

PLANNING COMMITTEE



WEDNESDAY, 8 JANUARY 2025 - 1.00 PM

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

APOLOGIES: Councillor R Gerstner,

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

P76/24 PREVIOUS MINUTES

The minutes of the meeting of the 27 November 2024 were agreed and signed as an accurate record.

P77/24 F/YR23/0550/F PHASE B LAND EAST OF BERRYFIELD, MARCH ERECT 18 X DWELLINGS (12 X 2-STOREY, 4-BED AND 6 X 2-STOREY, 3-BED) WITH ASSOCIATED INFRASTRUCTURE AND THE FORMATION OF 2 X BALANCING PONDS AND PUBLIC OPEN SPACE

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Shanna Jackson, the agent. Mrs Jackson stated that she is seeking full planning permission for the construction of 18 dwellings and the scheme comprises phase B of the existing Berryfield's residential development. She explained that the proposal would result in high quality housing within a primary market town and the principle is acceptable in accordance with local housing policy as well as sustainable development objectives as set out in the National Planning Policy Framework (NPPF).

Mrs Jackson explained that the officer recommendation is one of refusal due to a perceived lack of compliance with the sequential test and failure to provide 10% biodiversity net gain, however, with regard to the sequential test, Paragraph 174 of the NPPF, states that the aim of the sequential test is to steer new development to the areas at the lowest risk of flooding from any source and that the strategic Flood Risk Assessment will provide the basis for applying this test. She explained that this is reiterated in Policy LP14 of the Local Plan and added that the site is located in Flood Zones 1, 2 and 3 of the Environment Agency's flood maps for planning and when considering the requirements of the sequential test, the dwellings and their private amenity spaces have been placed in Flood Zone 1 and are, therefore, in land at the lowest risk of flooding.

Mrs Jackson made the point that with this in mind no property or person would be placed at risk and the proposal would comply with the aims of the sequential test, however, the reason for refusal states that the sequential test is not passed due to the fact that the access road falls within Flood Zone 2. She referred to Paragraph 175 of the NPPF which states that 'the sequential test should be used in areas known to be at risk now or in the future from any form of flooding except in situations where a site-specific flood risk assessment demonstrates that no development within the

boundary, including access or escape routes would be located on an area that would be at risk of flooding' and she would interpret that as being where a Flood Risk Assessment demonstrates that the development is not at risk of flooding then the sequential test does not need to be applied.

Mrs Jackson referred the committee to the consultation responses which had been received and that the Environment Agency have not raised any objection to the development on flood risk grounds and the Middle Level Commissioners have stated that the development is capable of providing many benefits, with the Lead Local Flood Authority noting that Internal Drainage Board are satisfied and raised no objections either. She expressed the view that with all of the statutory consultees submitting no objections and then considering the wording of paragraph 175 of the NPPF, in her opinion, the aims and objectives of the sequential test are achieved.

Mrs Jackson made the point that if there is a restriction on placing the development including the access within Flood Zone 1, the land is effectively undevelopable as three quarters of the site would need to be a road. She explained that as a result it would not be possible to design the dwellings to a scale and character which would meet Local Plan standards in the land available and she added that if that were the case it would be very disappointing, given the fact that her client is ready to start developing straight away and in view of the land being proposed for allocation with the emerging Local Plan.

Mrs Jackson stated that the second reason for refusal relates to a failure of the provision of 10% biodiversity net gain (BNG) on the site and referred members to 10.18 of the officer's report where it states that the application is not subject to the statutory 10% BNG due to the application submission taking place in 2023. She explained that the BNG requirements were not implemented until the beginning of 2024 and, therefore, in her view, the second reason for refusal is unreasonable.

Mrs Jackson explained that the site is currently in active agricultural use and, therefore, the actual biodiversity interest is not as high as it could be. She added that when taking that fact into consideration and given the land that is available to her client in Flood Zones 2 and 3, the provision of the necessary 10% BNG uplift would be quite achievable, and this is something that she would happily accept as a condition on part of any planning permission.

Mrs Jackson stated that the benefits of the scheme will comprise the provision of new housing within a primary market town which can be delivered immediately. She added that the objection with regards to the sequential test is unfounded given that the dwellings and private gardens are located within Flood Zone 1 and the Flood Risk Assessment and statutory consultees have confirmed that there is no risk of flooding.

Mrs Jackson made the point that with regards to BNG there is no obligation under legislation to provide a 10% uplift, however, she added that she would be happy to accept a condition to provide the necessary detail if required.

Members asked Mrs Jackson the following questions:

- Councillor Mrs French made the point that the application is for 18 dwellings, however, there is no provision for affordable housing and no contribution towards the health service and schools and she asked who she thinks is going to pay for those services because in her view 18 homes will result in a minimum of 36 children and there does not appear to be any provision included within the application. Mrs Jackson explained that the viability assessment has been reviewed and it has been confirmed that it is not viable to provide that and, in her view, the development is the same as any other development where there are no contributions required, and the costs are picked up elsewhere. She added that it is her understanding that 18 units would not trigger health provision anyway and with regards to education and affordable housing it is much the same as anything else and it would go into the system as normal.
- Councillor Mrs French stated that her question was who is expected to pay for the funding if

the applicants are not? Mrs Jackson explained that it will be the County Council. Councillor Mrs French made the point that it will be the taxpayers.

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

- Councillor Mrs French expressed the view that she feels that members should go straight to a proposal.
- Councillor Benney expressed the view that the dwellings are in Flood Zone 1 and a road which is partly located in Flood Zone 2. He stated that in his opinion it is a very good application, and he added that that with regards to the absence of the BNG, the application was submitted before that policy was introduced in April 2024 whereas the application is dated in 2023. Councillor Benney made the point that if that is the case, the application was submitted in good faith and the fact that there is an absence of BNG is something that can be debated as there are attenuation ponds which would add BNG and is something that could be conditioned quite easily as it could be seen as a BNG gain.
- Councillor Connor added that he concurs with the points made by Councillor Benney, and he added that when he visited the site and reviewed the report all of the dwellings are located in Flood Zone 1 with the road being located in Flood Zone 2. He added that the committee need to be consistent, and he referred to another application in Chatteris which was quite similar which the committee determined. Councillor Connor stated that the Middle Level Commissioners and Internal Drainage Board all appear to be content with the proposal and he made the point that he would consider going against the officer's recommendation.
- David Rowen stated that, with regards to the point raised concerning BNG, the application is not recommended for refusal because it is failing to deliver the 10% increase in biodiversity value as set out in the Environment Act which was introduced in early 2024 but the application is recommended for refusal on the basis that there would be a net loss of BNG contrary to Policy LP19 of the Local Plan and, therefore, the points made by the agent to the committee are incorrect.
- David Rowen explained that with regards to the access road, there is a new NPPF which has been published which is explicit that where any form of built development, whether that be houses or roads, is at risk of flooding, which is the case with this application as the road is in Flood Zone 2 then the sequential test needs to be applied. He added that there is no sequential test to accompany the application and, therefore, from those two perspectives, officers are of the opinion that there is a clear conflict with policy arising from the application.
- Councillor Mrs French stated that she knows the site well and she is aware that the road floods and when March suffered from flooding in 2020, the whole of Elm Road was flooded. She expressed the view that the application does look acceptable apart from the flooding issue, however, the committee should not be granting applications which are going to create further problems for other people on other pieces of land and she feels this application would cause problems.

