

PLANNING COMMITTEE



WEDNESDAY, 4 MAY 2022 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor I Benney, Councillor M Cornwell, Councillor Mrs J French, Councillor C Marks, Councillor Mrs K Mayor, Councillor P Murphy, Councillor M Purser, Councillor R Skoulding and Councillor W Sutton, Councillor A Miscandlon (Substitute)

APOLOGIES: Councillor Mrs M Davis (Vice-Chairman) and Councillor D Topgood,

Officers in attendance: Nick Harding (Head of Planning), Alison Hoffman (Principal Planning Officer (acting), Stephen Turnbull (Legal Officer) and Jo Goodrum (Member Services & Governance Officer)

P105/21 PREVIOUS MINUTES

The minutes of the meeting of the 6 April 2022 were confirmed and signed as an accurate record.

P106/21 F/YR21/0887/F LAND NORTH WEST OF MIDDLE LEVEL COMMISSIONERS, WHITTLESEY ROAD, MARCH ERECT 1 X OFFICE/WORKSHOP, 1X VEHICLE WORKSHOP AND 1 X TRAINING CENTRE, 2.4M HIGH (APPROX) FENCE AND FORMATION OF CAR PARK AND ASSOCIATED INFRASTRUCTURE

Alison Hoffman presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Mr Matthew Hall, the Agent. Mr Hall stated that Force One has been operating in March for over seventeen years and at present it is located in Thoreby Avenue where the offices are located in a built-up area and the present restricted depot is based in Longhill Road which it has outgrown. He stated that currently 60 people are employed by the company, and this has grown from 44 employees over the last two years.

Mr Hall stated that the company works nationwide and is all based in March, providing safe working suction vehicles for most major infrastructure projects, such as Hs2, Sizewell C, Network Rail, nuclear industry airports and the chemical industry and the company also undertake local works for residential, commercial, and industrial projects. He explained that the company intend to employ a further 40 people by December 2023 and they have placed orders for £6,000,000 of plant investment which is due for delivery by December 2023, adding that Force One is an expanding company who wish to stay in the March area.

Mr Hall noted that within the officers report it makes reference to the fact that the site is within a rural location but referred to the ordnance survey plan and pointed out the proposed site and the offices of the Middle Level Commissioners in Flood Zone 3, along with Fen Coaches and a builder's depot. He explained that there are further businesses as well as Foxes Marina down Whittlesey Road and Marina Drive and when you go further west towards Turves there is a large business called Ken Thomas located further beyond the site.

Mr Hall explained that he has provided a detailed arboricultural report due to the existing tree on the site and the access concerns, with the report confirming that mitigation measures will be taken to protect the tree and that the access can be set. He added that various discussions have taken place with Cambridgeshire County Council Highways Department regarding the access to the site and a highways consultant has provided a detailed scheme survey and detailed design, which the County Council have approved. He made the point that the company currently has sixteen suction vehicles, three light goods vehicles, twenty light commercial vehicles as well as company cars and the suction vehicles are currently parked when not on site, at Longhill Road, which they have now outgrown.

Mr Hall pointed out that the vehicles can often travel along Wisbech Road, Dartford Road and Station Road to get to the depot in Longhill Road, with the other route which is used being along the Twenty Foot Bank. He explained that the proposal will allow for vehicles to exit the bypass onto a short stretch of Whittlesey Road to enter the site, removing vehicles from coming into March, with the site having been developed with a one-way system and adequate parking.

Mr Hall explained that a detailed drainage design has been produced by an independent consultant which has been approved by the Lead Local Flood Authority and the Environment Agency. He pointed out that the hedge at the front of the site which is set back from the brink of the ditch at the front, which will be maintained.

Mr Hall referred to the presentation screen and pointed out the training centre which will be used by the company and other organisations to provide training and he expressed the opinion that the proposal is set between and opposite existing businesses and is ideal for this type of land. He reiterated the point that the company is expanding and wishes to stay in March and currently its small depot and offices are located at separate sites and the proposal will allow for both to be located at one larger location. He added that, in the Local Plan, March is listed as one of the main market towns and all the consultees support the application.

