

# PLANNING COMMITTEE



**WEDNESDAY, 18 SEPTEMBER 2024 -  
1.00 PM**

**PRESENT:** Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French, Councillor P Hicks, Councillor S Imafidon and Councillor E Sennitt Clough,

**APOLOGIES:** ,

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

## **P34/24      PREVIOUS MINUTES**

The minutes of the meeting of the 7 August were agreed and signed.

## **P35/24      F/YR24/0145/O THE THREE HORSESHOES, 344 MARCH ROAD, TURVES ERECT UP TO 5 X DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS) INVOLVING THE DEMOLITION OF EXISTING PUBLIC HOUSE**

This item was withdrawn.

## **P36/24      F/YR24/0485/VOC NENE PARADE BEDFORD STREET, CHASE STREET, WISBECH VARIATION OF CONDITION 01 OF PLANNING PERMISSION F/YR22/0914/FDL (ERECT A CARE HOME FOR UP TO 70 APARTMENTS, COMMERCIAL FLOORSPACE (CLASS E) UP TO 900 SQUARE METRES AND UP TO 60 DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)) TO ENABLE PHASED DEVELOPMENT.**

Tim Williams presented the report to members.

**Proposed by Councillor Mrs French, seconded by Councillor Imafidon and agreed that the application be GRANTED as per the officer's recommendation.**

*(Councillor Benney registered that he has been involved with this application by virtue of being a member of the Investment Board and took no part in the discussion and voting thereon)*

*(Councillor Mrs French stated that whilst the application deals with a Fenland District Council asset, she has not been involved with any element of the project and, therefore, is not pre-determined)*

## **P37/24      F/YR19/0944/O LAND WEST OF 85-111 SUTTON ROAD, LEVERINGTON ERECTION OF UP TO 33NO DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)**

Tim Williams presented the report to members and drew attention to the update report that had been circulated.

Members received a presentation, in accordance with the public participation procedure, from Gareth Edwards, the agent. Mr Edwards explained that the site is a continuation of the developed line of Glendon Gardens and Sutton Meadows as well as the further development of agricultural buildings to the north. He added that the proposal uses all the land owned by the applicant with no third-party land other than the public footpath and the verge which is in the ownership of the County Council.

Mr Edwards stated that part of the site is within Flood Zone 1 and part of it falls within Flood Zone 3, pointing out that parts of the Flood Zone 3 land is actually higher than the Flood Zone 1. He made the point that the application site is located over 500 metres from the River Nene and the recently commenced development of 221 dwellings and the river.

Mr Edwards referred to the presentation screen and pointed out that the development site shown on the slide is located mostly in Flood Zone 3 and has been referred to on numerous occasions by members of the Planning Committee. He stated that the sequential test and exception tests have been undertaken on the site for Leverington and the site has passed as there are no other sites available that can meet the number of dwellings proposed.

Mr Edwards explained that he has also offered a reduced timeframe for the reserved matters for the exception test to pass and Leverington has been used for the sequential search as that is the postal address and it is Leverington Parish Council who have been consulted on the application and he added that the officer's reports states that the site is located in the Parish of Leverington. He added that the commitment to reduce the timeframes for the reserved matters demonstrates the commitment of bringing the site forward as soon as possible.

Mr Edwards made the point that the Environment Agency, Lead Local Flood Authority, North Level Internal Drainage Board and Anglian Water also support the proposal albeit subject to the relevant applications to them all and mitigation measures. He stated that the plan shows the indicative layout and will be subject to change if it comes forward at a reserved matters stage and as the officer's report states the indicative proposal would not generate serious concerns of loss of privacy or over dominance.

Mr Edwards made the point that the site area has been restricted to that which the applicant owns which has led to the opportunity of creating a priority lane which will act as a speed restrictor and will still provide the continuous footpath link through the site. He added that this part of the road is wider than half of the estate road and will, therefore, allow for both service and emergency vehicles to move through the site with adequate turning space so that entering and exiting can be undertaken in a forward gear.