Proposed by Councillor Mrs French, seconded by Councillor Sennitt Clough and agreed that the application be REFUSED as per the Officers recommendation.

(Councillor Marks registered that the applicant is known to him via business and took no part in the discussion and voting thereon)

(Councillor Mrs French registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of March Town Council but takes no part in planning)

P78/24

F/YR23/0940/F

LAND WEST AND SOUTH OF 74 WEST STREET, CHATTERIS, BR/>ERECT 70 X DWELLINGS (29 X 2-BED 2-STOREY, 29 X 3-BED 2-STOREY, 6 X 4-BED 2-STOREY AND 6 X 2-BED SINGLE-STOREY)

David Rowen 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 Jake Stentiford, the agent. Mr Stentiford explained that the officer's report sets out a clear recommendation for approval and recognises that the application is in accordance with the Local Plan and is policy compliant. He stated that the backdrop to the application is the previous planning permission for 58 houses which was an outline consent for an open market scheme with 25% affordable housing which would have equated to 15 affordable homes.

Mr Stentiford explained that he has looked at the site in the context of the very high levels of need for new affordable housing in Chatteris and made the decision to bring forward a scheme of all affordable homes on the site which, in his opinion, is the correct approach. He advised the committee that he has been able to secure more land than that of the previous scheme which has allowed for the provision of more affordable homes as well as increasing the provision of public open space, landscaping and biodiversity areas.

Mr Stentiford made the point that he is very proud of the quality of the design that has been achieved for the scheme which includes generous gardens, public landscaping and open space, along with tree planting throughout the site to create green tree lined streets and a varied materials pallet to maintain the visual interest moving through the site. He explained that as a result of the extensive work undertaken with officers to amend the scheme in order to meet all of the requirements of policy as well as meeting the needs of residents, the application was submitted at the end of 2023 which proves that the application has been considered very carefully and responds positively to consultee comments making appropriate amendments.

Mr Stentiford expressed the view that the result is an excellent quality development which will create a distinctive neighbourhood and be an attractive place to live whilst at the same time making a positive contribution to the character of the town. He added that the development will be delivered in partnership with the housing association which offers a range of benefits as the wider site will remain under one ownership and will be actively managed with ongoing maintenance of public areas, open space, parking and drainage infrastructure as well as the street environment such as managing bins and there will be a permanent single point of contact to resolve any local concerns.

Mr Stentiford stated that the most important issue for this application is the delivery of affordable homes and officers in the Housing Team have provided the latest figures from the housing register with regards to affordable need in Chatteris and the wider area. He stated that that the figures demonstrate a critically urgent situation of families with an immediate need for a suitable affordable home and will firstly be offered to those families with a local connection to Chatteris across all bands who need a 2-, 3- or 4-bedroom home.

Mr Stentiford added that there are 115 households with an immediate need and 60 of these are in bands A or B, which includes families currently occupying a property which has been assessed as posing an urgent or high health and safety risk to them. He explained that separate to those persons with a local connection there are further 265 households who have a preference to live in Chatteris who have an immediate need for 2-, 3- or 4-bedroom home and of those 144 are in bands A or B.

Mr Stentiford made the point that this is an acute level of need which cannot be addressed by single development, however, it is clear that the scheme will go a significant way towards alleviating the situation. He added that the development will deliver a quite exceptional public benefit in the local circumstances and the shortage of quality affordable housing is at the root of many of the social challenges and, in his view, when people have a decent home, their health

improves and their ability to work improves.

Mr Stentiford added that the burden on local health services reduces, and productivity rises and he explained that he is ready to move quickly to commence the construction of the scheme with the aim being to be on site by the Summer to make the homes available to those families in desperate need as soon as possible.

Members asked Mr Stentiford the following questions:

- Councillor Benney asked Mr Stentiford to confirm how quickly can the homes be built out? Mr Stentiford explained that advanced discussions are underway with a housing association who are likely to be coming on board and once the agreement is locked into place the construction can commence swiftly. He added that the grant funding which enables the delivery of the scheme requires that the construction coincides with the funding window and, therefore, there is a lot of pressure to move onto the site quickly and the intention is to be on site by the Summer.
- Councillor Mrs French asked whether the roadway throughout the site will be adopted should the application be approved? Mr Stentiford stated that it will be adoptable and there are some private drives within the scheme which will be a maximum of 5 which is usual and apart from that the spine road throughout the site is intended to be adopted.
- Councillor Sennitt Clough asked Mr Stentiford whether he had seen the comments made by Chatteris Town Council who appear not to share the same view concerning the dwellings being increased to 70 and she asked whether Mr Stentiford had considered their comments with regards to the impacts on neighbouring roads? Councillor Sennitt Clough stated that the neighbouring roads are West Street and the junction of West Street and Huntingdon Road. Mr Stentiford stated that the application has been supported by a detailed transport statement which has looked at the impact and found it to be acceptable, with there being some improvements being made to West Street. He made the point that the report gives the scheme support and that the response which has come back from the consultees is that they are in agreement and there have been no objections raised by any internal or external consultees with regards to the impact on roads. Mr Stentiford explained that in terms of the overall density he has agreed with officers that the density being proposed for the site is perfectly acceptable given the context of the site. He added that when considering the context with regards to the need for these affordable homes, in his opinion, that does need to be the prominent consideration, and he made the point that he would not be doing his job right as a Planning Officer to deliver a lower than appropriate density on a site like this in the context of that need. Councillor Sennitt Clough stated that she appreciates that argument given by Mr Stentiford, and she added that as a member of the Planning Committee it is her position to put forward the views of others and that is why she has referred to the comments of the Town Council.
- Councillor Imafidon asked whether there will be management company appointed to assume responsibility for the public open spaces? Mr Stentiford stated that there will be a Section 106 which will form part of the application which will need to be entered into before the determination and the Section 106 will deal with how the open space is managed. He added that the responsibility will fall to the landowner in the first instance and that will be the housing association and then they can delegate the responsibility for the site management to a management company. Mr Stentiford stated that he expects that in this case it will be the housing association who will retain the responsibility directly for the management of the public realm and landscaping across the whole site.
- Councillor Imafidon stated that he was under the impression that Mr Stentiford had stated that the ownership was with the contractor and then the housing association will take over after that. He asked Mr Stentiford what the course of action will be if the management company folds and then the residents are left to deal with issues themselves? Mr Stentiford explained that he can provide good assurance in this case as the housing association will own the site and they will be looking after the site in the long term. He added that the Section 106 obligation for the management of the site and the open space is enforceable against them and, therefore, there is always going to be someone responsible and there is

long term financial incentive for them to make sure that the management is undertaken properly.

