

Whittlesey Town Council

Planning Committee

Minutes of the Planning meeting held on Monday 17th July 2017 at 7.30pm at Grosvenor House, Grosvenor Road, Whittlesey

Present: Cllr Butcher, Mrs Mayor, Dorling, Miscandlon, Mrs Laws

The Clerk asked for one of the committee to chair the meeting in the absence of the Chairman.

Cllr Miscandlon proposed Cllr Butcher, this was seconded by Cllr Mrs Mayor with a unanimous vote in favour.

Officer in Attendance: Mrs Sue Piergianni -Town Clerk & RFO

Recording: DS250. DS2

P85/17. To receive apologies for absence from members.

Cllr Mrs Jolley, Mrs Windle, Bristow (prior engagement) Cllr Whitwell (Holiday)

P86/17. To confirm and sign minutes from the last meeting of the Planning Committee held on the 5th July 2017.

Ratified: The Minutes were approved

P87/17. Declaration of member's interests.

Councillors Mrs Laws and Miscandlon as members of FDC Planning Committee advised that should Planning applications be discussed they may comment, but reserve the right to change their minds should more information become available later.

88/17. Public Forum.

To allow members of the public to address the Council. Time allowed 15 mins total.

The Chairman of the Snowley Park / Glenfields action Group who gave the following report on F/YR17/0544/RM

1. To date there is no **FULL** travel plan that has been submitted.

F/YR16/3041/COND submitted on 22/4/16 is the relevant application to discharge that condition and is still pending consideration. When the outline Application F/YR14/0365/O was approved the officer's decision notice dated 26/09/14, attached various conditions.

Condition 22 states:

No development shall commence until a full travel plan detailing how the development will achieve the minimum number of car traffic movements to/from the site, how it will address the access needs of the residents of the site, by supporting walking, cycling and public transport and how the development will reduce the need for travel to/from the site shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall be implemented as approved.

Reason - To reduce the need for private travel to achieve sustainable development.

It is thirty-four months since approval of the outline application and nearly seventeen months since the condition application was received, yet there is still no full travel plan in place and the development site has residents that commute daily.

2. In the design and access statement attached to F/YR14/0365/O, page 39 shows proposed footpaths. On page 10 of the same document it states in section 3.29 It is proposed that the onsite layout includes routes suitable for pedestrians and cyclists as an integral part of the development layout. This is further endorsed by condition 15 attached to the decision notice for application F/YR14/0365/O.

Condition 15 states:

Before the development is first occupied the footpath/cycleway link from the site to Glenfields shall be provided and available for use to the satisfaction of the Local Planning Authority and shall be retained as such in perpetuity.

Reason - in the interests of the correct planned development of this site and to encourage sustainable transport modes.

This Application F/YR17/0544/RM before you today shows no pedestrian /cycleway on the site plan.

Without a full travel plan in place and a site plan to address condition 15 attached to F/YR14/0365/O, it would not be a sustainable development and does not encourage sustainable transport modes, therefore it will go against LP 15

Fenland District Council Local Plan adopted in May 2014, LP 15 (Facilitating the Creation of a More Sustainable Transport Network in Fenland).

15. Section (B) Delivering New Transport Related Infrastructure states:

For Walking & Cycling Infrastructure:

Deliver robust networks and facilities for walking and cycling, which are suitably linked and integrated into the wider transport network, are well maintained and promoted, and which help facilitate other schemes such as Safe Routes to Schools and travel plans.

Prioritise schemes which complete gaps in the network, especially those that will encourage more local walking and cycling journeys.

Deliver schemes which complement the aims of the Cambridgeshire Green Infrastructure Strategy, protect and enhance natural assets and, where possible, enhance linkages between settlements and to areas of natural green space and to the surrounding countryside.

1. Section (C) Designing Development Schemes states:

All development proposals should also demonstrate that they have regard to the following criteria:

Development on a site should be located and designed so that it can maximise accessibility and help to increase the use of non-car modes.

Proposals of one dwelling or more should be accompanied by a Transport Statement, or, if the proposal is likely to result in significant transport implications, by a Transport Assessment and Travel Plan. The coverage and detail of this should reflect the scale of development and the extent of the transport implications.

Development schemes should provide well designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of

public transport by providing a network of pedestrian and cycle routes and green corridors including habitat connectivity (linking to existing routes where opportunities exist) that give easy access and permeability to adjacent areas.

