

PLANNING COMMITTEE



WEDNESDAY, 29 MAY 2024 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French and Councillor S Imafidon, Councillor M Purser (Substitute)

APOLOGIES: Councillor P Hicks and Councillor Mrs K Mayor,

Officers in attendance: David Rowen (Development Manager), Jo Goodrum (Member Services & Governance Officer) and Stephen Turnbull (Legal Officer)

P1/24 **APPOINTMENT OF THE CHAIRMAN OF THE PLANNING COMMITTEE FOR THE MUNICIPAL YEAR 2024/25**

It was proposed by Councillor Mrs French, seconded by Councillor Purser and resolved that Councillor Connor be elected as Chairman of the Planning Committee for the municipal year.

P2/24 **APPOINTMENT OF THE VICE CHAIRMAN OF THE PLANNING COMMITTEE FOR THE MUNICIPAL YEAR 2024/25**

It was proposed by Councillor Connor, seconded by Councillor Purser and resolved that Councillor Marks be elected as Vice-Chairman of Planning Committee for the municipal year.

P3/24 **PREVIOUS MINUTES**

The minutes of the meeting of the 1 May 2024 were signed and agreed as an accurate record.

P4/24 **F/YR23/0206/F**
LAND NORTH OF STONELEIGH, 22A EATON ESTATE, WIMBLINGTON
ERECT 45 DWELLINGS INVOLVING DEMOLITION OF EXISTING DWELLING AND
OUTBUILDINGS.

Graham Smith presented the report to members and drew their attention to the update report which had been circulated.

Members received a presentation, in accordance with the public participation procedure, from Councillor Angela Johnson of Wimblington Parish Council. Councillor Johnson stated that the Planning Officer has explained that he is perplexed about the fact that the initial outline planning application granted in June 2020 for up to 30 family homes only raised concerns about access, increased traffic and road safety but, in her view, the long-term owner had always made it known to a lot of residents that he would like the land to be used for affordable housing after his death, with his family honouring that wish, selling the land and the landowner successfully applied for planning permission for up to 30 affordable houses, and then the land was sold onto the CHS Group. She stated that the land still had a few months of validity for outline planning permissions for up to 30 affordable homes was then sold onto Seagate.

Councillor Johnson questioned why the officer finds it perplexing when the planning application

made by Seagate in 2023 for the revised figure of 45 homes, to be crammed into a slightly larger site, has raised such strong community and parish objections. She stated that in 2020 permission was granted for 88 dwellings and then in 2021 a further 21 dwellings and the figure has continued to rise, making the point that Wimblington is a growth village and has far outstretched its threshold with the built form in 2011 being 771 and the threshold was 116.

Councillor Johnson explained that, as of 8 March 2024, Wimblington has 350 new dwellings and more to be added and she made reference to LP4 with regards to the capacity of the sewerage network leading to the wastewater treatment works in Doddington, which still needs to be addressed. She added that Wimblington has a planning application which has been submitted for 40 affordable dwellings and this assists the village in reaching its threshold so, in her opinion, the planning officer's comments with regards to housing needs is not comparable.

Councillor Johnson expressed the view that the Planning Committee are aware of the reason that the application has been deferred but those issues have not been addressed and have been papered over. She made the point that the Parish Council are perplexed due to the fact the Lead Local Flood Authority (LLFA) have raised no objection in principle because the surface run off water from 45 dwellings and the surrounding areas will drain through permeable paving.

Councillor Johnson explained that the Highway Authority will not adopt this due to maintenance issues into a dry attenuation basin which is called that because Anglian Water will not adopt blue spaces and, in her view, the water will run into the ditches to the north of the site that run adjacent to the fields which the LLFA have deemed flood plains. She made the point that the planning officers refused F/YR23/0241 because of this fact and with increased flood risks to Bridge Lane being a major concern and there still being a further 109 dwellings to be completed.

Councillor Johnson expressed the view that the management and maintenance of the site is still subject to concern and there is no reference on the planning portal to show that Anglian Water are to adopt the dry attenuation basin or highways agreement to adopt roads and pathways. She added that there are statements on there from Anglian Water which say that they do not adopt blue ponds and also statements from highways which state that they do not adopt permeable areas.

Councillor Johnson added that a cost of £100 per dwelling to cover maintenance and management is not realistic and grass cutting and tree management alone could equate to £4,500 per year, with another concerning element being the decrease that the Planning Officer has put forward for Section 106 contributions. She stated that the initial figure was £330,000 which has been reduced to £90,000 and the increase in population will have an increase on the local amenities meaning that local residents will suffer further due to the lack of reasonable and realistic contributions from the developers.

Councillor Johnson expressed the view that this equates to £2,000 per dwelling and she made the point that a piece of play equipment would cost that to purchase and install and added that the new Ninja trail cost £33,000. She stated that the planning officer has stated that the grant of the proposal is flawed, and she expressed the view that Wimblington has exceeded its threshold and the increase in localised flood risks have not been diverted and the village contribution of Section 106 contributions is a sham.

Councillor Johnson stated that the community ask the committee to support the wishes of the local residents, the community itself and the parish. She stated that the application should only be granted if it complies with the principle of development as outlined in 2020 for up to 30 family houses and there is no requirement for further development of dwellings in the village.

Members received a presentation, in accordance with the public participation procedure, from Mr Norman Johnson, an objector, who has been a local Wimblington resident for 30 years and is speaking on behalf of the local residents from the community. Mr Johnson referred to local

planning policy one and stated that at the heart of the strategy for Fenland is a desire to deliver sustainable growth which brings benefit for all sectors of the community for existing residents as much as new ones. He stated that he would like to address the Planning Officer's assessment and referred to the principle of development being established in 2020 when the outline planning application was granted and also LP12a, explaining that community support was in place for the outline planning application because the community were in support of the previous owners wishes for affordable homes to be built and, therefore, the principle of development was established for up to 30 family homes.

Mr Johnson added that with regards to the point of access this was the only concern raised at the routine planning and the number of properties within the local area has increased traffic throughout the village. He expressed the view that with regards to over development, the National Planning Policy Framework has regard to achieving appropriate densities and at paragraph 128 it states 'is made to a number of dwellings per hectare of land', with the planning officer's equation being flawed because at 26.6 per hectare what is omitted from the equation is the land taken up by the attenuation basin, roads, parking spaces and areas which take up a large quantity of the site which increases the actual number of dwellings per hectare.

Mr Johnson stated that it is the Planning Officer's professional view that it would not result in identifiable conflicting or jarring harm on the areas character and under LP3 it states that in growth villages new developments which are commensurate with the size of the settlement will be encouraged whilst at the same time will need to retain the open character of the wide countryside, but, in his view, the application will reduce the views of the open character of the wider countryside. He made the point that the Planning Officer consistently refers to the number of dwellings in Hassock Way but there is no attenuation basin, play area or parking spaces in that road and that road has wide open countryside on three sides of the single road that creates that area, adding that Eaton Estate has a large green space and play area onto which most of the dwelling's face and open countryside to the north.

