed the view that the March IDB's ensure that the infrastructure is in place to meet surface water run-off. Councillor Cornwell advised members of the committee that he is aware of serious issues arising from the development that is next door to the proposal site, where the IDB had to make important decisions regarding the drainage of the land, which is linked to the drain on the eastern side of the property and immediately behind the neighbouring plot into the next plot. He expressed the view that surface water drainage through the IDB's is very highly regulated.
- Gavin Taylor stated that Middle Level Commissioners have indicated and are satisfied that, as the water is going to go into one of their managed drains, they would be able to maintain that adequately.

- Gavin Taylor referred to the officer's report at 10.50 which Councillor Mrs French referred to and he stated that that point and comments in the report has been superseded by the update report with regard to capacity.

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

- Councillor Mrs Bligh made reference to an application in Wisbech St Mary, which resulted in no Section 106 contributions coming forward and she expressed the opinion that the village of Wimblington is going to suffer. She expressed concern over the issue of viability, an area which may flood and no community support. Councillor Mrs Bligh expressed the view that rural areas are terribly under served with no community transport and she added that she has concerns over the number of homes being developed in a rural area.
- Councillor Benney stated that he has concerns over the proposal and added that he is unsure that the Section 106 contributions which have been proposed will ever be forthcoming. He expressed the opinion that the application will come back with a viability report and it will include nothing. Councillor Benney expressed the view that the issue of lack of school places is a Cambridgeshire County Council issue and is not a material planning consideration. He stated that over the Christmas period, the proposal site was under water and he stated that he understands that the site is in a Flood Zone 1 area and the developer is looking to build the land up would intimate that the developer is already aware that there is a problem on the site. Councillor Benney expressed the opinion that the applicant has acknowledged that there is a problem, however, in his view, the problem will not be for the 88 houses, it will be for everybody else who lives in the area, as water always finds a level and will run off and will run into the houses in Bridge Lane and beyond. He added that he has great concern over the proposal and expressed the view that the Middle Level Commissioners, who are one of the main bodies for drainage in the area, have not even commented and provided a formal response on the application. Councillor Benney stated that desk top studies are undertaken which amount to nothing and, in his view, nobody has looked at the problem and he has real concerns that the IDB might not have looked at the reports from Anglian Water and may not be making correct decisions. He expressed the opinion that the drainage on this proposed development needs further investigation and he added that he is aware that Anglian Water in Doddington have been transporting raw sewerage from the treatment facility on a very regular basis and, in his opinion, Anglian Water have a duty to build another treatment facility. Councillor Benney expressed the opinion that to approve the application will be irresponsible of the committee and whilst he finds it difficult to provide reasons to refuse the application, he would like to see representatives of the Internal Drainage Board, Middle Level Commissioners and Anglian Water to address the committee and for that reason he added that he would like to see the application deferred.
- Councillor Connor referred to 5.3 of the report and stated that Anglian Water are obligated to accept foul flows, but they do not take the steps to ensure the treatment capacity. He expressed the view that Anglian Water have not updated their systems since the drainage was installed in the 1970's and since then there has been excessive growth in the village. Councillor Connor stated that Councillor Mrs French along with other councillors have been working very hard dealing with flooding issues and he referred to the Local Plan 2014 which states that both Doddington and Wimblington are both growth villages and it indicates that there cannot be major development until the sewerage system is upgraded.
- Councillor Mrs Bligh stated that she is frustrated that it is often the case that development takes place before the necessary infrastructure and, in her opinion, it should be the other way around. She added that she agrees with the view of Councillor Benney that the application should be deferred until sufficient information is received from the IDB and Anglian Water.
- Councillor Cornwell stated that much of what has been discussed are not planning issues and he added that there are lots of implications, many of which are the responsibility of the County Council and they need take responsibility for the areas that they cover. He added that any development will lead to more income for the County Council. Councillor Cornwell

stated that he also has reservations with regards to Anglian Water and that unless the IDB agree to the drainage on the proposal site then there will be no development allowed and he would like them to address the committee. He stated that there are some overlaps with regards to planning considerations and public utility type implications that will have an impact on the area. He expressed the opinion that he could not see how the committee could not approve the application and added that further consideration is needed with regard to the impact on public utilities and he also raised concerns over the Anglian Water tankers operating in the area. Councillor Cornwell expressed the view that he does not recall such a lengthy debate taking place when determining the neighbouring development and he stated that he does not know whether the issues of drainage and flooding have been exacerbated by that development but added that the issue of surface water drainage on the neighbouring site has been handled very well. He stated that he would also be happy to consider a deferment of the application.