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

- Councillor Benney stated that the application site falls within his ward and he is aware that there is local objection towards the application, but he knows that there is a justified need for houses. He referred to the Womb Farm development in Chatteris where 60% of the houses have been sold to first time buyers, 58% of the houses have been sold to people who live within a 6-mile radius of Chatteris and 87% of the houses have been sold to people who come from a Cambridgeshire postcode. Councillor Benney stated that is all well and good if you can afford to purchase a property, but families extend and, in some cases, become multi-generational households, with at this current time, the Council spending £1 million pounds on bed and breakfast accommodation in order to provide emergency accommodation due to the lack of homes. He made the point that as councillors they have a legal duty is to provide homes for people and just because people cannot afford to buy their own home, they still need somewhere to live, making the point that Council Tax is going to keep increasing to include paying for temporary accommodation or there is the option for new homes to be built to provide accommodation and to improve the quality of people's lives. Councillor Benney added that he became a Councillor to help people and to improve the quality of peoples lives and, in his opinion, this will do that, with the application being recommended for approval and if the scheme is turned down it is likely to go appeal, and the Council will be liable to incur costs and cost money. He made the point that as much as people do not want to see the application approved, there is a need for the homes and the application needs to be approved as there is a need for homes in Chatteris which he hopes will go to local people. Councillor Benney added that the figures associated to the Womb Farm development demonstrate that there is a need for housing and to not approve it would be a dereliction of duty in his view.
- Councillor Connor stated that he agrees with the views of Councillor Benney, and he added that the agent has worked proactively with Planning Officers, and he would welcome the application to be passed as there is a great need for the houses. He stated that he is pleased to hear that should the application be approved that development would start in the Summer and he added that it is one of the better applications that he has seen and he thanked the agent for working in conjunction with officers.
- Councillor Imafidon stated that there is no reason why the application should be refused, and he will support the application as affordable housing is needed in Fenland as there is such a large waiting list.

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

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

P79/24

F/YR24/0365/F

SIMS CONTRACT FURNITURE LIMITED, PLASH FARM HOUSE, PLASH DROVE, THOLOMAS DROVE, WISBECH
ERECT 1 X DWELLING (2 STOREY, 4 BED) WITH A 1.8M (MAX HEIGHT) FRONT BOUNDARY WALL (IN ASSOCIATION WITH EXISTING BUSINESS) AND THE FORMATION OF AN ACCESS, INVOLVING THE DEMOLITION OF EXISTING OUTBUILDINGS

Tracy Ranger presented the report.

Members received a presentation, in accordance with the public participation procedure, from Shanna Jackson, the agent. Mrs Jackson explained that the application is seeking full planning

permission for the construction of an occupational dwelling which is required for the effective and safe operation of Sims Contract Furniture. She explained that the Sims family have been on the site since 1994 where the applicant's family operated an upholstery business which has evolved into Sims Contract Furniture, which designs and manufactures high-end bespoke furniture and their clients include restaurants, pubs and other venues.

Mrs Jackson added that over the recent years, the business has expanded rapidly which has meant that the workshop buildings have need to be extended on site and also the need to change the layout of the yard area and this is noted in the planning history. She explained that the business has just purchased another company and that will amalgamate with Sims Contract Furniture, and now this has been secured the applicant can look at the logistics of extending the building, with the business employing 10 people and, therefore, having a meaningful contribution to the rural economy.

Mrs Jackson added that the rapid growth of the growth of the company as well as the increased number of high value products and materials on the site has meant an increased risk of security, which she is aware that this is not strictly a justification for a new dwelling, however, the applicant wishes to reside on the site in order to protect his business which has evolved over the years to make it the successful enterprise that it is now. She stated that the proposal is part of a natural evolution, and it is much like any other rural business within Fenland, with the applicant having made the point that there is a fear of crime within the area, and she has reviewed the crime statistics for that particular postcode and there were four crimes reported within the last year, and she sympathises with the applicant's position.

Mrs Jackson stated that there is an existing dwelling on the site, which is known as Plash Farmhouse, however, that is occupied and is not available for the applicant and his family to use to help look after the business. She added that the application has been recommended for refusal as it is considered that there is no need for the proposal in accordance with Policy LP3 and Paragraph 84 of the NPPF, however, she asked members to consider the fact that the proposal would support a local and successful rural business by reducing crime and fear of crime, with it also allowing the applicant to be on site in order to take deliveries and to work late to meet the demands of the business.

Mrs Jackson stated that on the basis that the need for the dwelling is established the second reason for refusal relating to the sequential test falls away and this is because there is an essential need for this particular dwelling to be in this particular location. She made the point that on passing the sequential test, the exception test must be applied and she added that the site specific Flood Risk Assessment demonstrates that the proposal is technically safe from flooding and, in her view, the benefits gained from supporting a rural enterprise as set out in the NPPF would comprise a significant benefit to the rural economy and in turn comprising a community benefit, therefore, the exception test is passed, and the proposal would comply with local and national flood risk policies.

Mrs Jackson expressed the view that the third reason for refusal relates to subjective matters, and it states that the proposal would cause harm to the open character of the area as the proposal is a cramped form of development, but she would suggest that the dwelling has been carefully designed to appear as a traditional farmstead positioned within the cluster of existing buildings rather than spreading the built form out into the open countryside. She explained that the design of the proposal reflects the design of the neighbouring property at Plash Farmhouse by including matching materials and window detailing and, in her opinion, she does not see how the proposal would cause visual harm to the character and appearance of the area.

Mrs Jackson made the point that the proposal is for a new dwelling required to support a rural business and the recent increase in the scale of the business has triggered the need for greater security and an on-site presence. She explained that supporting rural businesses meets the aspirations of Section 6 of the NPPF and she asked the committee to consider granting planning

permission.