Mr Johnson expressed the opinion that the application does conflict with both Hassock Way and Eaton Estate as they both have been privileged to share countryside views until now and the site will be constricted into an area with built form on three sides and the fact that the officer states that the proposal meets identifiable needs in the village is, in his view, incorrect as Wimblington has already reached its required identified needs for dwellings. He made reference to LP12(J) and LP12(K) and added that the response from Anglian Water states that the excessive levels of surface water cause problems near The Avenue and, in his opinion, it will be an ever increasing problem especially when taking climate change into account, questioning what response Anglian Water will provide with regards to the recent pumping out episodes in Eaton Estate.

Mr Johnson referred to the point made by planning officers concerning an appeal at Upwell Road in March, which holds little reference to the surface and foul water problems in Wimblington and Wimblington has to deal with the waste water system in Doddington which, in his view, does not have capacity as it is constantly having sewerage pumped out which is a lack of communication between the authorities and whom have both stated that they have no objections to the current proposal in principle, even though there are a number of issues which have not been addressed correctly and are outstanding. He stated that the outstanding issues are with regards to flooding, density, management of the site at the end of the build and the maintenance of the grounds, with, in his view, the maintenance fee quoted will not maintain the grounds and the Section 106 contributions have been reduced from £300,000 for 30 houses and has now changed to 45 larger homes at £90,000 which is good news for the developer but bad news for the local community and services as a whole.

Mr Johnson made the point that the committee are at liberty to disagree with the officer's recommendation and he asked the committee to revert back to the outline planning application, the reasons behind the original planning application and the timescales since the original outline

planning application. He made the point that was up to 30 affordable family homes, and he asked the committee to refuse it with the understanding that the original outline planning application is what should still stand as well as the Section 106 contributions.

Members asked Mr Johnson the following questions:

- Councillor Connor asked Mr Johnson what reasons Anglian Water provided on the two occasions that they had to pump water out from the Eaton Estate? Mr Johnson confirmed that they did not provide a reason.

Members received a presentation, in accordance with the public participation procedure, from Mr Lee Russell, the agent. Mr Russell stated that members will recall that the application was before the committee in March and was deferred due to the last-minute comments which had been received from the Middle Level Commissioners (MLC) which had been reviewed at that meeting and did not cause a great deal of concern, adding that he was given the opportunity to address and respond to the points made and has been in communication with officers from the MLC, resulting in all points being addressed and the Chief Engineer from the MLC provided planning officers written confirmation that everything had been satisfied. He stated that the main points were that discharge rates were confirmed to be limited to greenfield runoff and the maintenance of the dry basin would be down to Anglian Water for adoption and foul and surface water discharge points were adjusted as per the MLC preference, with the maintenance of the ditch to the western boundary beyond the application site being discussed and various options were reviewed.

Mr Russell stated that a further precise topographical survey was carried out on the land outside of his ownership and measurements from the dyke brink to the centre line of the existing hedgerow show that it is 7 metres in some places and reduced to 4 metres at pinch points. He explained that the hedge could have been removed, if necessary, however, the MLC Ecologist, Planning Officers and the County Council Ecologist would not support that option and an alternative was to convey the hedgerow and the strip to the Internal Drainage Board (IDB) if they wanted the ownership and responsibility to do whatever they wanted, however, that option was not favoured.

Mr Russell explained that it was agreed that a proposed boundary fence would be no closer than 6 metres from the dyke brink and these would fall on the opposite side of the existing mature hedge and there would be no issues at a later date should the IDB need access to go and fell part of the hedge. He made the point that Graham Moore from the MLC had confirmed that the ditch was dug from the western side of the hedge a few years ago and other than a good cut back the IDB should be able to access the area in order to carry out work.

Mr Russell added that other comments have been made with regards to density and originally the application was submitted for a scheme of 54 dwellings which was on a plan was very similar scheme and road pattern layout to the previously approved scheme, however, following comments from planning officers the number of dwellings was reduced to 48. He made the point that the number of dwellings has now been further reduced to 45 which has been due to concerns raised by neighbours as following the last meeting he had discussed the concerns raised by a neighbouring objector with regards to overlooking, having been asked to remove overlooking windows and as a result of this issue a pair of bungalows have been proposed behind numbers 27 and 28 Eaton Estate and along the boundary of Hassock Way.

Mr Russell explained that he has replaced the semi-detached two storey dwellings with bungalows and these will sit behind the dense hedge and remove any former impact of concerns of overlooking and the bungalows will be M42 compliant, with no boundary hedges or trees being proposed to be removed. He explained that a number of concerns were also raised following the resubmission of the amended scheme after the deferral and all of these concerns have been proactively responded to and addressed positively.

Mr Russell stated that there was a question raised with regards to ownership of the small dry ditch

to the south which belongs to Clarion Housing Association and those residents with concerns are able to contact the Housing Association to discuss their concerns over the maintenance of the ditch. He added that the point had been made with regards to the field remaining as arable, however, with a previous planning permission, the surrounding over development and the further permissions beyond the site of the village and the small hedgerow enclosure, it is not suited to modern farming methods and the previous use as a caravan park with the derelict buildings, small trees and access through a residential area, the site is no longer purposeful as arable.

Mr Russell stated that the County Council Ecologist requested the biodiversity net gain matrix which they had not received previously, and they were happy with the proposals and confirmed that they have no objection. He explained that the comments relating to flooding were resurrected with Anglian Water who have confirmed that they have no issues, and the proposed scheme will have no effects and the previous issues related to faults or surface water overload and the application site sewers are connected to the north and do not go towards the village and, therefore, will not cause any issue.

Mr Russell made reference to a comment that was raised as to the parking provision and he explained that whilst he had adhered to the parking policy, he has added even more visitor parking spaces to the scheme. He made the point that the previously approved scheme which was submitted by another agent for a previous landowner which was for 30 dwellings on part of the same site had a viability assessment undertaken and it was determined and approved with no affordable housing provision and just a cash contribution.

Mr Russell added that there had been some confusion that the previous approved scheme was an affordable housing scheme but in fact it was the opposite with large, detached dwellings and small amenity areas and no affordable housing. He explained that he reviewed the house type needs for the locality, and this proposal is for two and three bedroomed houses and, therefore, in his view, his scheme is a more suitable proposal.

Mr Russell stated that with regards to the previous comments on the right of way crossing the site he has spoken to the Right of Way Officer who has confirmed that they have no objections.