Members asked Mr Hall the following questions:

- Councillor Mrs French asked Mr Hall to confirm when he last contacted the Middle Level Commissioners? Mr Hall stated that when the application was submitted the existing access for Middle Level was used, which was opposed by the County Council and Middle Level and the access was then moved to the point in the officer's report. He added that the Middle Level made their second objection in mid-December, and he has tried to engage with them from that point until the start of February to discuss their objections. Mr Hall explained that he did have an email response in the middle of February which stated that he must engage through a post application process with consent to go over the drainage ditch to culvert it, but to date there has been no further communication.

Members asked officers the following questions:

- Councillor Benney stated that it would appear that Middle Level have not been forthcoming in responding to Mr Hall and he questioned whether if the application is determined today can the issues with Middle Level still be resolved? Alison Hoffman explained that the officers report summarises the comments of the Middle Level Commissioners and they have indicated that they require prior written consent under Section 23 of the Land Drainage Act for the formation of the access culvert. They have also urged the agent to discuss this with the Commissioners/Board via the post-application consultation procedure and she added that it is a separate process to that of the planning consent. Nick Harding added that any planning decision that has been made or issued cannot override the requirements of other legislation and therefore a discharge into the Internal Drainage Board system requires a separate consent along with consent for crossing the drainage ditch and culverting.
- Councillor Connor referred to 5.5 of the officer's report where it makes reference to advice to the applicant stating that only clean, uncontaminated surface water should be discharged to any soakaway, watercourse, or surface water sewer, and he questioned whether an

interceptor could be put in place? Alison Hoffman explained that as part of the recommendation of the Lead Local Flood Authority, they are anticipating further information and detail with regards to the drainage strategy for the site and she added that there is also an informative that they include with their consultation response.

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

- Councillor Mrs French stated that one of the concerns of the application is that it is in a rural location but, in her opinion, she does not know where a business of this type would be best suited. She added that she is the Chairman of the March Area Transport Strategy, (MATS) who have been looking at ways to reduce traffic and pollution in the March Town centre and if the application was approved, it would take the traffic away from the town. Councillor Mrs French stated that she can understand why the business wishes to relocate to a better premises, and by removing the sites in Thoreby Avenue and Longhill Road, it makes common sense. She added that she was unaware of the number of staff already employed and the proposed increase of an additional 40 personnel over the next few years is a large number. Councillor Mrs French explained there are various references in the officer's report with regards to MATS and an application that was refused ten years ago, with Peashill roundabout being the subject of discussions with the MATS over the last four years and at a recent County Council meeting it was agreed that the County Council could apply to the Combined Authority for £3.7 million pounds to progress with the work that is being undertaken at Peashill roundabout. She explained that there is going to be new roundabout at that location, and she has no concerns about that roundabout not being able to cope with volumes of traffic, with there also going to be the addition of traffic lights at the Hostmoor Avenue junction. Councillor Mrs French expressed the view that it is an ideal site for the proposed application and there are various commercial businesses already in that location and she would like to see it approved.
- Councillor Murphy expressed the view that there is no room for the company to expand in the town centre and, in his opinion, it is an ideal site for the business to relocate to and it needs to be approved.
- Councillor Miscandlon expressed the opinion that it is an ideal site for the size and type of business as it takes it away from the town centre location. He stated that it is not in the open countryside, and it will have businesses either side of it and although it is rural, a lot of businesses of this type do not like to be in a town centre location.
- Councillor Skoulding expressed the view that the design is a fantastic and an ideal location for the business to be. He added that he would like to see the application approved, as it will also provide more employment in the area.
- Councillor Benney referred to the reasons for refusal and referred to LP3 of the Local Plan, with the proposed location already having businesses on all four sides of it and, in his opinion, it is an ideal location for this business. He added that the Economic Growth Team at the Council work throughout the district to try and bring businesses forward, there is a shortage of land and available spaces and, in his opinion, this proposal will make very good use of the land and a business of this nature needs a large site especially when considering the very large excavation vehicles that it uses. Councillor Benney expressed the view that it makes perfect sense to consolidate the sites and move to this site as it is more profitable and sustainable for the owner. He added that the Economic Growth Manager at the Council has spoken to the owner of Force One and because of the proposed training centre, which will be onsite, discussions are taking place to try and obtain funding from the Combined Authority to try and help fund it. Councillor Benney stated that steps should be taken to support the business which has grown in the last few years. He referred to the third reason for refusal as it states the site is in Flood Zone 3, which the next agenda item is also in, and there needs to be consistency as other applications have been approved when they are also in Flood Zone 3. He added that mitigation measure will be put in place to make the site safe and if it is not approved, the Council will be holding a good business back and stop it from expanding and employing local people. Councillor Benney expressed the opinion that he can see no reason to refuse the application.