Members asked Mrs Jackson the following questions:

- Councillor Marks asked why she has mentioned the word safety during her presentation? Mrs Jackson stated that she meant to use the word security. Councillor Marks questioned the impact that the business will have on the residents in the next-door property by it operating later in the evenings and he asked whether it is a family member who lives in it? Mrs Jackson stated that it is an elderly family member who occupies the house currently and the new dwelling is for the applicant and his young family who run the business. Councillor Marks asked whether the security on site at the present time is the elderly mother? Mrs Jackson confirmed that is the case.
- Councillor Connor referred to the company amalgamating with another business, and asked whether the 2 businesses will both operate from Plash Drove? Mrs Jackson explained that the other business was from Long Sutton and the applicant has purchased that business who were a woodworking business, and the plan is for them to operate from Plash Drove. Councillor Connor asked whether the intention is to erect another building on the site in order to expand the site. Mrs Jackson explained that planning permission exist for an extension and a reconfiguration of the business yard area. She added that owner has not taken any steps to date, as they were waiting to find out the outcome of the purchase of the Long Sutton business and the current application before considering the logistical work to develop the site.
- Councillor Benney asked how many employees does the site have currently and is that figure likely to increase? Mrs Jackson stated that at the current time there are 10 employees including the applicant and it is her understanding that one employee is coming from Long Sutton.

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

- Councillor Marks made the point that he has concerns that there is a property on the site which is already lived in and the committee have previously given approval for other applications for potato stores and for farmers who need to live on site. He questioned whether it is a necessity for this business to live on site and as there is a property on the site already are the committee going to open up a can of worms with regards to working times after 5pm to 6pm at night and should something happen to the elderly relative, somebody else may take up occupation of Plash Farmhouse and, therefore, he does have slight reservations with regards to the application.
- Councillor Connor stated that he does have a slight worry but added that Fenland is Open for Business, and he does feel that he can support the proposal. He added that the applicant has purchased another company and whilst there is only one other employee moving across they have already got planning permission for expansion and it has been said before that the best security is for someone to live on site. Councillor Connor stated that members need to be consistent as they have approved other applications in the past where business owners have lived on site and he will be minded to go against the officer's recommendation.
- Councillor Benney made the point that the business is investing and for anybody to be investing in their business in the current climate should be commended. He added that whilst the business is only going to employ an additional employee, there is always the possibility that the business could relocate outside of Fenland and the area could lose the business altogether. Councillor Benney made the point that whilst there is an elderly lady living on site for security, in his view, the risk to her is greater than the security that she could offer and as family members get older it is a nice thing to do by caring for your relatives and the best security deterrent for the business is to have somebody living on site, as opposed to cameras and sensors as you never know when the occupier of the house is going to appear. He added that the committee have passed applications for security prevention in rural areas, and it is a known fact that there is crime in rural areas, with policy being a bit of grey area, and the site is not located in the middle of nowhere and it does

have purpose to it and he explained that he could support the proposal. Councillor Benney stated that if somebody is prepared to invest then they should be supported.

- Councillor Connor stated that if the Council are minded to approve the application then a condition could be added to reflect that the new dwelling is linked with the business.
- Councillor Imafidon stated that if it is possible to add a condition to any approval then that would sway him to approve the application as he was in two minds as to whether the application should be approved. He added that the application does not comply with policy and the fact that it is not agricultural or horticultural, it is not necessary to have a dwelling on the site as it is a furniture manufacturing and assembly business, however, if it can be conditioned, he will be inclined to support it.
- Councillor Marks stated that he sometimes has reservations when adding conditions for properties in conjunction with businesses as at some point the business will be sold again or the residents will want to move. He added that he agrees with the point made by Councillor Benney with regards to businesses moving out of the Fenland area and in this case the applicant is expanding and bringing people to the area. Councillor Marks added that he sees no reason to add a condition, and he will support the application as it is.
- Councillor Connor stated that the Council's strapline is 'Fenland is Open for Business', and he does not feel that businesses should be refused and then choose to relocate to another county. He added that the business is in Fenland and could expand further over a few years and he agrees with the point raised by Councillor Benney that the applicant should be commended for looking to expand in the current climate and he will be supporting the proposal.
- Matthew Leigh stated that in theory the application is contrary to policy and if members choose to go against planning policy then they need to explain and understand why. He added that if members think that there is a particular need for the business to have a dwelling on the site then he would advise the members that consideration should be given to tie the dwelling into the business in some way. Matthew Leigh stated that in reality market forces are changing at the moment and if planning permission is given with no tied condition then if the applicant wished they would be able to build the dwelling and sell it as a plot immediately. He explained that all the material considerations which have been given weight to as a Council in allowing it have fallen away and it has not been able to enforce that. Matthew Leigh stated that he is very aware of the point made by Councillor Marks with regards to flexibility going forward and he suggested that if members were looking to impose a condition then it should be tied to the property or an agricultural dwelling in the future which would allow for some flexibility in the future if for some reason the owner looked to relocate, however, the proposed dwelling may not be necessary for the business because the other dwelling exists. He explained that the agricultural aspect added to the condition would allow some flexibility for a future occupier to reside in the property in an area where the Council would not necessarily be supporting a dwelling and there would still be a benefit for it in the future.
- David Rowen advised members that security is not a material planning consideration which Mrs Jackson also acknowledged. He added that there is a dwelling on the site and, in his view, members appear to be giving quite a bit of weight to the expansion of the company and he explained that the planning permission which was granted for the new industrial building on the site was granted in 2021 and as Mrs Jackson stated that development has not happened to date and as the company has purchased another company they may look to relocate in the future. David Rowen added that he does have concerns that members appear to be holding quite significant weight towards something which is quite tenuous at this point in time.
- Councillor Connor added that he was under the impression that the applicant had acquired the business and was moving the business to Plash Drove.
- Councillor Marks stated that safety is something that has been mentioned previously and the business is a woodworking business who by the sounds of it will want to work out of hours. He questioned whether having somebody else living on the site reflects the decision coming back? David Rowen stated that he can think of a number of other woodworking and

other businesses who also have a safety element to them who work 24 hours a day and 7 days a week and they do not have any residential accommodation associated with them such as any business on an industrial estate and, therefore, he does not feel that aspect carries any weight.

Proposed by Councillor Benney, seconded by Councillor Connor and agreed that the application be APPROVED against the officer's recommendation with authority delegated to officers to determine appropriate conditions including tying the dwelling to the business.

Members did not support the officer's recommendation of refusal as they feel that there is no purpose to build the dwelling anywhere else other than on the site, they do not feel that the dwelling will harm the character of the local area and the need and requirements of the business outweigh the reasons for refusal.

(Councillor Imafidon stated that he has had business dealings with the company in 2018-2019, but he is not pre-determined and will approach the application with an open mind)

P80/24

F/YR24/0339/O

12 SCHOOL LANE, MANEA, MARCH, PE15 0JN

ERECT UP TO 2 DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS) INVOLVING DEMOLITION OF EXISTING OUTBUILDING AND PART OF EXISTING DWELLING

Tracy Ranger presented the report.