Members asked Mr Russell the following questions:

- Councillor Mrs French asked for details concerning the ownership of the dyke. Mr Russell confirmed that the dyke to the west is owned by Matthew Homes. Councillor Mrs French stated that she assumes that there will be 9 metre clearance for maintenance by the IDB. Mr Russell stated that he believes it is March East IDB and Councillor Mrs French asked whether the owners are also going to maintain the dyke. Mr Russell stated that Matthew Homes have built quite closely to the drain and also erected fences which appear to be very close to the drain which has caused the IDB some issues. He added that in some places they have only provided four metres clearance and explained that on his side of the drain there is between four and seven metres before the centre line of the hedge of which Matthew Homes go beyond the western brink and own a further three metres. Mr Russell added that there is a ransom strip by whoever owned the land before it gets to the boundary of existing mature hedge and into his site. Councillor Mrs French stated that she is aware of the problems caused by Matthew Homes and has been on site to inspect it as it does appear to be four metres when it should have been nine metres. She added that there are issues being caused when trying to maintain the strip as the equipment is large that is used. Councillor Mrs French made the point that she does have concerns with regards to the dyke and the IDB policy is nine metres and if that is not achievable, she does not know how the development can proceed.
- Councillor Marks referred to Mr Russell mentioning six metres, and he asked him whether that was measured from the centre of the dyke to the boundary edge? Mr Russell stated that the existing hedge is not parallel to the brink and, therefore, the six metres would incorporate the existing hedge to full length of the site. He added that he spoke to officers at

the IDB and asked them whether they would prefer that the hedge and maintenance strip was transferred to their ownership because the existing hedge is the main issue for them, but they do not want to have the burden of that and, therefore, any of the applications fences and boundary treatments will be conditioned as to types. Mr Russell added that he proposed to go up to the hedge with a chain link fence, but it would be a minimum of six metres away with any fence which MLC said that they will require but the application has no buildings within 16 to 25 metres.

- Councillor Marks asked whether the six metres could be extended to nine metres by still leaving the hedge? Mr Russell stated that was achievable.
- Councillor Mrs French stated that she would like to see that conditioned and she added that she is aware that the IDB are having great problems with riparian dykes and there is a duty to keep the dykes cleared to keep on top of the flooding issues.
- Councillor Connor explained that he has just seen a statement from the MLC which David Rowen read out to the committee. He explained that Nicola Oldfield from MLC has indicated that in this instance they would accept a minimum of six metres rather than the usual nine metres. Councillor Mrs French stated that she finds that most interesting and she is most concerned with regards to the statement and will follow it up further.
- Councillor Connor stated that the agent has indicated that he could do nine metres if required and, therefore, he is content with that proposal.
- Councillor Marks asked for clarification as to whose ownership would the hedge be in? Mr Russell stated that at the current time the hedge is in his ownership and the IDB are reluctant to take ownership of it due to the maintenance of it, even though it is their main restriction and he is happy to transfer the hedge to the IDB. Councillor Mrs French stated that she would raise the issue with the IDB.
- Councillor Connor stated that he would like to accept the offer of 9 metres that Mr Russell has agreed to which can be conditioned.
- Councillor Connor asked Mr Russell whether there is an agreement in principle or one which has been signed with regards to the adoption of the attenuation basin by Anglian Water? He added that Anglian Water could change their mind and if they do so is there another option. Mr Russell stated that his civil engineer has designed the scheme and with the parameters and the basin being online, water depths and freeboard it has been designed in accordance with Anglian Water's requirements for it to be adoptable. He added that because a Section 104 or Section 38 submission is not undertaken until after planning because Anglian Water or Highways would not review such submissions until planning approval is obtained then should they decide not to adopt it would be included as part of the management company's responsibility.
- Councillor Connor stated that he feels that the management company fees of £100 do not seem realistic especially if that will then have to include the upkeep and maintenance of the attenuation pond and he asked Mr Russell how that figure was calculated? Mr Russell stated that the majority of the other sites have between 40 and 70 dwellings, and he explained that he has never had a management company where the fee goes above £200 per dwelling. He explained that the £200 figure included a site where there were many private drives and a large area of attenuation and vegetation areas. Mr Russell added that the application site only has a piece of open space and a private drive which are the only areas due to be put into the management company and, therefore, apart from some grass cutting there is not a great deal for the management company to do. He added that he does not foresee the fee to be any more than £120 and if Anglian Water decide not to adopt the attenuation pond as it is a dry basin they will only need to cut the grass.
- Councillor Marks asked who the management company will be? Mr Russell explained that Seagate will start the operation of the management company and then every property gets to buy into the management company, and it will be run by a committee of residents.
- Councillor Connor asked Mr Russell whether the developer adds any money to commence the management company? Mr Russell stated that the developer looks after the site until every property is occupied.
- Councillor Connor added that he is delighted that Mr Russell has agreed to the £25,000

contribution for play equipment.

Members asked officers the following questions:

- Councillor Marks stated that Councillor Johnson had stated in her presentation that the Highway Authority would not adopt areas of permeable surfaces and he asked the Highway Officer, Lewis Ward, whether that was correct. Mr Ward stated that from the Local Highways Authority's perspective they do not adopt permeable paving areas due to the issues surrounding the maintenance of it and its functionality when it is built. He added that if they were to adopt it, it would have to be that the layout as shown is suitable and is designed to their general principles and guidance. Mr Ward made the point that if it was put forward it would still be subject to a Section 38 application and be subject to being built to highways construction specification which would not be permeable paving. He made the point that Highways do not see permeable paving as an adoptable material.
- David Rowen added that the Highway Authority would only be looking at adopting certain elements of the road network and there a couple of areas of private driveways which could be permeable surfaces as well as the possibility that areas within the individual dwellings would also be permeable surfaces such as the driveways for the individual properties and the Highways Officer response is only in relation to the main road through the estate.
- Councillor Connor stated that he has looked at application sites which have been passed and the road surfaces have had the binder course put on them and nothing further has taken place. He made the point that the Section 38 may or may not have been applied for and added that some roads within the district are still not complete and some cases the iron works are raised from the binder course which could mean damage could be caused to vehicles. Councillor Connor requested some reassurance that the same thing will not happen at this site and added that he would like to see a condition added to dictate that after the 39th dwelling has been built, the remaining 6 dwellings cannot be occupied until the road surface is constructed to a highway's adoptable standard. David Rowen stated that a planning condition cannot be added to any planning consent stipulating that a road is adopted because that falls under the jurisdiction of the Highway Authority and is not within the applicant's control. He referred to condition 15 as listed in the officer's report which states before the occupation of any dwelling roads and footways required to access that dwelling shall be constructed to at least a binder course and, therefore, that does ensure that there is a degree of hard surface there to allow cars to travel over to access the individual dwellings. David Rowen added that if the committee wished then they could add to that condition and state that prior to the occupation of the 40th dwelling, the roads and footways need to be made up to a better level so that the top dressing would be added and, therefore, be more of an adoptable standard, however, it cannot stipulate that the road has to be adopted by the Highway Authority.
- Councillor Connor asked the Highways Officer, Lewis Ward, if he can provide any assurances concerning the road surface? Mr Ward stated that as part of the application process it cannot be conditioned that the road will be adopted as it is the Highway Authority's prerogative. He added that should the applicant submit a Section 38 application it would be reviewed as a normal process, and it would have to be to the Highways specification and standards, but it cannot be conditioned prior to approval.
- Councillor Connor stated that it does not give him as much comfort as he would like, and he asked David Rowen whether condition 15 could be amended to reflect what he had explained earlier with regards to the road surface. David Rowen stated that the condition could be amended to reflect that the roads and footways need to be made up to a better level so that the top dressing would be added and, therefore, be more of an adoptable standard, however, if ultimately the last five dwellings do not get built then the road will only be made up to binder course level. He explained that within the planning system there is no mechanism which can ensure that a road is categorically 100% delivered and adopted by the Highway Authority and all that can be done is to make sure that there are measures in place to try and give comfort that it does occur to a level.
- Councillor Connor stated that in the past Section 38 applications have been sought but they

have never been completed and he confirmed that the Highways Authority have no jurisdiction on whether they are or they are not completed.