- Councillor Purser agreed with the comments made by other members, and added that he notes the officers report states that there are issues with regards to lack of footpath and streetlights, but, in his view, a development such as this does not need a footpath or streetlights. He feels that the application should be supported.
- Councillor Sutton stated that he can understand why officers have recommended the application for refusal with regards to sustainability in terms of street lighting and footpaths. He expressed the view that the Middle Level Commissioners in principle have no objection against the proposal, but it is the finer detail that they have to resolve and therefore there is the need for them to engage. Councillor Sutton stated that in terms of sustainability and position from the proposed site entrance to the fountain in March is 1.4 miles and from the fountain to Longhill Road is 1.9 miles and although there is a pavement from the fountain to Longhill Road if another pavement was included he does not think it would be utilised. Councillor Sutton stated that as a committee there needs to be the view that the Council is open for business, and he will support the application.
- Councillor Marks stated that, in his opinion, keeping the lorries out of the town centre makes a great deal of sense. He added that the provision of the training centre shows that the business is prepared to invest, and that all businesses are struggling at the present time to try and get labour, especially qualified labour which can only benefit the local area.
- Councillor Sutton stated that initially he did not know who Force One were and he did not know the extent of their work. He expressed the view that the company should be supported and be proud that they are within the district and that they want to remain within the district.
- Councillor Mrs French stated that she also did not know about Force One and she expressed the view that the country has come through the worst pandemic in living history and she is delighted to see a business thriving within the area.
- Nick Harding stated that if members are minded to support the application against the officer's recommendation then they must state the reasons why this proposal is being put forward and also address the reasons for refusal identified in the officer's report, which are the rural location, the unsustainable location in terms of transport connections, the flood risk sequential test and the tree mitigation.

Proposed by Councillor Sutton, seconded by Councillor Mrs French and agreed that the application should be APPROVED against the officer's recommendation, with authority delegated to officer to apply robust conditions in consultation with Councillor Sutton

Members do not support officer's recommendation of refusal of planning permission as they feel that the proposal is not located in a rural area as urbanisation is already in place, there are overarching reasons to move the business to the location which outweigh the concerns over sustainability, and conditions can be placed on the application to secure a proper flood risk assessment being carried and protection of the horse chestnut tree and the public right of way (number 66).

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

(Councillor Cornwell declared that he is employed by a company who are adjacent to the application site and therefore took no part in the discussion and voting thereon)

(Councillor Marks stated that the applicant for this item is known to him in a professional capacity but it would not make any difference to his decision making and voting on the application)

(Councillor Mrs French stated that she is a member of March West and White Fen Internal Drainage Board, but this would have no bearing on her determination of the application)

(Councillors Benney and Murphy stated that the agent for this item is known to them in a

professional capacity but it would not make any difference to their decision making and voting on the application)

(Councillor Purser stated that he is a member of March East Internal Drainage Board but this would have no bearing on his determination of the application)

(Councillor Sutton declared that he sits on the board of the Middle Level Commissioners, and he is a Commissioner, but this would have no bearing on his determination of the application)

(Councillor Miscandlon stated that he is a member of Middle Level Commissioners, but this would have no bearing on his determination of the application)

**P107/21 F/YR21/1504/FDC
SOUTH FENS ENTERPRISE PARK, FENTON WAY, CHATTERIS
ERECT 2 X BLOCKS OF INDUSTRIAL UNITS (6 X UNITS TOTAL) (CLASS E (G) -
WORKSHOPS AND OFFICES) WITH ASSOCIATED PARKING, AND
ENLARGEMENT OF EXISTING ATTENUATION BASIN.**

Alison Hoffman presented the report to members.