Mr Edwards stated that the main access onto Sutton Road has an adoptable entrance but will require works to the existing footpath and potentially to one of the neighbouring entrances in order to achieve adoption. He explained that at the current time neither of the neighbouring properties have been contacted but he added that he would be happy to accept a condition which requires County Council approval for the access.

Mr Edwards expressed the view that there is an engineered solution available which would be fully investigated and with the approval of Highways. He added that the proposal comes with the approval of the majority of Statutory Consultees and can achieve a 17% biodiversity net gain on ecology when the requirement is one of neutrality.

Mr Edwards explained that he was not aware of any objection from Ecologists, and it was his understanding that all surveys had been undertaken including a reptile assessment, however, if

approval is given then he would be happy to accept a condition for it. He added that with regards to the Section 106 matter, the Planning Officer was emailed in October 2023 to confirm that he was happy to agree with the Council's request of a 10% provision of first homes on the site which is in line with the adopted Section 106 provision and he added that his client has also indicated that they would be happy to accept a payment per dwelling on top of this if felt necessary.

Mr Edwards made the point that the proposal is consistent with other developments in limited growth villages under LP3, especially Coates and Elm.

Members asked Mr Edwards the following questions:

- Councillor Marks asked why the neighbouring properties have not been consulted yet with regards to the access? Mr Edwards explained that he was looking to secure an approval first as it could have been seen as residential development. He added that there have been some local objections to the application, and he did not want to exacerbate the situation.
- Councillor Connor questioned the reasoning behind that decision. Mr Edwards stated that it was felt prudent to get an outline approval on the site in the first instance which then provides the opportunity to enhance and to further consider the access arrangements.
- Councillor Connor referred to 2.9 metre pinch point and questioned its suitability for a lorry to gain access. Mr Edwards stated that the proposed access for the site is 5 metres through the majority of the site and then there is the pinch point which goes to the residential section. He added that initially that had been shown as a shared surface and as a strip all the way through, however, the Highway Authority stated that they would prefer the footpath to be continued which was agreed. Mr Edwards stated that the pinch point is 2.9 metres to 3 metres wide which is greater than 2.5 metres for the actual access road.
- Councillor Connor asked Councillor Marks to confirm the size of a large construction lorry? Councillor Marks confirmed that the size is 2.5 metres to 2.8 metres wide.
- Councillor Hicks asked why a speed hump was not considered instead of the pinch point? Mr Edwards stated that the site is in an indicative layout and, therefore, consideration could be given to a footpath, a speed hump or utilise all of it as access and shared access with a tabletop if required.
- Councillor Marks asked for confirmation that the road was not going to be adopted? Mr Edwards stated that the County Council would not adopt it and, therefore, it would fall to a management company who would take on the public open space, drainage and SUDs.

Members asked officers the following questions:

- Councillor Mrs French referred to LP3 of the adopted Local Plan and stated that it refers to limited growth and she asked officers whether in their view 33 dwellings can be seen as limited? David Rowen stated that in the officer's opinion this is a site which relates more to the built form of Wisbech and is, therefore, assessed against the policies relevant to Wisbech rather than being part of Leverington and assessed as a growth village.
- Councillor Mrs French asked for clarity as to whether a sequential and exception test has been undertaken as she has attended a recent meeting where the Environment Agency, along with Anglian Water and other agencies, met and discussed the adoption of a policy which will require an exception test to be carried out as well. David Rowen stated that a sequential test has been carried out but only in respect of the village of Leverington and not in the context of Wisbech as the appropriate settlement as this is a site which is evidently bolted onto it.
- Councillor Mrs French stated that the Highway Authority object to the proposal as stated in the officer's report, but she questioned whether that is still their view? David Rowen

stated that their objection still stands, and he added that with regards to the point made by Mr Edwards with regards to discussions with neighbours concerning the access, the application is an outline application with matters committed in respect of access and, therefore, what is being applied for on the plan stands and is what would be granted if permission was approved.