- Councillor Mrs French stated that she is also aware of a number of roads which have never been completed with a top surface and have been left in that state for many years. She added that under the new County Council policy the road will also be limited to a 20mph speed limit.
- Councillor Marks stated that he would like the condition to state that it should be to a full adoptable standard and not just the road because there are other elements around it.
- David Rowen made the point that when stipulating in the condition that the road needs to be made up to an adoptable standard, it is his understanding that as part of the adoption process it would need to include street lighting and, therefore, there would be some control through the kind of condition which the committee are trying to aim for.
- Councillor Marks asked whether there is any other way where the Council take a bond away from the Section 38 monies in case the developer should cease trading? Lewis Ward, the Highways Officer, explained that the Highways Authority take a bond as part of the Section 38 as it is signed. He added that it equates to £2025 per linear metre which is the total cost of adoption, with an 8.5% vetting fee, taking 50% of that initially and a further 50% on signing and sealing the agreement as well. Councillor Marks asked what mechanism is in place to make sure that actually happens? Lewis Ward stated that you cannot force the developer to sign and seal it at the end and the only aspect that the Highway Authority has control over is to ensure that the first 8.5% of the payment is made and then as it is signed and sealed that the other payments are made later. He made the point that there are no enforcement procedures in place that they have to do that to get the roads adopted.
- David Rowen referred members to the proposed condition 8 which states that prior to the first occupation of the first dwelling/use hereby approved, full details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into a Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established. He explained that when considering the aforementioned amendment of the condition concerning the road surface being made up to an adoptable standard by a certain point, should the road be made up to that standard and then not transferred to the Highway Authority as part of a Section 38 Agreement under the Highway Act there would then be the requirement for a management company to also incorporate the management and maintenance of the road. David Rowen pointed out that there is a fallback position in terms of the ongoing maintenance and management of the road if it is not adopted.
- Councillor Marks stated that if a management company is set up halfway through the development, when it looked previously as though it was going to be adopted, then the management company can increase their fees. David Rowen stated that he would assume that the more responsibility that a management company takes on will also mean that their charges will increase which will be passed onto the residents.
- Councillor Connor asked for the amended condition to be added to the application if the scheme is approved by the committee. David Rowen stated that should the committee resolve to grant the application and give delegated authority to officers to apply appropriate wording to condition 15 then that will be possible.
- Councillor Imafidon made the point that officers have stated that there is no mechanism in place to ensure that developers complete and finish the road surfaces in order that they are made to an adoptable standard. He expressed the opinion that it should not be permitted for roads to be left in an unfinished condition and he would be very concerned about the safety of his family if he lived in such a road. Councillor Imafidon expressed the view that he does not see the point of a Planning Committee if developers are allowed to leave their developments in such a poor state. He added that developers and management companies will pass charges onto residents and, in his view, he finds it totally unacceptable.
- Councillor Connor stated that he echoes the sentiments of Councillor Imafidon, but the

committee are trying to do the best they can to help residents by working with officers to amend the condition with regards to the road surface.

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

- Councillor Marks stated that he still has concerns over the hedge and the issue of the 9 metres and he would still like further clarification.
- Councillor Mrs French stated that she will be raising the issue at an Internal Drainage Board as in her view 6 metres is not acceptable and the policy does state 9 metres. She expressed the opinion that she is happy to see the application approved but on the condition that the drainage board response is considered.
- Councillor Marks asked, that if it is 9 metres, are the committee able to specify it must be 9 metres and also that the hedge is reinstated on the boundary of 9 metres. David Rowen made the point that the advice which has been given by the Internal Drainage Board is that in this case they would accept 6 metres as in their opinion it is a pragmatic issue as to whether they can access the area or not. He stated that in the context of six metres in comparison to an estate road which is 5 metres you could fit machinery into the allocated space and the IDB have also indicated that it is a matter which can be resolved through the land drainage consent which is outside of the planning system. David Rowen made the point that within the existing proposed conditions, the conditions around landscaping and location of hedges would give some control around that in conjunction with also the drainage scheme condition. He expressed the view that between the planning system and the conditions that are proposed along with the land drainage consent it is a matter that will be resolved through those controls.
- David Rowen stated that the officer's report, in his view, sets out the material planning considerations comprehensively for the application.
- David Rowen asked for confirmation that the proposal for the application includes the changes to condition 15 that had been discussed as well as the additional monies which had been agreed for the play facilities. Councillor Marks confirmed that is correct and he added that he would still like clarification from the IDB.
- David Rowen stated that he will prepare the wording for the Condition 15 to ensure that it is robust and contains all the elements that members discussed, and he will share that wording with the Chairman, Vice Chairman and Councillor Mrs French.
- Stephen Turnbull, the Legal Officer, made reference to the enhanced contribution for the play area and stated that it is his understanding from officers that there is no necessity caused by the development to require this expenditure and, therefore, the committee cannot take it into account as a reason for granting planning permission. He added that as far as wishing to grant planning permission based on the enhanced contribution, the committee cannot rely on it as a reason for granting planning permission and that is a matter of law. Stephen Turnbull explained that would also be the same as not requiring the need to enter into a Section 106 agreement to pay that contribution. He added that the way the Community Infrastructure Levy (CIL) regulations work means that a planning authority cannot require more financial contributions than are necessary caused by the development.
- Councillor Connor stated that Mr Russell has stated that he is willing to provide £25,000 as a voluntary payment. Stephen Turnbull explained that whilst that may be the case it cannot be taken into account as a reason for granting planning permission. He added that there may be other reasons for wanting to grant permission and it cannot be enforced by Section 106 obligations.
- Councillor Mrs French stated that she agrees with the explanation from the Legal Officer, Stephen Turnbull, and added that there are 45 homes which may equate to 150 extra residents who are going to require healthcare professionals and she finds it shameful with regards to the lack of contribution towards the doctor's surgery.

Proposed by Councillor Marks, seconded by Councillor Mrs French and agreed that the application be GRANTED as per the officer's recommendation, including the agreed changes to Condition 15 and the additional financial contributions towards play facilities.