Members received a presentation, in accordance with the public participation procedure, from Mr Liam Lunn-Towler, the agent and Mr Jerrom, the applicant. Mr Lunn-Towler stated that the proposal is for 2 frontage plots within the lowest flood risk zone in the central and built form of Manea and the site is located on the same road as the village hall. He explained that a footpath will serve the frontage to allow for a sustainable walk into the village services and facilities and including a 25-minute walk to the train station.

Mr Lunn-Towler stated that the officers have said that the previous application was refused based on the example site plan at the time, however, the principle of having dwellings on the land is supported by officers. He explained that since the previous refusal he has visited the example site plan layout to reflect the officers' comments at the time and the site plan before officers is an example because the application before the committee is an outline application and it is only the access which is being committed, with the dwelling, design and site layout including the elevations of the properties being subject to a later detailed application.

Mr Lunn-Towler explained that the proposed new access would enhance the visibility for number 12 to improve highway safety and the access is supported for the application by Highways Officer. He added that the application provides the opportunity for 2 family dwellings with large gardens in Manea and it makes good use of land and, in his view, it will make a good contribution to the local distinctiveness and character of the area.

Mr Lunn-Towler referred to an application recently approved in School Lane, a back land dwelling to the rear of 22c, which is located on the same side of the road as the application site before the committee, which is only 9 houses away and is to the west of the application site and was approved by the committee against the officer's recommendation 8 months ago. He referred to that application and explained that it was also in outline form and only committed access, reference F/YR24/0194/O, making the point that it was very similar to the application before the committee.

Mr Lunn-Towler added that he has worked with officers on this application and, in his view, it will make a positive addition to the area and will support the existing services and facilities in Manea

including the village and train station.

Members asked Mr Lunn-Towler and Mr Jerrom the following questions:

- Councillor Sennitt Clough stated that there appears to be a number of comments with regards to drainage and she asked how the drainage issue is going to be dealt with? Mr Lunn-Towler stated that the foul drainage will be connected to the mains sewer within the road and with regards to the surface water it is likely that it will go to soakaways in the gardens although that is not confirmed at this stage. He made the point that ideally some sort of water butt would be incorporated in the first instance so that the householder could use the water in their garden and then run off into crates, however, if the soakaway system is not an option then a different system will have to be considered.
- Councillor Marks stated that the application site is located within his ward, and he has reviewed the application and listened to the presentation, however, it is his opinion that officers have made the correct recommendation. He expressed the view that he is very concerned regarding parking and it is out of character for the rest of School Lane, and he can foresee a number of issues. Councillor Marks added that at Christmas there were vehicles parked on the other side of the road, and he explained that the refuse freighter already struggles to get access down there. He made the point that School Lane does have flooding issues further down and, in his opinion, the application goes against what the street scene is, and he asked what efforts can be made to overcome that. Mr Lunn-Towler stated that with regards to the street scene, the eaves height and internal headroom could be reduced, which would still mean it was habitable and still in character with the existing property which is so much lower, with Mr Jerrom's internal height being 2.2metres which is already quite narrow but it would be ideal to push it up higher to prove the quality of the design of the properties but that is something that would need to be looked at. He explained that the elevations could even be stepped because the property on Mr Jerrom's land is so much shorter than the rest of them and on the opposite side of the road it copies a similar design where there is the same kind of height, eaves, detail and brick and the properties could be of a similar character to that. Mr Lunn-Towler referred to the flooding of School Lane and there would need to be some investigation with regards to how that can be overcome, however, he made the point that the site falls away from School Lane and, therefore, there is no run off from the land directly into it and channel drains could be incorporated along the frontage in order to capture the water and put that into the soakaways into the garden so that. He made the point that he trying to propose frontage plots, and the parking arrangements could be revised in a different way so that the properties pull in and are in tandem or include a car port attached to the property. Mr Lunn-Towler explained that there are many different ways that the layout could be explored and revised, and it would be something that the agent for the application would have to explore further in the future but he has tried to design the dwellings in as straightforward way as he can, referring to the back land property which was trying to hide the vehicles at the back of it. He stated that realistically he would not wish to bring the properties that close to the road in an ideal situation and he would like to keep the properties as set back as possible.
- Councillor Marks stated that if there was only one property then it would be possible to go to the side without bringing the properties closer to the road. Mr Lunn-Towler stated that he agrees, and he made the point that the application is for up to 2 dwellings and, therefore, the proposal could be just for one dwelling. He added that if it was concluded that the second property could not be achieved to make space for parking then that would have to be the case, and the garden space would form part of Mr Jerrom's land.
- Councillor Marks asked Mr Jerrom whether there is the intention for members of his family to move on to the site or is he looking to let or sell the dwellings? Mr Jerrom explained that he is 75 and his wife is 74 and has mobility issues, the site measures two thirds of an acre and when he first moved there it was an ideal property for his family, however, the house is now becoming too much for them and they wish to downsize and move away in order to give other people the same opportunity that his family had 44 years ago. He added that in those 44 years he has never known any episodes of flooding on School Lane. Councillor

Marks stated that he has attended School Lane with pumps when the road has flooded.

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

- Councillor Marks expressed the view that the development is too much on a very small site and it does not fit in with the street scene. He added that there are flooding issues within Manea let alone School Lane and he would anticipate parking issues as 2 and 3 bedroomed properties bring an associated number of vehicles with them. Councillor Marks made the point that the officer's recommendation is correct, and he cannot support the application.
- Councillor Sennitt Clough stated that there appears to be a difference of opinion with regards to the flooding. She made reference to the officer's report and stated that there is going to be overshadowing, and she does not feel that there is going to be enough space. Councillor Sennitt Clough added that if there is flooding then the additional dwellings will add to the flooding and drainage issues which are already affecting School Lane.
- Councillor Imafidon stated that the Parish Council are objecting to the proposal as the block paving is not permeable and that effects the discharge of wate, with the report also referring to issues with drainage provision and insufficient parking provision. He referred to the presentation screen and made the point that it does appear to him to be an overcrowded site, and the turning area is not achievable, and he cannot support the application.

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

(Councillor Marks registered, 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)

(Councillor Marks stated that when he undertook a visit to the site, he was approached by the applicant and had a brief conversation, however, he is not pre-determined and will approach the application with an open mind)

**P81/24 F/YR24/0813/O
LAND EAST OF 64 - 72 SUTTON ROAD, LEVERINGTON
ERECT 1 SELF-BUILD DWELLING (OUTLINE APPLICATION WITH ALL
MATTERS RESERVED)**

Tracy Ranger 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 Shanna Jackson, the agent and David Boyce, the landowner. Mrs Jackson explained that the application is for single self-build dwelling and the proposal has been recommended for refusal as it has been stated that the sequential test has not been passed due to there being other sites available in Wisbech, however, she highlighted to members that the site address is located in Leverington and, therefore, in her view it made sense to carry out the sequential test in the area of Leverington. She explained that the sequential test that was carried out demonstrated that there are no other sites available for development within Leverington and, therefore, the test is passed and the test also demonstrates that the site is technically safe from flooding, presents a community benefit and, therefore, the exception test is also passed and there is no issue in respect of flood risk.