- Councillor Mrs French stated that there are 24 letters of objection which have been submitted. David Rowen stated that the objections are set out in the officer's report.
- Councillor Marks made reference to an application at the Old Dairy Yard in Manea and stated that at that time the Highways Officer had raised issue concerning lack of passing places and then subsequently the road was identified as being a private road. He stated that with the application before the committee now, the issue of the pinch point on a private road is being discussed and he asked whether the Highway Authority are able to comment on that aspect? David Rowen expressed the view that the Dairy Yard is a different scenario due to the fact that it was utilising an existing roadway rather than creating a new one and the Highway Authority are providing advice in terms of the adopted highway network and they are also at liberty to comment on other potential highway safety matters which is why they have identified the pinch point as one of those. He made the point that it is rare for the Highway Authority to make comment on aspects such as these and, therefore, in his opinion, if they are flagging it as a potential issue then it must be more severe in its nature.
- Councillor Connor stated that he notes that Leverington Parish Council have objected to the proposal in 2022, and that objection still stands.

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

- Councillor Mrs French expressed the opinion that from the information contained within the officer's report and from what has been discussed at the meeting, there is no way that she can support the application.
- Councillor Marks stated that he agrees with Councillor Mrs French and he expressed the view that the highways issue is quite serious when considering the pinch point and the fact that the neighbouring properties have not been spoken to.

**Proposed by Councillor Mrs French, seconded by Councillor Marks and agreed that the application be REFUSED as per the officer's recommendation.**

**P38/24      F/YR24/0458/PIP  
LAND EAST OF HILL VIEW, EASTWOOD END, WIMBLINGTON  
PERMISSION IN PRINCIPLE TO ERECT UP TO 7 X DWELLINGS**

David Rowen presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from Councillor Mrs Maureen Davis, speaking on behalf of Wimblington Parish Council. Councillor Mrs Davis thanked the committee for giving her the opportunity to represent Wimblington and Stonea Parish Council by speaking against the application. She explained that her understanding of a Planning in Principle (PIP) application is to assess whether a site is suitable for development and, therefore, she explained that her presentation would be limited to the three considerations of stage one, location, use and amount of development proposed.

Councillor Mrs Davis stated that the location of the proposed site lies off the southeast corner of Eastwood End and is on a narrow country lane without any pedestrian footpaths or verges to allow pedestrians, cyclists or horse riders to use as a place of safety, with passing vehicles having very

little room to manoeuvre and large vehicles finding it necessary to ride the verges. She stated that the site is not within the curtilage of the village settlement area as defined in the emerging Council's Local Plan as well as the emerging Wimblington and Stonea Neighbourhood Plan.

Councillor Mrs Davis made the point that dwellings to not run in the linear design that is present along Eastwood End and most dwellings have open frontages to the road whereas the application proposes that dwellings will be set into the countryside off Eastwood End into two separate dead-end roads. She explained that the access points are located with one being on a tight left-hand bend and the other opposite the proposed access for a PIP application for nine dwellings, with the location causing a road hazard and congestion whilst excluding access to views out over the open countryside and it will change the historic heritage character of the area.

Councillor Mrs Davis stated that with regards to the use of the land it has been used as a small residential home and a small agricultural business in keeping with the character and heritage of the village. She added that there is one perfectly good bungalow and a number of outbuildings and, in her opinion, it is also one of the only open countryside views left of Eastwood End and the proposed dwellings would mean changing the use and character of the site, demolition of existing buildings and closure of any open views.

Councillor Mrs Davis made reference to the amount of development proposed and stated that Wimblington has a number of developments under construction and many of these are not yet finished or even sold including 88 dwellings off March Road, 21 dwellings off Willow Gardens and 2 lots of 3 dwellings in Eastwood End which are all under construction. She added that there are also 2 lots of 9 dwellings which are also in Eastwood End as well as 48 off Eaton Estate which have planning permission, but development has yet to commence.

Councillor Mrs Davis expressed the view that there is no justification for further development at present in the village and she referred to the point made by the Planning Officer who stated that the amount of development is considered to be fundamentally unacceptable on the basis that it would result in the encroachment into the countryside. She added that the supporters' comments to the proposal have stated that the development will provide a mix of houses and compliment other developments in the area, but, in her view, the amount of development already in progress does not need complimenting, it covers a vast mix of housing and there is no justification for more housing in Wimblington and the granting of previous applications in Eastwood End should not set a precedent, with the Parish Council and local residents standing by the Planning Officer's decision that there really is no fundamental or justified reason to grant the application.