Members asked officer's the following questions:

- Councillor Sutton noted within the report that the Cambridgeshire County Council Minerals and Waste Planning Authority have advised officers to contact Anglian Water with regards to the closeness of the development to the works and he asked whether that has taken place? Nick Harding clarified that the issue arose with the pre-application proposal that he was engaged with, and he contacted Anglian Water with that particular proposal, and he never received a reply from them. He added that it is on that basis that officers have not gone to specifically contact Anglian Water over this particular application and the approach that officers have taken as set out in the report is to look to see whether or not colleagues in Environmental Health have any odour complaints in respect of the treatment works and there is no evidence of that, hence the officer's recommendation. Nick Harding added that given that the Council manages those buildings, not only would the Council receive complaints as an organisation that has responsibility for Environmental Health there would have also been complaints as part of the Council's landlord responsibilities and the Council have received neither. Councillor Sutton stated that he wanted to ensure that the issue has been dealt with either at the pre- application stage or with this application before the committee today.
- Councillor Mrs French stated that on the application that members have just determined there appeared to be a great level of detail in the officer's report from the Middle Level Commissioners or West Fen Internal Drainage Board, however, in this application there does not appear much information from the Nightlayers Internal Drainage Board, and she questioned whether there was a particular reason for this? Nick Harding stated that officers cannot control whether a consultee responds to the consultation or not and the statutory consultee in this scale of application is the Lead Local Flood Authority and they pull rank over the Internal Drainage Boards when it comes to surface water management. Councillor Mrs French added that this application is also in Flood Zone 3 and she just wanted to check whether any information had been received from Nightlayers IDB.

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

- Councillor Mrs French expressed the view that it is good to see that businesses are thriving in the current climate and that the Council has the insight to submit this application. She added that she hopes that more businesses will look to rent properties at this site going forward and she fully supports the application.
- Councillor Cornwell stated that he presumes that the Council is planning ahead and there is a demand for this type of building. He added that if that is the case then local businesses

should be supported and this application should be approved, and works should commence as soon as possible.

- Councillor Miscandlon stated that he fully supports the application to bring smaller businesses which then grow into larger businesses.

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

(Councillor Benney declared that he is Portfolio Holder for Assets for Fenland District Council, and took no part in the discussion and voting thereon)

(Councillor Murphy registered, under Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Chatteris Town Council Planning Committee, but takes no part in planning matters)

**P108/21 F/YR22/0185/F
3 IRVING BURGESS CLOSE, WHITTLESEY
ERECT A FIRST FLOOR AND SINGLE-STOREY FRONT EXTENSIONS, SINGLE-STOREY REAR EXTENSION AND A 2-STOREY SIDE/REAR EXTENSION TO EXISTING DWELLING**

Alison Hoffman presented the report to members.

Members asked officer's the following questions:

- Councillor Cornwell asked whether there are any changes to the parking arrangements for the property as he noticed an element of over parking at the location. Alison Hoffman stated that the existing garage is maintained at ground floor level and the level of accommodation changes and whether that will place further demands on parking is not known but the officer has not highlighted any particular issues with parking. Councillor Cornwell questioned whether an increase in the building does not therefore mean the requirement to increase the amount of parking. Alison Hoffman stated that the existing property is already four bedrooms, and it would take it into the requirement of three parking spaces and even an increase over and above the four bedrooms would still only require the three parking spaces which is in line with the Council's parking standards.
- Councillor Sutton stated that on page 78 of the officer's report, it shows an area stating FF only and he questioned whether this is correct? Alison Hoffman clarified that this is an error, and the proposal is for a 2-storey extension. Councillor Sutton made reference to the parking concerns, and he stated that he always thought an extra bedroom would mean an extra parking space and he asked for confirmation on this point. Alison Hoffman confirmed that the parking standards are in two tiers and a four bedroomed dwelling parking requirement is three spaces. Councillor Sutton stated that there already appears to be a parking issue at the location and, in his opinion, the officer's recommendation is correct. He added that he is confused with the recommendation made by Whittlesey Town Council as they have recommended for the application to be approved, however, they recommended refusal for the previous application at the site which was consequently withdrawn.
- Councillor Mrs French stated that she agrees with the comments made by Councillor Sutton with regards to the concerns over parking. She added that it is a shame as it is a nice location and the house opposite is very nice, however, with the Civil Parking Enforcement scheme being brought in there are likely to be problems in the road.
- Councillor Cornwell stated that once the civil parking enforcement rules coming into force then the vehicles will not be able to park on the footpath. He added that the plot is not large enough to facilitate the number of cars and he will support the officer's recommendation.