Mrs Jackson referred to Paragraph 10.1 of the committee report, where it states that the development is acceptable with no adverse impact on character or amenity and only fails because it is considered that there are other sites available in Wisbech which are at lower risk of flooding, despite the fact that the site address is in Leverington and Leverington Parish Council have been consulted. She expressed the view that there are no issues with the proposal and that it has been recommended for refusal purely on an administrative error and she asked for the reason of refusal

to be overturned, and that planning permission is granted.

Mr Boyce explained that he is a fifth-generation farmer who has purchased the land in order to retire two horses onto and when the building commenced around the site, this placed a great deal of stress on the two horses and they died, leaving the site redundant as he had no other use for it. He explained that he farms in Outwell, and the site is located in area where he can justifiably drive a tractor between the two locations, with it being a small site it is not very viable for farming outside of where he lives.

Mr Boyce made the point that he consulted the Fenland District Council plan which states that Leverington Parish Council is indicated in LP56 (02) in the plan so he consulted with Leverington Parish Council who provided their own comments and thoughts to him, and they received the initial correspondence along with further correspondence regarding the referral to committee due to the fact that they are the statutory consultee as opposed to Wisbech which was outlined by officers. He referred to a map from the Boundary Commission shows that Leverington Parish Council area is where his land sits and he explained that the applicant is looking to build a house with equestrian facilities on it in order to maintain some of the essence of the site and developing it for its best possible use.

Mr Boyce stated that if the committee are planning to refuse the application, he would ask that they provide him some advice and guidance as to what they feel is acceptable to develop on his land. He made the point that development has already taken place around his site, and it sits within the Council's planning framework and is located within the boundary of Leverington.

Members asked Mrs Jackson and Mr Boyce the following questions:

- Councillor Connor stated that the committee are determining the application before them, and it would not be right or proper to ask any member of the Planning Committee what they would consider. He added that if it is refused it is down to the applicant to work with the agent in order to submit another application.
- Councillor Mrs French asked Mrs Jackson to elaborate on the point that she had made with regards to a community benefit? Mrs Jackson stated that the community benefit would be to provide housing within a sustainable location, and it is better to concentrate new housing in built up areas rather than spreading out into the open countryside.
- Councillor Sennitt Clough asked why there was no drawing submitted with the application? Mrs Jackson stated that she does not know why one was not included, however, as the application was validated there is enough information present in order for it to be determined. Mr Boyce stated that he was advised that if under development of the site was the reason for refusal then a separate drawing would have to be submitted, however, as only one dwelling is proposed a drawing has not been included.
- Councillor Sennitt Clough stated that she has reviewed the comments made by Leverington Parish Council and they were unable to comment on it due to the fact that they had no visual drawing to review and comment on.
- Councillor Imafidon asked for clarification as to whether the site is located in Wisbech or Leverington? Mr Boyce stated that as far as the Boundary Commission lines are it is in Leverington and he referred to an email from Tracy Ranger who consulted with Leverington Parish Council who are a statutory consultee and they were consulted on both occasions, the original and the current application. He explained that as a parishioner it is clear to him that it is in Leverington and within the planning framework it actually states that it is Leverington.

Members asked officers the following questions:

- Councillor Sennitt Clough asked for clarification to be provided concerning the confusion between Wisbech or Leverington and the fact that the sequential test was undertaken for Wisbech? David Rowen stated that the site is clearly located in the Parish of Leverington but when the built form of Wisbech is looked at, the site follows the built form of Wisbech

as it is a continuation of the town of Wisbech as you go up Sutton Road, with there being a considerable gap between the application site and Leverington village. He drew members attention to an application which they had determined a few months ago, which was located on the opposite side of the Sutton Road which was considered in the same manner as being in the built form of Wisbech and members made a decision on that basis.

- David Rowen explained that in respect of the Flood Risk Assessment and the issue of the sequential test, he is not aware that a sequential test has been submitted for Leverington and he added that the Flood Risk Assessment which was submitted as part of the application, in the section which refers to the sequential test, actually refers to the northern and western parts of Wisbech and undeveloped areas of land to the north and south west of the town predominantly Flood Zones 2 and 3. He added that it states that due to the suitability and availability of sites in Flood Zone 1, the Council have been obliged to consider the areas which fall within areas 2 and 3. David Rowen explained that the Flood Risk Assessment submitted in respect of the sequential test appears to actually make reference significantly more to Wisbech than it does to Leverington.
- Councillor Mrs French stated that as the application was not accompanied by any drawings how did it pass through validation? David Rowen stated that as the application is in outline form, there is no requirement to submit indicative elevation drawings.
- Councillor Mrs French stated that as there is no sequential test that has been submitted and, in her view, the application is incomplete and should be refused.

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

P82/24

F/YR24/0211/O

LAND NORTH OF 35 WHITTLESEY ROAD, MARCH

ERECT OF UP TO 19 X DWELLINGS INVOLVING CULVERTING THE DRAIN FOR ACCESS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)

Gavin Taylor presented the report to members and drew attention to the update report which had been circulated.

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

- Councillor Mrs French stated that it is a site which has seen development previously as she is aware that there used to be a pub on the site called the Horse and Jockey which was later removed in late 1995. She made the point that the site is prime for development but in her view not at the proposed scale and she explained that it would be better to see 2 or 3 executive homes then that would be fine. Councillor Mrs French stated that the site is located on a ridiculous blind corner and the access is located by a very deep ditch which is probably 6 or 7 feet deep and whilst there is no problem getting rid of surface water, the whole scheme is over development in a 60mph zone. She made the point that the road is in a very poor state and reiterated the point that the site is ripe for development but not for 19 homes and she highlighted that again there is no Section 106 mentioned so who is going to pay for the facilities required for that amount of home. Councillor Mrs French added that the officers have made the correct recommendation, and she expressed the view that it is a shame that so many of the trees were removed by the landowner, even through some of them were self-sown.
- Councillor Benney stated that he agrees that officers have made the correct recommendation, and he expressed the view that he does not think that this is the right location to concentrate any development for March.

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

(All members of the committee made an en bloc declaration that they are all members of the Conservative Party and whilst the Conservative Party rents an office from MJS Investments Ltd, who are the applicants, they do not visit the office)

(Councillor Mrs French registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of March Town Council but takes no part in planning)

P83/24

F/YR24/0557/F

LAND SOUTH OF SWAN COTTAGE, BENWICK ROAD ACCESSED FROM DYKEMOOR DROVE, DODDINGTON

ERECT A HAY STORE, 1.5M HIGH WELD MESH AND 1.8M HIGH CLOSE BOARD BOUNDARY FENCING (RETROSPECTIVE)

Gavin Taylor presented the report.