Members received a presentation, in accordance with the Public Participation Procedure, from Mr Matthew Hall, the agent. Mr Hall explained that the land has been in the applicant's ownership since the 1950's and was used for a dairy herd, adding that in 1965 the bungalow was built and the applicants parents moved into it in the 1980s until it became vacant in 2023 due to the occupants being unable to cope with the large grounds and bungalow. He made the point that sheds on the site were used for keeping pigs and farm machinery and the site was used for a plant nursery and shop from 1995 to 2005.

Mr Hall referred to the map of Wimblington and Eastwood End and made the point that the officer's report confirms that in an appeal decision it states that Eastwood End is part of Wimblington which is a growth village. He expressed the opinion that there are many estates which come off main roads such as Rhonda Park, Willow Gardens and Clayfields Drive, with some of them being fairly new and some of them having been established for 25 years.

Mr Hall stated that the officer's report confirms that the proposed use and the location for the development at the site is acceptable and referred to the presentation screen, stating that the map demonstrates an accurate reflection of the area with the application site being located in the southeastern corner and, in his view, it completes and rounds off the development in the corner.

He stated that the location abuts existing residential development and in the last four and a half years there have been quite a few approvals in this part of Eastwood End.

Mr Hall referred to the points made by Councillor Mrs Davis in her presentation and stated that on the opposite side of the road there has already been a footpath link approved, set out on site as well as a Section 104 Agreement in place. He stated that the site is 1 hectare in size and the area is low density with large gardens which is characteristic with many of the properties in Eastwood End.

Mr Hall explained that 20% of the application site cannot be built on due to the fact that along the western side of the site there is an Anglian Water main which is also across the other site and following discussions with Anglian Water it must not be located in any rear garden area, which is why the indicative plan shows that access is still available for Anglian Water. He added that the shaded area on the northeast of the site shows a PIP application which was submitted two years ago which was for 4 dwellings and it came before the Planning Committee with an officer recommendation for approval and was supported by members.

Mr Hall stated that on the indicative drawing the proposal was for 4 dwellings but when the approval was given it was for up to 9 and he explained that the application has been submitted to planning which is now a full application for 8 dwellings, and it is not linear development. He made the point that if the application before the committee is approved then it could match in with the other site.

Mr Hall stated that the officer's report confirms residential use and is acceptable at the location site and, in his opinion, the site abuts residential development and two accesses where the 2.4 metre by 43 metre visibility can be achieved. He added that a topographical survey of the site along with the adjacent sites has been undertaken so that the splays can be achieved as there is an existing access there now and an existing field accessed by a gate which Anglian Water may use to access the water main if required.

Members asked officers the following questions:

- Councillor Mrs French stated that there does not appear to have been any comments received from the Highway Authority and she questioned whether that is because the application is a PIP? David Rowen stated that no comments have been received and the fact that it is a PIP application whatever technical issues that they have raised would not be able to be factored into the decision anyway.

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

- Councillor Hicks stated that when he visited the site his first impression was that the proposal would look very nice, but now he has seen the overhead view, in his opinion, the development would be an encroachment into the countryside. He added that whilst he would love to see the application approved due to, in his view, the area being so nice and it being an asset, members need to adhere to planning policies.
- Councillor Benney stated that he has visited Eastwood End numerous times to look at various application sites and feels that the houses that have been built out already are an absolute credit in the way that they have been built. He added that they were recommended for refusal due to being in the open countryside, but now development has commenced, in his view, the proposal before the committee will finish the area off. Councillor Benney referred to another application at the other end of Eastwood End which had been refused, went to appeal which was dismissed due to the fact that they considered that the application site stood on its own merit and, in his opinion, the current application stands on its own

merit and there is building on both sides of the road there. He made the point that houses need to be delivered to meet Government targets and questioned whether houses should all be crammed in on top of each other or whether it would be preferable to see development spread out more and see very nice houses with nice gardens and keep that open space feel. Councillor Benney added that consideration needs to be given to the low density when determining the application and, in his view, he sees nothing wrong with the application. He referred to the other dwellings which were approved, and expressed the view that the builder deserves credit for his work as they are very nice to look at. Councillor Benney made the point that development out into the open countryside is not new, and it has always taken place and, in his view, the others were passed against the officer's recommendation and have evolved into fantastic homes, which are worthy of design awards. He added that he sees nothing wrong with the application and he will support it.