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

(Councillor Mrs Mayor registered, under Paragraph 14 of the Code of Conduct on Planning Matters, that she sits on Whittlesey Town Council's Planning Committee, and therefore, took no part in the discussion and voting thereon)

(Councillor Miscandlon registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is Chairman of Whittlesey Town Council's Planning Committee, and took no part in the discussion and voting thereon)

(Councillor Benney left the Council Chamber following the determination of this item)

P109/21 **F/YR22/0241/F**
5 PARK STREET, CHATTERIS
ALTERATIONS TO SHOP FRONT INCLUDING BRICKING UP WINDOW AND A
REPLACEMENT WINDOW FRAME

Alison Hoffman presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Councillor Bill Haggata, a Chatteris Town Councillor. Councillor Haggata stated that the application is for the replacing and redesign of the shop front following a ram raid and robbery to the business which resulted in the loss of trade whilst the building was secured. He explained that the building trades as a NISA supermarket and serves as an important part of the population of the Chatteris community as it is in a prominent location.

Councillor Haggata explained that he is the Chairman of Chatteris Town Council Planning Committee, and the application received the unanimous support for the proposal to go ahead when brought before the Planning Committee. He expressed the view that the Town Council are very disappointed with the officer's recommendation for the application to be one of refusal on a conservation issue and that as a responsible Planning Committee and Town Council they understand the conservation of eligible buildings, but they also understand the need for the retail business to progress and move forward with modern up to date retail requirements such as the need for a modern shopfront which attract and enable easy access for all parts of society and to enable business to remain viable and in fair competition with its competitors in what is currently a very difficult time for the high street.

Councillor Haggata expressed the view that the conservation issue appears to be the location of the business on the corner of the intersection of Park Street, Market Hill, and East Park Street, within this location and immediately opposite is the old Barclays Bank which is a Listed Building which is undergoing conversion to Chatteris Museum. He made the point that when it was a bank it had alterations to the internal entrance door with up to date stainless steel and glass entry doors fitted, which was likely to be for security purposes, along with a cash machine with stainless steel surround which was on show day and night to meet today's trading conditions, and would not have been there when the building was built.

Councillor Haggata explained that along Market Street there is the old Lloyds Bank building which has a modern frontage, as well as the Post Office and Cafe in the High Street both of which have modern frontages. He added that further along the High Street there is a restaurant with a completely new shop front and in East Park Street there is a new shop front of similar design which has obtained planning permission and sells similar products to that of the proposal before members and is also within sight of this application.

Councillor Haggata expressed the view that the Town Council do not see anything out of character with the application and believe the alterations will improve the appearance of the location and they understand the requirement for such alterations in the 2022 competitive trading environment,

especially after the two years of lockdown and the disruption for businesses. He explained that even the historic church in the town has seen the need to install a new glass internal entry door.

Councillor Haggata referred to his mention earlier of the need for businesses to cater for all sections of society and the proposed alterations will enable much easier access for disabled and wheelchair reliant customers which should be a given requirement in today's society, and, in his opinion, the supermarket frontage improvements will enhance the area in the opinion of the Town Council. He expressed the view that there is a great deal of local support for the improvements and Chatteris Town Council unanimously supports the application and asked the committee to consider and grant the application.

Members received a presentation, in accordance with the public participation procedure, from Mr Ian Benney, in support of the application. Mr Benney referred the committee to the presentation screen showing a photograph of the shop taken shortly after the ram raid explaining that there will be the requirement for some structural work to be undertaken, which will be a steel frame to hold the front of the building up when it is reinstated. He pointed out a large window on the presentation screen which if approved will change to an aluminium front to match the sliding doors, along with the third window which will be bricked up.

Mr Benney pointed out the alleyway between number 5 and 7 Park Street and added that in the report it states that it is an eighteenth-century building, but in 1911, the front of the building was taken down, highlighting to the committee the difference in the type of the brick at the back which is the old part and behind the chimney there are common bricks, so there are a good mix of brick types. He pointed out a view of the street scene in Chatteris and highlighted one of the Grade 2 Listed Buildings which is next door at number 7 Park Street, and showed another part of the street scene, which is not in the Conservation Area, highlighting two premises and expressed the opinion that the area is not full of historic buildings that maybe implied.

Mr Benney referred to the presentation screen and pointed out a shop in Wenny Road which is 188 metres from the application site before the committee, with an application being passed last year under delegated authority and the shop has a door in the centre and brick at the bottom and either side, with the owner of the shop having to submit a retrospective application which was approved. He explained that this site was also in the Conservation Area and the Conservation Officer had stated that 'the loss of timber frame shopfront and brick below and the replacement with full glazing is regrettable but the overall impact is neutral and so I have no objection to this'.