- Councillor Connor stated that he recalls the neighbouring development, and he did raise his concerns at the time.
- Councillor Murphy stated that over the years planning has always been refused on this piece of land. He referred to 10.20 of the officer's report where it mentions an appeal for three dwellings, which was dismissed in 2015 and there have also been other applications submitted for that site. Councillor Murphy stated that originally that area was left to make a natural break in the building line, and he expressed the view that he finds it difficult to resist development on the piece of land due to the number of other applications which have been constructed in the vicinity. He expressed the view, however, that it is over development and over density for the site and, in his opinion, it is out of character for the immediate area and added that there are too many unforeseen issues on the site which could have repercussions.
- Councillor Mrs Mayor stated that there have been many discussions over time concerning the transportation of sewage by tanker. She added that she agrees with Councillor Benney's earlier comments with regard to water finding its own level. Councillor Mrs Mayor stated that she would like Anglian Water to attend a Planning Committee meeting.
- Councillor Benney stated that with regard to this application and the drainage issues and concerns surrounding it, he does not think that officers should be given the delegated responsibility and members of the committee should be given the opportunity to scrutinise it. He added that he would like that application deferred to enable Anglian Water and the IDB the opportunity to address the committee and for a drainage scheme to be presented at the same time.
- David Rowen stated that many applications come before the committee, which do not have any comments from Middle Level Commissioners, and he added that they ultimately have the control over the flows that they do or do not accept and to some extent whether a development is permitted. He stated that County Council as the Lead Local Flood Authority have made comments that they are happy with the application, subject to conditions being imposed and he added that proposed condition 13 sets out the detailed requirements of a drainage scheme needs to be submitted as part of the Reserved Matters application. David Rowen made reference to the comment made by Councillor Benney who had stated that it would be preferable to have a design of the drainage scheme before members and he added that whilst it would be helpful, the application is an outline application only and only access is committed, and it is difficult to bring forward a detailed drainage design when the layout of the site is not yet committed. He stated that Anglian Water have commented that the foul water from the development is within the catchment of Doddington Treatment Facility and will have capacity for the flows. David Rowen appreciated that members may have their concerns, that is the comment that has been received and he expressed the view that whilst the application could be deferred to allow Anglian Water to address the committee, there is no guarantee that they would attend. He added that the officer's recommendation has taken into consideration the issues and concerns with regard to surface water and sewerage issues, including the comments of the statutory consultees and the rationale behind them all. David Rowen also raised concerns over the potential of

setting a precedent whereby statutory bodies would need to attend Planning Committee meetings to clarify their written comments which they had submitted at the consultation stage.

- Councillor Benney stated that he appreciates that if the full application is submitted it may alter the drainage layout, however, in his view, once outline planning permission is granted, the precedent is set to say that the ground is suitable and, in his opinion, if the applicant wants to proceed with his proposal, he should submit a full application rather than an outline application. He added that members need to be satisfied that the decision they make is the right one for the village of Wimblington.
- Councillor Connor stated that he agrees with some of the comments made by Councillor Benney and added that the applicant should be invited to submit a full application and Anglian Water and the IDB should be invited to address the committee and he would like to see the application deferred. He expressed the view that there are no other planning reasons to refuse the application on, other than drainage, but in his view, it should be deferred on flooding grounds.
- Councillor Mrs Bligh stated there is a recommendation from officers, who are guided by the Local Plan, and she can see no reasons for refusal, however, there is the need for more information to be presented and for that reason she would like to see the application deferred.

Proposed by Councillor Benney, seconded by Councillor Mrs Bligh and decided that the application be DEFERRED in order for further information to be obtained with regards to drainage and flooding.