Members received a presentation, in accordance with the public participation procedure, from Liam Lunn-Towler, the agent. Mr Lunn-Towler stated that the application proposes to remove an existing metal shed for the hay store and with associated boundary treatment, with the hay stored in the building being for the applicant's horse in the field opposite and the application has received no neighbourhood objections and there is no technical consultee objection to the proposal and Doddington Parish Council support it. He stated that the hay store is screened by existing mature trees to the north of the site to reduce visibility from Swan Cottage and the new replacement which is located north of it and the visibility is from Dykemoor Drove, with Dykemoor Drove primarily used to access farming land and to provide a link between Benwick Road and Primrose Hill and, therefore, a hay store, in his view, is appropriate in this location.

Mr Lunn-Towler stated that with regards to the proposed boundary treatment, lining the west of the site opposite Dykemoor Drove is a 1.8-metre-high close board fence and the reason for the appearance of the fence is to reduce the visibility from the road to increase the privacy and security of the applicant's land. He explained that the need to reduce the visibility is to the screen the area from Swan Cottage which reduces the overall continuous visual monitoring of the land.

Mr Lunn-Towler concluded that the application is supported by the Parish Council and the proposed development is considered to be suitable in the location.

Members asked Mr Lunn-Towler the following questions:

- Councillor Marks stated that whilst he does not have an issue with the application, however, it does appear to look quite stark. He added that when you travel further along the road there are other metal constructed buildings which are painted black as well as a chicken farm which has low buildings. Councillor Marks asked whether the applicant would be prepared to paint the structure black or at least take the colourant out of the shed? Mr Lunn Towler stated that the applicant would be prepared to paint the store green in order for it to blend in with the landscape.
- Councillor Connor stated that he agrees with the point made by Councillor Marks that it does appear to be quite stark. He referred to the presentation screen and added that there does appear to be a vehicle stored within the store and, therefore, should the application be approved then it must be used as a hay store and not for storing vehicles or used as living quarters. Councillor Connor added that he does agree that the store could do with toning down or maybe consideration could be given to plant some trees to go towards improving the street scene. Mr Lunn-Towler added that an enhancement scheme could be added in order to assist with the application being considered for approval. Councillor Connor stated that there will be further debate from members but if the application is to be approved, he would like to see some additional conditions added.

Members asked officers the following questions:

- Councillor Marks stated that that the new fence has been included which will weather over time, but the store will not and if that were to be painted in a black or green colour would that be more acceptable to officers? Gavin Taylor explained that there are two issues to consider including the building itself and the low quality materials which have been used as well as the fence which is situated right on the highway and is a continuous screen of fencing which is incongruous to the countryside and whether it is painted green or left natural, it will still be a continuous screen of fencing along the highway edge which is not in keeping with the area. He explained that there are different fences which could be used and would be more appropriate in the rural context of that location, with a lot of agricultural areas using post and rail fencing and whilst painting may change the appearance of it, it will not overcome the stark screening that the close continuous close board fencing achieves but by painting the building it may mute it slightly.
- Councillor Benney stated that when he drove past the site recently the fence was down, and he agrees with the point that Gavin Taylor has made with regards to the fence being very close to the road. He added that it may not be the correct type of fence that is erected there because if it going to keep blowing down then maybe consideration needs to be given to erecting something better in that location. Councillor Benney made the point that it is a one-track road and when you reach Doddington Road, the fence does cause a slight restriction for passing along there too. He asked Gavin Taylor to provide details with regards to the width of the road as it does make a difference now to the width when trying to pass another vehicle. Gavin Taylor confirmed that the width is 4.2 metres wide at its widest point and 3.9 metres at its narrowest.
- Councillor Marks asked officers to clarify that they are content that the fence is located on the landowner's boundary, and it is not encroaching onto the highway or onto County Council land? Gavin Taylor explained that no comments have been received from the Highway Authority on the application and he explained that the applicant has made a declaration that the land is theirs and they do not appear to have served notice on the Highway Authority to indicate any encroachment, however, if there is any encroachment onto highway land then the County Council have enforcement powers which they can use to take any necessary action. Councillor Marks questioned that if the applicant erected post and rail fencing along there in exactly the same place then there would still be the same passing issue, but it could still go on the same boundary. Gavin Taylor stated that theoretically if the Highway Authority have no issues with encroachment onto their land then from a planning perspective if it was swapped over to post and rail fencing then the applicant could do that.
- Councillor Benney expressed the view that it is a long fence and he notes that the Highway Authority have not responded with any objection, however, the junction at the end of the road is not ideal and if visibility splays were being looked when exiting then you would be looking onto Doddington Road and he questioned whether highway safety is affected in anyway. Gavin Taylor stated that under permitted development rights, the Highway Authority would generally ask for a height of 0.6 metres for a fence of some sort in order for visibility to be maintained. He added that if you are exiting the site then you would expect the standards to be met there and there are no comments from the Highway Authority and officers have not raised that as an objection. Gavin Taylor made the point that it would be difficult to achieve the standard visibility leaving the site onto the highway given the close boarded nature of the fence and perhaps a more open type of fencing would improve it, but there is no detail of any assessment which has been taken to substantiate that.
- Councillor Benney added that the Highway Authority do not always comment and he made the point that there are instances where desk top surveys are undertaken which, in his opinion, means that full consideration has not been given to a scheme and he asked whether officers can advise whether this was a desk top survey which was undertaken. Gavin Taylor explained that there is no assessment of the highway impact on this development which has been received and therefore the only objection that officers have raised is on visual harm. He added that in order to receive comments from the Highway

Authority in this case, officers would need to go back to them to ascertain whether they are content with the scheme. Matthew Leigh added that if members do have concerns with this aspect then the application could be deferred in order to obtain comments from the Highway Authority.

- Councillor Connor stated that safety is an issue, and he would like to see the item deferred in order to receive some further information as members do have concerns.
- Councillor Marks stated that deferment does seem to be a sensible approach, and added that if the Highway Authority highlight an issue he would like the agent and applicant to be made aware so that they can consider taking steps in order to mitigate the concerns of the Highway Authority. He expressed the view that if they are not prepared to take steps to deal with any concerns highlighted then it will have to be taken on face value, however, he would like to see all parties working together in order to reach a satisfactory conclusion. Councillor Marks stated that he would also like confirmation that the applicant is happy to paint the building and fence as well.
- Councillor Mrs French stated that the officer's report states that the application must be determined by the 17 January and, therefore, time is very short. Matthew Leigh stated that officers can request an extension of time as highway safety is a material consideration. He added that if the applicant appeals an un determination then officers can flag up that a major concern is one of highway safety.
- Councillor Connor asked the agent Liam Lunn-Towler to come back to the public participation table. Councillor Connor stated that the committee have debated the application and have concerns with regards to the fence and the visibility splays as they are at the present time and he asked whether he would be content to accept an extension of time in order for the Highway Authority to be consulted. Mr Liam Lunn-Towler confirmed that he would be happy to accept an extension of time in order to receive the comments of highways and to work with officers to reach a satisfactory resolution.