- Councillor Connor stated that he recalls the other application referred to by Councillor Benney and stated that it was a mile further out of Wimblington. He added that with regards to the application before members today, in his view, it is not in the open countryside however, he does have concerns with regards to where the foul water is going to go when taking into account the amount of development taking place and the amount due to take place in that area, with him having spoken to Anglian Water recently and he is aware that the sewers and the pumping stations are reaching their capacity. Councillor Connor expressed the opinion that he agrees with Councillor Benney, and he will be supporting the application.
- Councillor Marks stated that his concern is with the two properties beside it which are already being built, which appear to stand out and are quite visible from the Wimblington Road, making the point that the application does appear to be a smaller development and will be hidden more than the other two properties. He added that the road is very narrow and can be a very wet road in times of inclement weather episodes and the runoff from the road does need to be considered. Councillor Marks referred to the other application which went to appeal and added that the Inspector approved that application, and expressed the view that as much as he would like to say that the development is not satisfactory on this occasion, he will have to go against the officer's recommendation.
- Councillor Sennitt Clough stated that she disagrees with the comments made by other members, and she is minded to support the officer's recommendation. She expressed the view that the application is not in keeping and the design is not following the linear pattern along the lane at all and is contrary to policies LP16 which is delivering and protecting high quality environments across the district.
- Councillor Imafidon stated that he will support the proposal and when he saw the other adjacent developments he feels that the proposed dwellings will fit in. He expressed the view that initially it was not clear what the outcome was going to be for the single bungalow on site but now he is aware that it is going to be demolished, in his view, the new dwellings will fit in with the area and the dwellings will be quality homes of a good standard. Councillor Imafidon added that his initial thought when he reviewed the site plan was to have 7 dwellings on the site may have been too many but when he looked at the bungalow opposite it appears to be the same size footprint as one of the proposed units. He stated that his only concern is that he appreciates that it is not a requirement for Highways to comment on a PIP application, however, he does have concerns with regards to the road and he added that when he went to the site there was another vehicle who was struggling to

manoeuvre past another parked vehicle. Councillor Imafidon expressed the opinion that he is inclined to support the proposal.

- David Rowen stated that the reason for refusal is not on the basis of whether Eastwood End forms part of Wimblington or whether it is a separate settlement. He added that with regards to the appeal decision that members referred to a number of other permissions which have been granted in the vicinity over the last three or four years, which should not be considered and the reason for refusal for the application before members is with regards to the amount of development and the character impact which would arise from that when a more detailed application is brought forwards.

It was proposed by Councillor Sennitt Clough, seconded by Councillor Hicks to refuse the application as per the officer's recommendation but this proposal failed as it was not supported by the majority of members.

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

Members do not support the officer's recommendation of refusal as they feel that as applications have already been approved in the vicinity of the application site and the proposal will finish off that area, it is a PIP application and more detail will be forthcoming in the next stage of the application process, and they do not feel that the damage incurred by building out into the open countryside will be detrimental, with the houses being much needed in this area.

*(Councillor Benney declared that the agent has undertaken work for Chatteris Town Council and himself personally, but he is not pre-determined and will consider the application with an open mind)*

**P39/24      F/YR24/0551/O  
LAND SOUTH OF 34A TO 34H NEWGATE STREET, DODDINGTON  
ERECT UP TO 3 X DWELLINGS (OUTLINE APPLICATION WITH MATTERS  
COMMITTED IN RESPECT OF ACCESS)**

David Rowen presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from Mr Matthew Hall, the agent. Mr Hall explained that the site has been under the same ownership of the applicant for 15 years and has not been agricultural land in that time, with part of the site already being built over with residential dwellings and the site is located within the built-up form of Doddington. He explained that the proposal will include some flood mitigation measures to match in with floor levels of the adjacent already built properties that were approved in 2016, with the properties floor levels being brought into Flood Zone 1, however, he explained that the applicant has confirmed that the site has never encountered any flooding episodes since his ownership.