(Councillor Mrs Davis declared an interest in this item, due to speaking in objection to the application, and took no part in the discussion or voting on this item thereon)

P23/21

F/YR20/0223/BCP

LAND EAST OF A141 HIGHWAY AND NORTH OF KNIGHTS END ROAD, MARCH FENLAND DISTRICT COUNCIL IS SEEKING APPROVAL IN PRINCIPLE FOR A BROAD CONCEPT PLAN FOR WEST MARCH. LOCAL PLAN POLICY LP7 (URBAN EXTENSIONS) INCLUDES PROVISION FOR PLANNING COMMITTEE TO GIVE 'IN PRINCIPLE' APPROVAL TO A BROAD CONCEPT PLAN WHICH BOTH PARTIES WOULD EXPECT SUBSEQUENT PLANNING APPLICATIONS TO ADHERE TO.

Gavin Taylor presented the report to members.

Members asked officers the following questions:

- Councillor Mrs French stated that after reading many letters of objection it does need to be made very clear that the Broad Concept Plan (BCP) does form part of the Local Plan and it was also included in the 1993 Development Area Boundaries document.
- Councillor Mrs French asked Gavin Taylor to clarify that he had stated that in the future Knights End Road and Burrowmoor Road would be closed. Gavin Taylor stated that it is something that is being discussed as background in order to try and focus access to the A141. He added that it is something that needs to be worked on in terms of modelling and transport assessment as to whether that would be appropriate and achievable. Councillor Mrs French added that since 2017, the March Area Transport Strategy (MATS), has been in place and officers have worked with Persimmon Homes for over 2 years and she is concerned that officers have not taken into consideration the strategy. She added that lengthy discussions have taken place with regard to the possibility of installing some type of lighting at the top of Burrowmoor Road, but was advised that only one red light could be installed due to the residency of bats and it was then decided that this would not happen until the long term issues of Burrowmoor Road were resolved. Councillor Mrs French

expressed the view that MATS would not support the closure of those roads and whilst she appreciates that it is only an outline application at this stage, she would be concerned that when the application is submitted that the access would be off Knights End and Burrowmoor Road. She stated that there is a proposed new access and, in her opinion, that should be used in the first instance and added that she believes that there is also a proposed new roundabout. Councillor Mrs French referred to the officer's report at 6.29 where Highways have indicated that they will not be in a position to determine what mitigation is required until an application is submitted. She expressed the opinion that when the bypass was introduced in the 1970's, it was to reduce the congestion in the town and the committee involved with the MATS will not support the closure of the two roads.

- Councillor Cornwell asked whether there will be a more detailed consultation exercise carried out on the more detailed elements of the BCP as most of the comments appear to focus on the highway aspects rather than the actual detail of the overall plan. He expressed the opinion that most people will support it, as it avoids the smaller piecemeal developments, and it is something that has everybody working towards the proposals that meets development of the whole of the area. Gavin Taylor stated that it is a concept and with any planning application that comes forward of a substantial impact and size, would need to be supported by a transport assessment. He added that the concept currently denotes that the junctions may be closed off, but it is only a consideration at this stage and future planning applications would need to demonstrate that the transport impact of the development and the mitigation proposals are acceptable. Councillor Cornwell expressed the view that he is concerned that if the County Council decide that they wish to shut a road that is not a planning issue and they have the authority to do so, and he asked whether the Council can now advise that they do not accept that part of the BCP. Gavin Taylor stated that the BCP is before members of the committee to consider and to request amendments if they feel that there are elements of the concept that they are not satisfied with.
- Councillor Mrs Davis stated that whilst there is provision in the concept for a primary school there does not seem to be an inclusion of a secondary school. Gavin Taylor stated that the County Council's Education Team have set out what the requirements would be for education and they have not asked for inclusion of a secondary school within the BCP area. He stated that would form part of financial contributions on planning applications to go towards a secondary school.
- Councillor Mrs French stated that the MATS comprises of the County Council and is funded by the Combined Authority. She expressed the view that she would be exceptionally annoyed if the Highway Department gave consideration to the closure of roads, when they have been involved with the MATS over the last four years. Councillor Mrs French expressed the opinion that, as the March High Street project has been awarded £8.4million pounds of funding to regenerate the High Street, to close roads would be disastrous. She added that she fully supports the development of the concept and added that she agrees with Councillor Cornwell that it must be known now that members do not want the roads closed.
- David Rowen stated that there are no firm proposals to close any roads imminently and he added that if the roads are to be closed it would form part of a holistic package of road improvement schemes which may include a roundabout onto the A141 to substitute for the closure of Knights End Road and a spine road which would run through the site. Councillor Mrs French expressed the view that she is also concerned about future large developments and the noise and disturbance that will be caused to residents which will be totally unacceptable.
- Councillor Cornwell stated that the detail in the officer's report at Page 5 clearly shows the closure of Burrowmoor Road East and Knights End Road East and the introduction of a new primary access point between the two. He expressed the opinion that it clearly gives an indication on what the current plans are and added that, in his opinion, there is a strong implication on what is being looked at. David Rowen stated that within the officer's report at page 44, it sets out the comprehensive road principles and shows Knights End Road East closed off, and above it, primary access onto the A141, Isle of Ely Way and the potential of