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

- Councillor Imafidon asked for clarity over the actual use of the store as it is currently being used to store a high-top box van as well as the hay and he asked whether the store is for multipurpose uses.
- Councillor Connor stated that the application is for a hay store and as it stands at the current time as a vehicle is being stored in it then the applicant is not abiding with the purpose that the store is made for.
- Councillor Marks stated that he does not know the applicant, but he added that there is a hay merchant in Doddington who does exactly the same by storing a van in a barn and, therefore, it maybe something that forms part of parcel for someone who stores hay and members need to be careful by not making assumptions that the store is being used to house vehicles.

Proposed by Councillor Marks, seconded by Councillor Mrs French and agreed that the application be DEFERRED to receive further information from the Highway Authority and the applicant.

(Councillor Marks declared that the applicant was a supplier to a previous business he was a director of over 15 years ago, however, he remains open minded)

P84/24

F/YR24/0783/O

**LAND NORTH EAST OF HIGHFIELD LODGE, DODDINGTON ROAD, CHATTERIS
ERECT UP TO 2 X DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS
RESERVED)**

Gavin Taylor presented the report.

Members received a presentation, in accordance with the public participation procedure, from

Shanna Jackson, the agent. Mrs Jackson explained that the application seeks outline planning permission for up to 2 dwellings and members will recall an application for residential development on land to the south east of site where it was resolved to grant planning permission on the basis that the proposal would not harm the character of the countryside and that it would make a positive contribution to the distinctives of the area upon the entry into Chatteris. She explained that she is the agent acting on behalf of that application and the submission of the conditions discharge application is imminent and with a view for the plots to be sold and reserved matters submitted.

Mrs Jackson expressed the view that in much the same way as the neighbouring application the proposal will make a positive contribution to the approach into Chatteris, and it presents an opportunity site to provide bespoke high-quality houses which sets the scene on the approach into the town. She made the point that the site feels like the last puzzle piece in terms of the approach into Chatteris on this side of the highway with the natural end of the development being defined by Highfield Lodge to the rear and the parameters of the existing paddock, with the scheme comprising a logical addition to the area and would enhance the immediate setting by allowing the opportunity to provide high quality homes.

Mrs Jackson stated that there are no technical objections to the proposal and, in her view, the only issue is there being a matter of interpretation as to whether the development would comprise urbanisation and sprawl. She expressed the view that in much the same way as you consider the site to the southeast the proposal would not harm the character of the countryside and would make a positive contribution to the distinctiveness of the area upon the entry into Chatteris.

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

- Councillor Mrs French expressed the view the officers have made the correct recommendation of refusal. She added that the proposal will totally destroy the outlook of the farmhouse which is already there.
- Councillor Marks stated that he agrees with the point made by Councillor Mrs French, and he made reference to the approval given by the committee for the last scheme there and at that time members agreed that there would no further development there. He added that it appears to be sprawling out further and further and the farmhouse is located way back and has been a farmhouse for its entirety, and it had a reason to be there as a farmhouse. Councillor Marks stated that as you go further round there is another farmhouse which stands back on quite a site as well and he made the point the speed limits have been reduced but there have been recent bad accidents along there. He stated that there are quite a few issues in the locality which is why he would be hesitant to even consider the proposal, and, in his view, officers have made the correct recommendation.
- Councillor Benney made the point that by putting houses in front of the farmhouse, it detracts from the farmhouse and whilst he does like to see nice houses on the approach to a village or a town there does need to be a limit and there cannot be development right up to the river. He concurred with the points made by Councillor Marks when the previous application was approved, members had stated that there would be no more dwellings allowed in the vicinity, and he thinks that should still be the case.
- Councillor Sennitt Clough referred to Policy LP16d of the Local Plan, making the point that it does not make a positive contribution in her opinion.
- Councillor Imafidon stated that he concurs with the views of members.

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

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

Matthew Leigh, Head of Planning, explained that F/YR21/1497/O came before the committee at a recent meeting, which was an outline application for up to 120 dwellings with associated development and during the debate members raised some significant concerns in relation to highway safety particularly during the construction period and requested that Condition 45 be amended. He stated that after the meeting the applicant advised that if the decision notice included that amended condition then they would consider appealing the decision and look for an award of costs. Matthew Leigh explained that is now a material consideration for members and officers are recommending that the application is determined in accordance with Section 12 of the original officer's report in relation to delegating the final conditions to the Head of Planning alongside the completion of a Section 106 as shown in Appendix 1.

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

- Councillor Mrs French stated that this is something that was wished for and was not something that the committee knew could be insisted on. She added that another application in 2003 had a recommendation of the introduction of a roundabout, however, that never came to fruition and twenty years later there are now traffic lights. Councillor Mrs French made the point that she hopes that the same situation does not arise, and a roundabout actually becomes a reality.
- Councillor Benney expressed the view that the committee find themselves in a position again where bad decisions cost money and if members do not agree with the officer's recommendation then the application will go to appeal, and the Council will lose. He stated that the committee has done the best that they can for the residents of March and if the application goes to appeal then members will end up with what it did not want, and it will end up costing the Council a lot of money. Councillor Benney expressed the view that committee cannot make bad decisions that cost money and members should agree with the officer's recommendation.
- Councillor Marks stated that he agrees with the points made by Councillor Mrs French and Benney and added that he hopes that the developers are receptive of the points being made by the committee today and they will show an element of goodwill going forward during the development.
- Councillor Connor stated that the Legal Officer has advised that costs are not a material consideration and the committee's decision should not be based solely on the risk of incurring costs.
- Councillor Marks added that safety and disruption to others is not a planning issue, however, he would like to think that the developers will take that into consideration.

Proposed by Councillor Mrs French, seconded by Councillor Imafidon and AGREED that condition 45 relating to the roundabout is withdrawn and that the Planning Committee delegates authority to the Head of Planning in relation to the Section 106 and then subsequently the conditions as in the original recommendation.

(Members considered this report as an urgent item)

(This item, whilst considered in public, contained exempt information which is not for publication in accordance with Paragraph 5 of Schedule 12A of the Local Government Act 1972 in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

3.43 pm

Chairman