(Councillor Mrs French stated that she is a member of eleven Internal Drainage Boards, but she does not discuss planning applications at any drainage board meetings)

P5/24

F/YR23/0768/F

91 HIGH STREET, MARCH

ERECT A 3-STOREY BUILDING COMPRISING OF 2 X COMMERCIAL UNITS (CLASS E AND SUI GENERIS) AND 7 X DWELLINGS (5 X 1-BED FLATS AND 2 X 2-BED FLATS) WITH ASSOCIATED WASTE AND CYCLE STORAGE INVOLVING DEMOLITION OF EXISTING 2-STOREY BUILDING WITHIN A CONSERVATION AREA

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure from Councillor Mrs French, the Ward Councillor for the application site. Councillor Mrs French stated that the application is for an existing business who are looking to expand, making the point that in the current economic climate, the business owner needs to be commended as there are not many businesses looking to grow. She added that, if approved, it would also mean the provision of one bedroomed flats which are very much needed and the current number of people who are on the waiting list for homes in Fenland is 1700.

Councillor Mrs French acknowledged that the application site is located within the Conservation Area of March but, in her view, the conservation policy is very out of date, making the point that many years ago she walked with the then Councillor Skoulding from St Peters Road to the marketplace where the Conservation Area ends and there were 342 illegal windows and other conservation contraventions and in her view the conservation areas all need to be reviewed in order that they are updated. She stated that the old Police Station is in need of attention as it has been neglected over the years and she added that the veterinary practice Amical should never have been allowed to be built in a Conservation Area.

Councillor Mrs French added that to the right of the Vets there are new flats being built at the present time along with further development across the road. She expressed the view that the application will not adversely impact the area and it will enhance the area by removing the car sales business which is not acceptable to be in a conservation area.

Councillor Mrs French asked members to approve the application, as it will enhance the business and provide flats that are badly needed which will provide new homes and be of public benefit. She made the point that the issues of noise and odour can be conditioned if the application is approved, and she asked the committee to support the application.

Members asked Councillor Mrs French the following questions:

- Councillor Marks asked for clarity with regards to the number of Listed Buildings that there are near the site? Councillor Mrs French confirmed that there are three, Audmoor House, The Old Courthouse and The Maze. Councillor Marks asked whether Amical Vets is listed, and it was confirmed that it is not listed.
- Councillor Marks made the point that The Old Courthouse is now a snooker hall which is almost derelict and there are new properties which are located in the car park of Amical vets which will change the street scene. He added that there are further properties being built further down the road and added that the building next door to the application site looks to be modern in his opinion and it was confirmed it was about 22 years old. Councillor Marks expressed the opinion that the street scene will not alter drastically by adding another building. Councillor Mrs French expressed the view that a new building will enhance the

area.

- Councillor Marks stated that from recollection the Oliver Cromwell Hotel, which is located behind the application site, has got walkways above where guests walk to their rooms, and he asked how long that has been on site? Councillor Mrs French stated that it was converted in 1999.

Members received a presentation, in accordance with the public participation procedure, from Huseyin Cicek, the agent. Mr Cicek stated that the application involves replacing the current 2 storey building with a three-storey building replacing the takeaway unit and adding two commercial units on the ground floor, one of which is retail Class E use and a takeaway to be preserved. He stated that the upper units will provide seven high quality flats comprising of five one bedroomed flats and two-bedroom units, with proper waste management and secure cycle storage also being on site.

Mr Cicek expressed the view that the commercial units will help boost the local economy by attracting new businesses, increasing footfall and creating jobs which is crucial for helping to keep the town centre of March alive. He explained that the mix of housing that the proposal will bring will be a mixture of 1 and 2 bedroomed flats which are in high demand and will help to meet the needs of the growing community and goes towards supporting the local businesses.

Mr Cicek stated that the plan includes good waste management arrangements along with secure bike storage facilities which will include promoting greener living and due to its central location, it will be easy access to public transport and, therefore, supporting a sustainable lifestyle. He expressed the opinion that the current building does not enhance the Conservation Area and this proposal will enhance the area with a high-quality attractive building which is respectful to the historic character of the neighbouring building, with the proposal aiming to create a high-quality environment by replacing an under used site with a well-designed building that meets the modern needs.

Mr Cicek referred to policy LP18 of the Local Plan and stated that the policy refers to preserving and enhancing the historic environment and, in his opinion, the application respects the character of the Conservation Area and will blend in with the surroundings. He added that policy TC1 of the March Neighbourhood Plan supports the project, and it will enhance the economic viability of the town centre and the commercial units will bring new businesses boosting the local economy.

Mr Cicek stated that, under Policy H2, the proposal encourages a mixture of housing types for local needs and the flats provide a good mixture of one and two bedroomed options which will address local housing demands. He added that the several positive impacts to March Town Centre include replacing old buildings with new well designed, it will improve the look of the Conservation Area and will attract new businesses which will create new jobs.

Mr Cicek expressed the view that the new housing will provide much needed housing for both young and old people looking to live in the town centre, with the proposal for a new three storey building bringing significant benefits to March and the proposal is in accordance with local planning policies as it respects the Conservation Area and supports economic and community growth. He asked the committee to approve the proposal and recognise the positive impact the proposal will have for the local community.

Members asked Mr Cicek the following questions:

- Councillor Imafidon asked whether the commercial waste and domestic waste will be separated for collection, and he questioned where the collection point will be for the waste to be removed? Mr Cicek stated that both commercial and domestic waste bins will be separate and will be at the back of the property in separate waste collection areas. He explained that with regards to the collection point, there is a footpath through Chapel Street and there are other domestic properties already receiving a waste collection and, therefore,

the collection vehicles will access Chapel Street and collect the waste from there.

Members asked officers the following questions:

- Councillor Imafidon made reference to one of the conditions listed concerning the site being located in a Conservation Area and when he visited the site it is clear that there a number of new developments including the one next door to the site. He referred to the presentation screen and stated that the Hair Studio appears to be a relatively new building, along with a development of flats next to Cassanos, with there being further new development in the Conservation Area, which was permitted, and he questioned what the difference is between that new development and the proposal before the committee. Councillor Imafidon stated that the car sales business does not enhance a Conservation Area and he questioned why the proposal should be refused when the others have been approved? David Rowen explained that the fact that it is a Conservation Area does not mean that it should be mothballed in terms of development, and it does not mean that no new development should ever take place, however, any development that does take place should be sympathetic to the historic environment, should be appropriately designed and should fit in with its surroundings. He referred to the development taking place to the south of the veterinary clinic and explained that it was a scheme where a great deal of work was undertaken to reach an appropriate design and was considered to be a scale and form which enables it to fit in well within the location in the street scene. David Rowen referred to another site near to West End DIY and explained that it is virtually a like for like replacement for the building that was there. He added that with regards to the building that is located immediately to the north of the application site, planning permission was granted in 1983 and, in his opinion, if an application was submitted for that building at the current time then a greater amount of work would take place with regards to the design and detail of it.
- David Rowen made the point that with regards to the current application it is considered that the appearance of the front elevation with the proliferation of dormer windows are not overly sympathetic or attractive in appearance. He added that the third floor is proposed to use a cladding system which is not a prevalent material for buildings fronting onto the street and the side elevation has a mansard roof which is not overly typical and the whole expanse of elevation will be visible within the street scene and from a design point of view that is the main concern, given the fact that there are no buildings to shield that to the south. David Rowen added that it is of sufficient concern that the Conservation Officer has raised concern as have Historic England.
- Councillor Marks stated that he agrees that the slide which shows the dormer windows does appear to show very small windows and does not look to be in character as it looks very stark on a drawing but once it is built it may look different but at the current time it is guess work. He referred to the presentation screen and questioned whether one of the buildings shown is currently three storeys high and it was confirmed that it is three storeys. Councillor Marks added that the officer's report states that the applicant has failed to include a noise impact assessment and odour assessment but made the point that with regards to noise there is a hotel car park to the rear of the application site where there will be transient people arriving at all times of the day and he questioned whether the concern is with the residents of the property or that residents are going to make the noise by having seven properties there. David Rowen stated that the issue of the noise and odour assessment is particularly in relation to the extractor unit that would be installed for the takeaway. Councillor Marks expressed the opinion that when you see the proposed chimney outside of the building it looks wrong, and he questioned whether there is any other method that can be used for extraction purposes and could it be incorporated within the building. David Rowen explained that the proposal contains the detail with regards to the chimney to house the extractor unit to serve the takeaway and there has been no information provided to indicate what equipment is needed to operate a chimney of that size. He explained that a chimney of that size requires extraction equipment of a certain power in order to push the air and odour up the chimney for dispersal. David Rowen added that none of this detail has been provided in order for an assessment to take place with regards to the equipment which

is needed to work in an efficient manner.

- Councillor Connor stated that, if the application was approved, would Environmental Health Officers provide their advice as to what would be considered as acceptable? David Rowen explained that Environmental Health have objected to the proposal due to their being a lack of information available to consider. He added that if planning permission is granted for the chimney as it stands there needs to be a confidence that the chimney will work with something that is acceptable.
- Councillor Imafidon asked whether a condition could be added if the application was approved to state that the details of the capacity of the extraction unit must be provided. David Rowen stated that if planning permission is granted then you inherently need some equipment that can make the chimney work, but you do not know what that equipment is or what its impacts are and, therefore, planning permission would be granted for something that you are trying to make work retrospectively which in fact may not.
- Councillor Connor made reference to the condition of the old Police Station which is located in the Conservation Area, and he asked officers to look into the building in order for it to go into further disrepair.

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

- Councillor Marks expressed the view that it is a site and area which is scruffy and run down, which has a hotel located behind the application site which has one bedroomed rooms, and you could consider that there is not much difference between that and a one bedroomed flat. He made the point that as there is no associated parking with the proposal site, residents can park on the street, and he does not see that as causing an issue. Councillor Marks made the point that the Freezer Centre is being made into flats and whilst he understands the points made with regards to the roof, in his view, it may be better to have something which is slightly unusual rather than a square box like the property next door which is not pleasant to the eye. He expressed the view that the proposal will bring two shops and there has been no mention of any anti-social behaviour and consideration needs to be given to the fact that the applicant wishes to expand his business. He added that with regards to the point made concerning the double doors, in his view, if those residents want to overlook the Oliver Cromwell Hotel car park that is down to personal choice. Councillor Marks stated that apart from the issue concerning the chimney, he does not have any issue with the application.
- Councillor Benney stated that he does not have an issue with the application as it will bring much needed flats albeit being three storeys and he is sure that it will eventually fit with the street scene as did a similar application of a three-storey block in Chatteris. He added that the pizza place is not an attractive building in its current form as it has bricked up windows and a car sales business beside it. Councillor Benney added that he does understand the officers views with regards to a development proposal and residential amenity but, in his view, this application site is not any more cramped than an application passed previously in Orange Grove in Wisbech. He stated that he will support the application, however, in his opinion the chimney issue does need to be conditioned and he understands the size of the flues to the size of the extraction required, but the application has come to the committee in an incomplete state as that information is not present. Councillor Benney added that he is confident that officers can overcome that issue and he would not want to see the application refused on that point today.
- Councillor Connor made the point that he will support the proposal and he concurs with Councillor Mrs French that the applicant should be applauded as they wish to expand their business in the current economic climate.
- Councillor Imafidon stated that he will also support the proposal as he feels that the development will enhance the street scene rather than be detrimental to it. He added that there is a building next door to it and the footprint of the new development will enhance and create a gap. Councillor Imafidon expressed the view that the car sales business looks horrible located on the High Street and he does not think that there is room for it. He stated that the top floor of the bowling centre looks disused and there are broken windows with

vegetation growing all around it. Councillor Imafidon expressed the view that the application will enhance the street scene and improve it and, therefore, he will support the proposal.

- Councillor Marks asked whether there is any way that the chimney can be conditioned as it just looks like a block stuck on the side of a building. He added that he appreciates the technical detail associated with it and its operation, however, questioned whether officers could work with the architects to improve the current position.
- David Rowen stated that if members choose to grant the application then the only way to address the noise and odour arising from the chimney would be through a condition. He added that he has already indicated the difficulties in doing it and the associated risks attached by granting planning permission for something which turns out to be unacceptable, which members need to consider.
- Councillor Marks stated that the reason there is a chimney is for a takeaway and if the application is approved but the applicant cannot reach a satisfactory resolution with regards to the chimney then they could still have two shops, but they are not able to run the takeaway. He questioned whether that is a risk the developer takes as opposed to members of the Planning Committee. David Rowen stated that what has been applied for is for one of the units to be sui generis, a takeaway unit, and if extract equipment cannot be installed which is to the satisfaction of Environmental Health then there is an implication as to whether the business can operate. He pointed out to members that on the existing takeaway unit the extract equipment is on the southern side of the building which is on the car sales side of the building and away from the residential units presumably so that the noise and odour are kept to a minimum.
- Councillor Benney stated that the type of extraction unit needs to suit the type of business that is there to make it work and, therefore, if the extraction system does not accord with the requirements to operate a pizza take away then that will be down to the applicant, and they will need to submit a further planning application for a variation or a new application to meet his needs. He added that if the application is approved and the chimney cannot be agreed with Environmental Health then that will be an issue for the applicant to address as he will not be able to operate as a takeaway if the equipment is not signed off by the Environmental Health Officers.
- Councillor Marks added that the application could be passed but with the addition of a condition which states that members do not believe that an outer chimney should be permitted. He made the point that members are of the opinion that the chimney element of the application is what lets the whole scheme down.
- David Rowen stated that there is no part of the officer's recommendation to refuse the application based on the appearance of the chimney and it is the lack of the technical information regarding its performance and its potential implications on the amenity of neighbouring residents. He added that is largely going to sit behind the building to the north and largely obscured from the wider public view and it does not form part of the visual or character reasons for refusal.
- Councillor Connor stated that the applicant would have to work with Environmental Health in order to find something that was fit for purpose and the risk lies with the applicant not with the committee.
- David Rowen stated that it is a fair summary and added that it is a far from desirable way of dealing with an application and, in his view, it is much better to actually know what you are granting planning permission for can work, but if the committee wish to take that decision then it is their choice.
- Councillor Benney expressed the view that the applicant should know what they are applying for and if the committee are granting what he has got, should it mean that he has to have smaller burners in order to meet the standards of the flue then that may need to be an option that the applicant has to consider. He added that if the application is refused that would mean that the whole application has to come back, and he sees no purpose for that. Councillor Benney stated that the applicant has applied for what he wants, and it will have to be agreed by Environmental Health in order for him to obtain his certificate so that he can trade.