a new roundabout or signalised junction onto the A141. He added that the primary access onto Gaul Road is marked by a black dotted line in the middle of the site being the primary road network within the allocation and he reiterated that if the roads are to be closed it would form part of a comprehensive package of road improvements and measures to deal with the road access issues.

- Councillor Mrs French stated that, over the past four years, the MATS has been looking at ways to improve the traffic situation in March and by allowing the closure of two major roads, the traffic situation will only be made worse and will be detrimental to the town of March.
- Councillor Skoulding stated that he cannot approve the BCP if roads are going to be closed. He added that he can see no inclusion of the playing fields that were promised or the addition of a doctors and dentist and for those reasons he is not agreeable with the proposal. Gavin Taylor stated that at the south of the site, there is the inclusion of a healthcare facility and liaison with the NHS is currently being undertaken to ascertain what type of provision will be included. He added that the BCP has been amended to include a healthcare facility, which may include a variety of specialisms as well as a community facility.
- Councillor Mrs French referred to a letter received from a landowner and asked for clarity over the terminology of an equalisation agreement. Gavin Taylor stated that the parcels of land are of different sizes and can accommodate different land uses. He stated that the idea of an equalisation agreement can ensure that each of the landowners proportionally feed into the infrastructure requirements and the idea is to secure equilibrium through either the entire area or through pockets.

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

- Councillor Mrs French stated that she hopes that public rights of way are going to be retained, improved and upgraded and added that she hopes that the users of the public rights of way to ride their horses will still be permitted to do so.
- Councillor Mrs French asked why a report from the Conservation Officer was not included. Gavin Taylor stated that the Conservation Team have been consulted and have responded on each of the two rounds of consultation. He stated that they have questioned the Knights End Road access point as it runs adjacent to a Grade 2 Listed Building, but they were satisfied with the implications and they are generally supportive of the BCP.
- Councillor Cornwell stated that he welcomes a BCP and he likes the way that individual development plans will come forward, so that input can be achieved. He expressed the opinion that the area around St Wendreda's Church must be protected and he added that in true Fen tradition development is taking place on higher ground so that water runs off the high ground and is then collected and he added that there are a number of extremely old water courses in the area. Councillor Cornwell stated that one of the fields is the site of where the Australian Pilot Jim Hocking, lost his life and, therefore, there does need to be an element of recognition at the location. He stated he will support the BCP, with the exception of the closure of the two roads.
- Councillor Mrs French stated that she will support the officer's recommendation with the caveat that members are not pleased to see the possible closure of the 2 roads.
- Gavin Taylor stated that at 11.1 of the officers report it sets out a slight amendment to the plan at 6.34 in respect of densities and, therefore, it maybe that members are satisfied to set out a recommendation to also include an amendment to remove reference to closures of Burrowmoor and Knights End Roads that can be accommodated.

Proposed by Councillor Mrs French, seconded by Councillor Cornwell and agreed that the application be APPROVED as per the officer's recommendation, subject to no closure to Burrowmoor Road or Knights End Road.

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

planning matters)

(Councillor Mrs French declared that she was present at a virtual March Town Council meeting when Persimmon Homes gave a presentation on this proposal, but she took no part in the discussions)

P24/21 **F/YR20/1222/F**
30 FELDALE LANE, COATES
CHANGE OF USE OF AGRICULTURAL LAND TO PADDOCK INCLUDING
ERECTION OF A STORE/STABLE AND CHICKEN RUN, 2.25 METRE HIGH (MAX)
FENCING, CONSTRUCTION OF A STONE DRIVEWAY & HARD STANDING AND
REMOVAL OF UNAUTHORISED BRICK PIERS AND ROAD/TURNING HEAD
(PART-RETROSPECTIVE)

Nikki Carter presented the report to Members.