Mr Hall referred to the presentation screen and highlighted the houses shown which depict 2 out of the 3 already approved in 2016 which have been built up out of the ground and they are located directly opposite the application site and are under the same ownership. He referred to the presentation screen which displayed the Environment Agency Flood Map and made reference to the three dwellings shown earlier in the presentation and explained that the bottom plot to the south where half of the dwelling is located in Flood Zone 3 and at least another third located in Flood Zone 2.

Mr Hall explained that the middle plot, which is yet to be built, is located partially in Flood Zone 3



and partly in Flood Zone 2, leaving the nearest one to the north being located in the Flood Zone 2 line. He made the point that those three properties are also accessible from the same drive which is located in Flood Zones 1 and 3.

Mr Hall stated that there are no objections from the Environment Agency, Environmental Health or Highways to the proposal and floor levels have been shown to match in with those dwellings that were approved in 2016 to bring them into the Flood Zone 1 area. He explained that the access is already in place as well as sewer connections and utilities and the proposal would finish off the development in this area as there is no other land that this could be built on.

Members asked Mr Hall the following questions:

- Councillor Marks referred to the planning permission, which was granted in 2016, and asked whether there was any flood mitigation measures included at all? Mr Hall stated that he was not involved with that development, however, currently there is a Flood Risk Assessment for the site which has not raised any concern from the Environment Agency, and they do not believe that the possible flooding at the site is from rivers or sea, and they recommend that comments of the Internal Drainage Board are sought. He stated that it is his understanding that there was no Flood Risk Assessment submitted for the site in 2016.
- Councillor Hicks asked whether the trees on the left-hand side are existing trees or new ones which are going to be planted? Mr Hall explained that on the northern boundary there are trees there and the intention is to plant trees on the left-hand side should the application be approved.

Members asked officers the following questions:

- Councillor Marks asked for clarity with regards to the 2016 application and whether any detail concerning flood risk was included. David Rowen stated that in 2016 a detailed plan was submitted with the application which indicated that all three dwellings were located outside Flood Zone 3 and, therefore, in Flood Zone 1 so a Flood Risk Assessment would not have been required and that application was determined on the basis of those properties not falling within the flood zone. He stated that it now appears that the Environment Agency map indicates that those properties are now in Flood Zone 2 and in the meantime, it is not clear whether the Environment Agency maps have altered in terms of modelling or whether the houses have actually been built in the correct place. David Rowen stated that the committee need to put that particular application aside and to determine the application before them, whilst considering the planning policies which are relevant which state that if a site is located in Flood Zone 3, then a sequential test needs to be undertaken, which is the starting point in terms of addressing flood risk.

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

- Councillor Marks stated that determining this application is proving to be more difficult on this occasion due to the issues concerning flood risk, with there being factors to consider when making the decision as there may have been changes to the flood map which has possibly been moved according to officers and the fact that the agent has stated the same mitigation with regards to floor levels can be incorporated so that it reflects that of the floor levels in the application approved previously. He expressed the view that it is a good application apart from the issue of flood zones and from what the agent has said the Environment Agency has said that there is no risk of flood from rivers or sea, however, it will be the Internal Drainage Board (IDB) who have to give their opinion, and they do not

provide any detail to Planning Officers.