- Councillor Marks made reference to Policy LP2 and stated that it states that the policy requires development proposal to promote high level of residential amenity and in his view the proposal will bring seven more homes which is needed. He added that under LP16 of the Local Plan it states that the proposal should not adversely impact the amenity of neighbouring users whilst providing sufficient amenity space for the proposal. Councillor Marks explained that it is very difficult to do that with one bedroomed flats to have amenity space, however there are two balconies associated with the proposal and he questioned whether it is going to impact a property which in the committees view is already unsightly.
- David Rowen stated that the recommended reasons for refusal dictate the actual relationship between the proposed development and the properties to the north. He added that in terms of the mass of the building proposed impacting on those properties in terms of overshadowing the rear of them, overshadowing the garden areas and the potential overlooking of the garden areas from the terraced areas. David Rowen explained that it is the impact on the amenity and the enjoyment of those properties to the north by the physical form of the development.
- Councillor Marks stated that if you were standing in the Oliver Cromwell Hotel you would be looking straight into the gardens anyway to the north as the walkways to the hotel rooms are raised up anyway on the second level and, therefore, he does not see any difference.

Proposed by Councillor Marks, seconded by Councillor Benney and agreed that the application be GRANTED against the officer's recommendation with delegation to officers to apply suitable conditions.

Members do not support the officer's recommendation of refusal as they feel that the application will enhance the area and street scene by providing two shops and suitable accommodation above and the development will provide seven much needed homes.

(Councillor Mrs French declared that she will be speaking in support of the application in her position as the Ward Councillor and following her presentation to the committee left the room for the duration of the item and took no part in the discussion or voting thereon)

(Councillor Purser declared a pecuniary interest on this item by virtue of the fact that he owns the adjacent property to the application site, and he left the room for the duration of the discussion and voting thereon)

P6/24

F/YR23/0939/PIP

**LAND NORTH OF CHERRYTREE HOUSE, FALLOW CORNER DROVE, MANEA
PERMISSION IN PRINCIPLE FOR UP TO 5 X DWELLINGS**

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent. Mr Hall referred to the officer's summary which make the point that the site is relatively open in nature to the east which, in his opinion, is incorrect referring to the map displayed on the presentation screen which highlights the application site marked in red and whilst he agrees with the officer's statement that to the north and the east of the site it is open Fen land explained that the site is surrounded by vegetation and residential development and the existing commercial business. He explained that on the site at present there are former pig sheds which have been on the site for 50 years and there are other sheds and outbuildings which have been on the site for at least 12 years, making the point that when you look at the map the site appears to be the last site along Fallow Corner Drove before it leads in to open Fen land.

Mr Hall referred to the photos on the screen and stated that in photo 3 it shows the eastern boundary and the vegetation which is to be maintained and then there is open Fen land, with photo number 4 showing the application site and boundary and then it steps into open Fen land. He

made the point that there have been numerous applications passed in Fallow Corner Drove under the current Local Plan in the last ten years and there is one objection to the application which raises concern about the road, however, Fallow Corner Drove is used by farms and adjacent businesses and is a road adopted by the County Council.

Mr Hall explained that there is an existing access to the site which is going to be maintained and widened out to allow two cars to be able to pass to the private driveway, with the Highway Authority having no objection to the proposal, and he explained that when reviewing photo number 4, a key point to consider is that the site, in his opinion, is just on the island of Manea as the road and land levels drop away by one metre. He made the point that when considering drainage, directly to the north of the site there is a riparian ditch and to the east and south there is also a riparian ditch where the existing treatment plant to the existing property discharges into, with a swale shown on the site plan which is indicative, however, it will be designed to greenfield run off rates so that the existing rate of surface water going into the ditches will not see an increase.

Mr Hall referred to the indicative layout and stated that the application is for four 5 bedroomed properties with large gardens, garages and access to them off of a private driveway. He added that the vegetation is being kept and will also see additional planting and he made the point that there have been no objections from the Environment Agency, Environmental Health or the Highways Authority, with Manea being a growth village.

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

- Councillor Benney stated that he agrees that the land definitely falls away and, in his view, it is probably the last development that can be built in Fallow Corner Drove. He made reference to previous developments approved in Fallow Corner Drove in previous years and, in his opinion, it will be a lovely place to live, and the houses will enhance Manea. Councillor Benney added that the proposal will make good use of the land and whilst the application site is located within Flood Zone 3, there can be steps introduced to mitigate the flooding risk. He made the point that it is clear to see that the land falls away, with the flood maps being out of date and not correct. Councillor Benney expressed the view that it is a good application, and the homes are much needed in the area. He made the point that the lack of sequential test could be balanced out quite nicely with the need for local homes and local housing. Councillor Benney added that Manea is a growth village and he added that at the last meeting there was an application passed in Tydd St Giles which was also in Flood Zone 3 and, therefore, to remain consistent he will also support the application before the committee today.
- Councillor Marks stated that he is the Ward Councillor for Manea, and made reference to the proposed site map and explained that if the map is expanded by a further 50 metres then it would display the straight road and also another property. He expressed the opinion that he does not think that the application site can be considered as the edge of Manea as the further property he referred to needs to be taken into consideration. Councillor Marks referred to the flooding episode that took place in Manea a few years ago and added that the flooding event was at least three quarters of a mile away from the application site, with it being at the other end of Fallow Corner Drove where it reaches Westfield Road, a planning application for a dwelling was approved and it stands at least a metre and a half above the ground, due to it being located in Flood Zone 3 and mitigation measures have been introduced. Councillor Marks expressed the opinion that the application makes good use of land, and he added behind the application site a few fields away, permission has been granted for 105 homes. He made the point that the proposed dwellings will be connected to cesspits and, therefore, will not impact the main sewers which, in his view, is a good thing for Manea. Councillor Marks stated that when considering the highway he is currently in discussion to get the roads improved especially when considering the number of new homes which have been approved or are coming forward in the area. He stated that he has considered the comments of the Parish Council who have stated that the site is outside of the development area, however, in his view, there is a further dwelling and whilst he agrees

with the Parish Council's view concerning the road surface not being properly maintained, that is not an issue related to the applicant as the responsibility lies with the County Council not filling in the potholes. Councillor Marks added that the Parish Council have also raised concerns with regards to drainage issues, however, in his view, drainage problems can be mitigated against if any are identified. He stated that he will be supporting the application.