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

- Councillor Cornwell stated that the site is beside the lake and he is surprised that the layout appears to be back to front. He added that, in his opinion, it would be more appropriate for the use of the lake if it was bounded mostly by paddock as opposed to buildings.
- Councillor Benney stated that the applicant has chosen their layout and there is no objection from officers.
- Councillor Mrs Davis stated that it her understanding that under equestrian rules, there needs to be enough paddock space to accommodate horses and she asked how many horses are likely to be kept. Nikki Carter stated that she has referred to the DEFRA Code of Practice for the welfare of horses and there are recommended sizes of fields per horse. She advised members that the applicant also owns further paddock land to the north of the site.

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

P25/21 **F/YR21/0526/F**
LAND EAST OF MAGNOLIA COTTAGE, KIRKGATE, TYDD ST GILES
ERECT 1 X DWELLING (3-STOREY 6-BED)

David Rowen presented the report to Members.

Members received a written representation, under the Public Participation Procedure, from Matt Gosling, the Agent, which was read out by Member Services.

Mr Gosling apologised for not being able to attend in person, but thanked committee for the opportunity to submit the supporting statement for their consideration. He stated that the applicant previously redeveloped the donor site known as Magnolia Cottage back in 2013/14 by replacing a rundown cottage with a purpose built modern dwelling to suit their housing needs and, having now lived in the village for around 7 years, they find themselves outgrowing their present home with limited opportunity to extend and achieve their required level of accommodation.

Mr Gosling stated the applicant does not want to leave the village and having not been able to find a suitable sized property for sale elsewhere in the village has proposed the scheme before the committee today, which provides the level of accommodation they require for their expanding family and the case officer's consideration states the design, scale and appearance is deemed acceptable. He referred to the sequential test and the sites with permissions listed by the case officer, further consideration has been given to these sites and, whilst they have valid planning permissions, a search of the land agents websites reveals that none of the single plots are available for sale.

Mr Gosling stated that contact has been made with the owner of the site for the four dwellings west of Magnolia Cottage and they have an email confirmation that all these plots are allocated, one by their daughter and the other three have been sold to individuals. He expressed the view that the other site in the same flood risk area for a development of four comprising two detached dwellings and a pair of semi-detached dwellings is a) not for sale and b) not comparable with the application for a large, detached dwelling.

Mr Gosling referred to Paragraph 158 of the NPPF, which states ‘development should not be allocated or permitted if there are reasonably available sites appropriate for development in areas of lower risk of flooding’ and, in his view, it seems unfair that the authority are considering sites preferable that are in the same flood risk area when they are not for sale which must render them unavailable. He expressed the opinion, as stated in the Flood Risk Assessment, the site is considered ‘very low long term flood risk for surface water’ compared to other approved sites which are ‘low risk’ in the same regard and it appears unreasonable that they are considered preferable just because they have a valid permission in place yet the application site has a lower probability of flooding.

Mr Gosling stated, with regard to the concerns of overlooking from the owners of Ivy cottage, the applicants are prepared to obscure glaze the two small first floor side windows and provide privacy screening to the side wall of the balcony by way of extended walling or obscured screening as suggested by the case officer which could be conditioned accordingly. He urged members to support approval of this application.

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

- Councillor Mrs Bligh expressed the opinion that the application site is an extension to the dwellings already in the vicinity. She added that is in keeping with the area and the application should be approved.
- Councillor Benney stated that the proposal is for a nice house in a nice area, with the reason for refusal being due to the sequential test and he stated that the person who owns the land does not own the other land and there may be reasons why the other land is not coming forward. He expressed the view that to refuse the application would be a shame and he added that officers have acknowledged that is suitable for development and, in his view, the application is in keeping with the area.
- Councillor Mrs Bligh stated that if the application is refused, in her opinion, should the applicant appeal, they have a good chance of winning due to the development already in the vicinity.

Proposed by Councillor Benney, seconded by Councillor Mrs Bligh and decided that the application be approved AGAINST the officer’s recommendation.

Members did not support the refusal of planning permission as they felt that the application meets the requirements of policy in all respects other than the sequential test and felt that the benefits of the scheme in terms of providing housing outweighed flood risk considerations.

P26/21 PLANNING APPEALS.

David Rowen presented the appeals report to Members.

Members considered and noted the appeals report.