- Councillor Mrs French stated that she does have concerns with regards to the flooding issues and added that North Level do comment on planning applications, but Middle Level Commissioners do not. She expressed the opinion that those members who hold positions on the IDB's need to be highlighting this at the next meeting that they attend. Councillor Mrs French stated that she cannot support the application.
- Councillor Hicks stated that what equates to a hill in the Fens is literally just up the road, namely Primrose Hill, and, therefore, any surface water will flow further down to the road. He expressed the opinion that a precedent has already been set with other buildings around and in line with it.
- Councillor Benney stated that he does see anything wrong with the application and it is a good use of land, but it is located in Flood Zone 3. He added that some members are representatives on IDB's, and he is aware that they are struggling with the excessive amount of rain which has caused flooding over the last few years in certain areas and much of that has been caused by people filling drains in which stops the flow of water. Councillor Benney expressed the view that the National Planning Policy Framework gives guidance that development should not take place in Flood Zone 3 unless the exception test can be passed and that is not available today. He made the point that he does not like the exception test as he feels it is a block to development and whilst that land has not flooded and possibly never will, in light of the recent training members had and the fact that the site is located in Flood Zone 3, he does not feel that members have any other choice other than to refuse the application. Councillor Benney stated that the right decision is to refuse the application based on the guidance and policy.
- David Rowen made reference to the other application which members had highlighted and he explained that the approved plan which was submitted in terms of the site layout showed three dwellings on a more staggered arrangement which were placed in such a way so that they were outside of Flood Zone 3 and the layout that is shown on the submitted details provided by the applicant show the properties in more of a line and does not appear to accord with what has been approved. He stated that he wished to give members assurance that the issue of flood risk was adequately considered in 2016 and onsite circumstances appear to have changed in terms of the actual layout and, therefore, it does not set the precedent that some members are indicating in terms of how the current application should be considered.
- Councillor Connor asked how many reasons have been listed in the officer's recommendation for refusal of the application. David Rowen stated that there is one reason for refusal as set out in the officer's report.

**Proposed by Councillor Mrs French, seconded by Councillor Imafidon and agreed that the application be REFUSED as per the officer's recommendation.**

*(Councillor Benney declared that the agent has undertaken work for Chatteris Town Council and himself personally, but he is not pre-determined and will consider the application with an open mind)*

**P40/24**

**F/YR24/0115/FDC**

**LAND SOUTH WEST OF 2 BROAD STREET, MARCH**

## **ERECT A SINGLE STOREY TOILET BLOCK**

David Rowen presented the report to members and drew attention to the update report that had been circulated.

Members asked officers the following questions:

- Councillor Connor stated that historically this location has suffered from anti-social behaviour (ASB), and he would hope that the new facilities do not suffer from the same issues again. He added that the proposal looks very good, but he would like to know what precautions are going to be included in the application such as extra lighting and CCTV to go towards alleviating any ASB problems. David Rowen stated that as part of the application, the Cambridgeshire Constabulary Designing Out Crime Officers were consulted, and their comments are contained in the officer's report. He explained that CCTV and lighting are proposed, and he referred to the presentation screen and highlighted the annotations on the proposed design. David Rowen added that the issue of ASB partly comes down to a management issue rather than a planning consideration and he would hope that as it is a Council asset it will be managed in an appropriate manner. He expressed the view that from a planning perspective there are measures included such as the lighting and CCTV which will go some way towards dealing with those issues and whilst there have been issues allegedly at that site in the past, they do form part of a wider issue such as the policing of the town centre and, therefore, there is separation between that of planning and other bodies who hold that area of responsibility.
- Councillor Connor stated that the steps being taken to include the extra lighting and CCTV gives him extra comfort when considering the application.
- Councillor Imafidon questioned whether any consent letter has been received from the Middle Level Commissioners? David Rowen stated that there is no consent letter, however, the applicant has advised officers that the relevant application has been made to Middle Level and that will be dealt with as a separate consenting process that they operate.

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

- Councillor Marks expressed the opinion that it is a much-needed facility and is located in the vicinity of the old toilet block and does not look out of character. He added that he is aware that a resident does have concerns with regards to the impact on his property, however, the facilities are needed for the town of March, and he will support the proposal.
- Councillor Connor stated that it is imperative that the toilets are provided for the town centre and the proposal will provide up to date facilities and it is essential for the application to be supported in accordance with the officer's recommendation.

**Proposed by Councillor Marks, seconded by Councillor Imafidon and agreed that the application be APPROVED as per the officer's recommendation.**

*(Councillors Mrs French, Benney and Hicks had left the meeting prior to this item and did not return for the duration of the rest of the meeting)*