- Councillor Purser stated that some of the other houses in the area are pretty impressive and having listened to the views of Councillor Marks, being the local Ward Councillor, he will support the proposal.
- Councillor Imafidon stated that he has visited the site, and he will support the proposal. He added that it is a very nice area which has some very nice properties and although the Parish Council have stated that the site is outside of the development area, the access is by Cherry Tree House where the applicant lives. Councillor Imafidon made the point that the proposal makes very good use of the land and there are at least two further houses past the application site. He added that the proposal will enhance the village and he will support the proposal.
- Councillor Mrs French stated that she appreciates that the application is a planning in principle (PIP) proposal, however, she does have concerns with regards to the dykes. She questioned whether a PIP application can be revisited if necessary to add conditions. Councillor Marks stated that he is a member of the Welney and Manea Internal Drainage Board and as far as he is aware there is no dyke in the vicinity of the application site which is maintained by that IDB but it will be the responsibility of the landowner to maintain it. David Rowen stated that Mr Hall had indicated that the ditches to the north and the east are riparian.
- David Rowen explained that conditions cannot be added to a PIP application, and they would have to come in with a technical consent stage application and would have to include all the relevant details. He added that it effectively becomes the point where the details are assessed and where the conditions are imposed. David Rowen explained that at this stage the committee needs to consider whether the application is at an appropriate location for the nature, form and amount of the development.

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

Members do not support the officer's recommendation of refusal as they feel that the application site is within Manea and is not an elsewhere location, it is good use of land and is not development within the open countryside and that housing is needed which negates the requirement for the sequential test.

(Councillor Benney declared that the agent has undertaken work for Chatteris Town Council and himself personally and the applicant is known to him, however, he has not met or socialised with him for many years, and he is not predetermined and will consider the application with an open mind)

(Councillor Marks declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Manea Parish Council but takes no part in planning matters. He further declared that he was approached by a property owner whilst undertaking a site inspection but did not take part in any discussion concerning the application)

P7/24

F/YR24/0194/O

LAND NORTH OF 22C SCHOOL LANE, MANEA

ERECT 1 X DWELLING (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS) INVOLVING THE DEMOLITION OF EXISTING GARAGE

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent. Mr Hall stated that the application is for a detached bungalow within the built-up form of Manea and the officer's report makes reference to tandem development and this form of development is immediately adjacent to the application site. He added that there is tandem development immediately adjacent to the village hall and on the opposite side of School Lane there are numerous areas of tandem development.

Mr Hall stated that within the executive summary it states that there is not a strong building line along School Lane and referred to the presentation screen, explaining that the site is clearly within the built-up form of Manea and directly to the west on the left-hand side, in his opinion, tandem development is clearly visible. He made the point that on the opposite side of School Lane, all of the area has been developed over the last 25 years, with behind the application site, Scholars Close is located, and that was built out seven years ago and was previously open Fen land but, in his opinion, the application site is sandwiched by residential development.

Mr Hall explained that as the proposal is for a bungalow it would ensure that there are no concerns regarding overlooking or overshadowing and the officer's report also states that there would be no adverse impact on neighbouring amenity areas. He made the point that in the officer's report it explains that there is one support letter from Orchard Close in Elm, however, he stated that this is incorrect and should state Orchard Close in Manea which is to the south of School Lane, with all of the support letters being from people in Manea who have raised various points including the fact that School Lane is not a through road and the north side has been neglected in terms of development compared to the south side, with the application also being located in Flood Zone 1.

Mr Hall expressed the opinion that both the existing bungalow and the proposed bungalow would have a third plot area as per the Local Plan and in the officer's report at 9.9 it states that the application site incorporates a substantial amount of land which currently serves 22c and, therefore, in his view, it is quite a large site. He made the point that he is often asked to consider the character of the area and the street scene, and he stated that should the application be approved and built out then, in his opinion, it would not be detrimental to the street scene because it would not be visible.

Mr Hall added that all consultees including Highways and Environmental Health support the proposal for a small bungalow in Flood Zone 1, which is located in the built-up form of Manea with no technical objections, and it has the support of the Parish Council.

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

- Councillor Benney stated that a recent meeting the committee approved a dwelling in what was considered to be a barn at number 22 and, in his opinion, the access to the current proposal to that of number 22 is better as that particular application had a driveway with patio doors which led out onto it. He added that was recommended for approval by officers and, in his view, it established the use of back land or tandem development. Councillor Benney stated that numbers 24 and 24a are tandem development and they are both located next to the proposal site so he does not agree with the reason for refusal and just because the District does not have tandem development, it does not mean that it is not needed. He expressed the view that it is a good solid application and he will support the proposal.
- Councillor Marks stated that he agrees with the points made by Councillor Benney and added that when he undertook a site visit, he concluded that there is no direct line along that whole back boundary and there are a number of properties that have been built. He expressed the view it will make good use of the land and add a bungalow into use with a large garden. Councillor Marks made the point that there has also been a bungalow built at the end of Westfield Road and, therefore, he feels that the proposal is all within keeping of the village. He stated that there are a lot of large gardens in Manea which lend themselves to tandem development and he finds it interesting that the Parish Council have made no

comment with regards to the proposal, however, they made comment on the previous application which is located more into the countryside which he feels speaks volumes.

- Councillor Mrs French stated that she agrees with the views made by both Councillor Benney and Marks, and she has noted that there are no objections from any of the statutory consultees.

Proposed by Councillor Benney, seconded by Councillor Imafidon and agreed that the application be GRANTED against the officer's recommendation with delegation given to officers to apply suitable conditions.

Members do not support the officer's recommendation of refusal as they feel that the application will make a positive contribution to the local distinctiveness and character of the area, the fact that tandem development is already in place means that tandem development has already been established and it is bringing buildings back into use and delivers homes and for those reasons it outweighs the reasons for refusal.

(Councillor Benney declared that the agent has undertaken work for Chatteris Town Council and himself personally and the applicant is known to him, however, he has not met or socialised with him for many years, and he is not predetermined and will consider the application with an open mind)

(Councillor Marks declared, in accordance with Paragraph 14 of the Code of Conduct on planning matters, that he is a member of Manea Parish Council but takes no part in planning. He further declared that he knows the owner of a neighbouring property to the application site on a professional business basis but he has not spoken to them regarding the application and remains open minded)

4.00 pm

Chairman