Mr Benney stated that the application also received nine letters of support which is the same amount that he has received for the current application. He referred to the officer also making reference to the National Design Guide, and he highlighted the aspects the officer had alluded to such as understand and relate well to the site, its local and wider context, well designed, high quality and attractive, socially inclusive, and well managed and maintained, which he stated he intends to put the same into his premises as that particular shop.

Mr Benney made reference to another application at Bridge House which was also approved last year and is also in the Conservation Area and it also has a central door with brick below and a typical Victorian shop front being approved under delegated authority. He explained that all of these examples are in the Conservation Area and have the full support of the Town Council.

Mr Benney expressed the opinion that the Conservation Officer had stated that the principal of altering the fabric of an existing building within the settlement of Chatteris is considered to be acceptable and had also added that in this instance it was felt that the sleek and modern alternative, which retains the scale of the opening and does not alter the overall character of the building. He referred to the Nisa local store in Whittlesey and feels that the alterations that have taken place to that premises, mirror the alterations that he would like to undertake to the building in Chatteris.

Mr Benney stated that his proposal includes the same colour aluminium shopfront, and he expressed the view that the shop in Whittlesey is also within a Conservation Area and the Conservation Officer concluded that the proposal was considered acceptable and represented no adverse harm in terms of the principle of development and historic environment.

Members asked Mr Benney the following questions.

- Councillor Mrs French asked what benefits the proposal will bring to the local area? Mr Benney stated that when he used to manage the business, he applied for planning permission in 2006 for similar alterations and that was refused at that time. He added that at that time he would receive frequent complaints concerning disabled access issues for larger wheelchairs and a number of older people use the store, who have shopping trolleys, along with people with children's buggies who do have difficulties in getting through the door as it is not a user-friendly doorway. Mr Benney explained that when he made the previous planning application 2006, he had contacted the Papworth Trust who deal with the Disability Discrimination Act (DDA), and they undertook a report which he had commissioned and submitted with his application at that time they stated that the sliding doorway would improve the accessibility for all and make it more a DDA complaint premises. He stated that the proposal if approved would enhance the shopping experience for those customers who live in the town and there is a perception with shops that the larger competitors have set standards of what customers expect from a supermarket and by making the changes to the shop in Chatteris it will enhance the premises and meet the customers' expectations.
- Councillor Mrs French asked whether there are many empty shops within the town of Chatteris? Mr Benney stated that there are 54 shops in use and 17 empty shops in Chatteris which, in his opinion, is a high number and is a reflection of the damage that the pandemic has had.
- Councillor Marks asked whether the proposal would improve security to the shop? Mr Benney stated there will be the installation of metal posts inside the shop to stop a ram raid and he added that the shop can only be made as safe as possible, but it will not stop those who are determined to break in.
- Councillor Marks asked whether there are any Listed Buildings in the vicinity and Mr Benney stated that there are a few, including three on Wenny Road and the old Barclays Bank building.

(Mr Benney left the Council Chamber for the remainder of this item)

Members received a presentation, in accordance with the public participation procedure, from Mr Matthew Hall, the Agent. Mr Hall stated that the site was subject to a planning application appeal in 2006/2007 which was refused and since that time the Local Plan was introduced in 2014. He referred the committee to the presentation screen and drew the committee's attention to the Apple Green petrol station which is immediately adjacent to the Conservation Area.

Mr Hall showed a slide on the presentation screen of Bridge House which is in the Conservation Area and was approved with a modern frontage in 2021 and explained that in the officer's report it stated that the proposal would not impact the scale of the shop front and is a sleek modern alternative and would not impact on the historic fabric'. He stated that the current proposal does not impact the scale of the building and uses the existing structural shopfront opening and provides a modern alternative, with the proposal allowing a wider access into the main façade of the building, not a single restrictive pedestrian door, and will allow better accessibility for those persons with more mobility and the door will be self-opening.

Mr Hall explained that the examples he has provided are either in the Conservation Area or adjacent to it and the other example is the one Mr Benney referred to in Wenny Road, which is the same as the proposal before members. He stated that as a result of the ram raid, the historic

fabric, the door, and timber was lost and there are other shopfronts in the Chatteris Conservation Area, and the majority of consultees support this application.

Members asked Mr Hall the following questions:

- Councillor Sutton questioned whether the original shopfront could not be replicated instead? Mr Hall stated that currently there is temporary propping, and the structural opening of the building is there, and he added that a timber shopfront, glazing and timber pedestrian door could be replicated.

Members asked officer's the following questions:

- Councillor Skoulding questioned why some applications for new shop frontages have received officer recommendation for approval but the recommendation for this is one of refusal. Alison Hoffman stated that each application is looked at on its own merits and the position and the fabric of the building also need to be considered. She added that the advice that the officers were given which was endorsed by the Planning Inspectorate in 2006 is that a modern shopfront in this location in this design with no traditional features is unacceptable and does nothing to preserve and protect the character of the Conservation Area. Alison Hoffman explained that officers would consider the shopfront proposal in context by considering the building and make their assessment based on that. She added that officers will also have looked at the planning history of the site which supports the conclusions of officers in 2006 when making their assessment, and the similarities of the current proposal, and therefore it would be inappropriate for officers to make a different recommendation in this case, especially as specialist conservation input has been provided.
- Nick Harding stated that determination cannot be made by looking at a picture, the quality of a building needs to be considered along with the context that surrounds it, such as the quality of the surrounding buildings. He added that one of the examples shown on the screen was in Broad Street Whittlesey which was a modern shop front and was standing proud of a building of history along with a date stone, however, he expressed the view that if you look at the building prior to the works you would be able to see that the works that were applied for and approved, were an actual improvement of what was there before. Nick Harding made reference to the appeal decision and added that although it is an old one, it is still very pertinent to the application before the committee today. He added that the committee saw the photographs of the building prior to the damage, and he explained that it is a relatively simple design, and it would not take too many revisions to the submitted scheme to appease the planning and conservation officers. Nick Harding referred to the National Planning Policy with regard to its view on heritage assets and explained that it states that development proposals should be such that they sustain and enhance the significance of the heritage asset and they should make a positive contribution to the heritage context and that the heritage can bring benefits and make sustainable communities more viable and it is desirable for new development to make a positive contribution to the local character and distinctiveness of the particular location. He stated that it is the view of officers that the proposals do not make a positive contribution to the local character and distinctiveness. Nick Harding referred to the 2021 edition of the Heritage at Risk Study which states that the Chatteris Conservation Area as being very bad but improving and, in his view, by refusing the application and seeking a better-quality design, the Council would be helping to play a part in improving the Conservation Area of Chatteris.
- Councillor Miscandlon referred to the site planning history and asked officers to confirm how many premises in the Conservation Area have been altered between 2007 and 2022 as, in his opinion, it would appear that many of the frontages and attributes are now modern that would not have been in existence in 2007. He added that the world has changed considerably since 2007 and expressed the opinion that the proposed changes to the shopfront enhance the premises from what it was, as there is also damage to the first floor, so there needs to be structural redesign to the front of the premises to make it secure for the first floor to make it secure.
- Nick Harding explained that the works that are required to make the building safe can be

undertaken through building regulations and would not need planning approval as it is not a Listed Building. He added that since 2007 there have been many applications which have resulted in changes of use and new shop fronts and the vast majority of those shop fronts have been traditional in design and have been approved and it is only a modest number of shop front changes which have been modern in their appearance. He explained that officers have stated that the decisions about whether to approve those applications have taken into account the original building and its design aesthetics, the quality of the Conservation Area and the buildings that surround those application sites when making their recommendations.

- Councillor Connor referred the committee to the presentation screen in order for them to review a photograph of a takeaway business at 7 Park Street which is also a Listed Building, but, in his opinion, is not of a good design. Nick Harding explained to members that when considering the shopfront, there is the need to see through the colour scheme and the content of the signage above the shop window, as from a planning perspective the officers have no control over that content and if those elements are taken out of the equation, then the traditional fixtures of the building can still be seen.
- Councillor Mrs Mayor questioned that if there had been no ram raid, would a planning application have even been submitted and she wonders if consideration could have been given to make it a more sympathetic design. Nick Harding stated that the revisions required to make the scheme acceptable are modest, in his opinion, such as increasing the height of the storm riser, separation into the fenestration, a wider door with an automatic door opener and that would be all that would be required.

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

- Councillor Sutton stated that he visited the proposed site and whilst he was there, he witnessed an elderly customer trying to access the premises with her disabled walker and could not access the door without assistance from the staff. He expressed the view that now he has experienced that incident his view on the application is now different to what it was previously. Councillor Sutton agrees wholeheartedly with the officers that the scheme does not enhance the area, but it does not do anything either to cause any demonstrable harm either in his opinion. He expressed the view that the automatic doors will have benefits to a section of the community.
- Councillor Murphy stated that if the application is refused it could prove to be detrimental in a couple of ways. He added that the owner of the business could decide to close and leave the premises empty, so it becomes derelict and secondly denying the hundreds of customers who use the shop daily the opportunity to do so. Councillor Murphy explained that, in his opinion, it is the busiest shop in the town and if it were to close it would be very bad for the town of Chatteris. He expressed the view that the old should be able to blend in with the new as takes place already in other towns and cities and the application site is within a row of shops which will over a number of years be altered, in his opinion, to keep up with modern times and the mixture of old and new will become the norm. Councillor Murphy expressed the view that the premises will be fit for purpose once it is altered and it fulfils the following parts of the Fenland Local Plan, LP16 (d,f,i,j,k, and o) and it fulfils LP17 a, b and f. He expressed the view that in the future, vulnerable shops will all have to have roller shutters for their own security and insurance and that as part of the National Planning Policy Framework 197, it states that the application has to have regard to scale, any harm and loss which, in his opinion, it does, and he stated that Chatteris Town Council support the application and so does he.
- Councillor Purser stated that he has listened to other members comments, and he expressed the view that it is the ideal opportunity to alter the doorway to make it user friendly. He expressed the view that the retail is a very tough business to be in and local people should be encouraged to use and support the local shops and amenities. He stated that he will fully support the application.
- Councillor Skoulding stated that he will support the application and it will be far better for those members of the community who use a wheelchair and pushchairs as the days of leaving a pram outside of the shop are long gone.

- Councillor Cornwell expressed the view that the recommendation is incorrect, and he is of the opinion that Inspector's decision in 2006 did not take into account the DDA Act, possibly because it was such a new piece of legislation. He added that in relation to the building itself, it is for a 1911 shopfront and the whole front was changed at that time. Councillor Cornwell stated that whilst it is old, it does not aid the sustainability of use of the building, and it is used by members of the community who are covered by the DDA. He stated that it is in a town centre location and is convenient for those members of the community who cannot get out of the town easily to get to the larger stores and unless the Council can aid the business by maintaining some sustainability, in his opinion, the Council are working against the disadvantage of the town and the people who live there and, therefore, even though the proposal is not 100% suitable it has to be balanced off against its use and purpose, and under those circumstances given that some of the other buildings in Chatteris have been allowed to modernise their frontages he will support the application.
- Councillor Mrs French stated that she agrees with the comment by Councillor Miscandlon with regard to the 2006 appeal decision and the fact that things have moved along and progressed since that time. She added that the DDA was introduced in 1995 and repealed in 2010. She will support the application and expressed the view that the building, in her opinion, is a bit of an eyesore, and the proposed design is agreeable.
- Councillor Marks stated that 188 metres away there is another shop front which is exactly the same as the proposal before members and, therefore, there needs to be consistency taken into consideration.
- Nick Harding reiterated the significance of the previous refusal and the Inspectors appeal decision notwithstanding its age as it is still relevant to the committee's decision making. He added that whilst it is not a material planning consideration, there is the assumption that the property was insured, and the reinstatement of the shop front would be covered by the insurance company and, therefore, the committee cannot make the decision based on the fact that if the planning application is refused then the shop will cease trading. He added that a like for like shopfront replacement would not need any planning consent and could go ahead without any planning involvement and he explained that officers are not dictating that they will only ever accept a like for like application and are only stating that they would like to see a proposal which has more of a traditional shop front design, with a wider door and automatic door opener and a better design in terms of storm riser and a sub division of the shop front window. Nick Harding added that those elements are not particularly difficult, expensive, or challenging to do and he expressed the view that the officer's recommendation is not unreasonable.

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

Members do not support officer's recommendation of refusal of planning permission as they feel that Part LP2 of the Local Plan plays a significant part in the application and the benefit to the community outweighs any form of unsympathetic appearance.

(Councillor Murphy registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Chatteris Town Council, but takes no part in planning matters)

(Councillor Murphy stated that the agent for this item is known to him in a professional capacity, but it would not make any difference to his decision making and voting on the application)

(Councillor Benney declared that he is the freeholder for the application and was speaking in support of the application, but was only present in the room to undertake his presentation and left the meeting for the duration of the discussion and voting thereon)

3.30 pm

Chairman