Any development that has transport implications will not be granted planning permission unless deliverable mitigation measures have been identified, and arrangements secured for their implementation, which will make the development acceptable in transport terms.

Third Cambridgeshire LTP 2011-2031: Policies and Strategy July 2015

Challenge 3: Making sustainable modes of transport a viable and attractive alternative to the private car

Countywide, we will continue to push forward in making sustainable modes of transport more attractive by continuing to develop sustainable networks for walking and cycling, making it easier for people to change between modes of transport and working with bus operators to provide high quality bus services. In addition, we aim to improve the environment and safety for pedestrians, cyclists and public transport users, in accordance with our user hierarchy and focus on raising awareness of the transport choices available, including the health and environmental benefits of cycling and walking. **This will include work with local planning authorities to ensure provision for sustainable modes that form an integral part of new developments.**

3. We would like to bring to the attention of the Chairman and Members of Whittlesey Town Council planning committee the failings of the current S106 agreement. We ask that WTC planning committee request for the current S106 to be revisited or that a deed of variation be pursued to address what will be significant education shortfalls.

We feel that this is an ideal opportunity to address the Current education anomaly. It was clearly stated in the officers' report attached to application F/YR14/0365/O that, "Secondary" education - £23,800 (This is the basis of the submitted housing mix but could be subject to change when the reserve matters application is submitted " There is a significant change to the housing mix, between what was offered at outline stage, to what is being proposed at this Reserve Matters stage.

We feel that the whole S106 education contribution should be revisited for the following reasons: Application F/YR13/0418/O was unanimously refused by Fenland Planning Committee members 12-0, (despite officer's recommendation to approve the application). Application F/YR14/0365/O was quickly processed to avoid the pending appeal, which Fenland District Council was not going to defend the planning committee member's decision. A lot of documents were mirrored across from F/YR13/0418/O to F/YR14/0365/O, but there was an eleven-month gap between those two applications, no new education assessment was requested or done, which we believe resulted in the whole school year being missed for Pre-School, Primary school and Secondary school.

Furthermore, I have through a series of Freedom of Information requests, to both Fenland District Council and Cambridgeshire County Council established that the Secondary education contribution of £23,800 was incorrect as the financial contribution should have been based upon the size of the dwellings not the number of pupils. We estimate that a figure of between £200,000-£250,000 would be appropriate for application F/YR17/0544/RM using standard formula contained within Fenland District Council's supplementary planning guidance (SPG) 2000.

As there is still a requirement for Fenland District Council to set a commuted sum for the maintenance of the Public Open Space (which includes the Detention basins), This shortfall can and should be addressed, Fenland District Council has a duty of care to ensure developers contributions are sought and the guidelines within the NPPF clearly states that three key tests need to be passed.

1. Necessary to make the development acceptable.

2. Directly related to the development.

3. Fairly and reasonably related in scale and kind to the development.

The S106 planning obligation as you are aware is a fundamental part of the planning process. It is a material planning consideration when assessing planning applications.

Fenland District Council has clear guidance within the local plan policy, under section LP13 (a) "planning permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development.

Therefore, without a fit for purpose S106 planning obligation in place, this application F/YR17/0544/RM would not be in accord with LP13 or NPPF guidelines.

4. The outline application F/YR14/0365/O associate document Design and Access statement page 38 showed no dwellings or brick built garages directly behind existing resident's dwellings. This application F/YR17/0544/RM shows new residential dwellings and brick built garages in very close proximity to existing residential dwellings.

One of the principal purposes of the Design and Access statement is to set the application site in context to its surroundings.

Creating poor residential garden amenity, privacy infringement by overlooking and the overbearing adverse visual impact and outlook of this application F/YR17/0544/RM is not acceptable.

This would not be in accord of LP 2 and LP16.

5. Finally as a neighbour of this development it has been a living nightmare for my family and numerous other residents in Snowley Park and Glenfields , the Construction Environment Management Plan (CEMP) has not been followed on numerous occasions and as a few examples residents have suffered from: early /late working, Sunday working, bank holiday working, parking of heavy duty machinery on top of an earth mound directly behind our house, (which made the front page of the Cambridge Times on 19/8/16). Numerous dust coatings of our garden amenity as witnessed by Dawn Sadler (Fenland District Council's Senior Environmental Health Officer), with no water bowser abatement being followed, wheel wash in situ but not in regular use, resulting in local roads being coated in mud.

Construction traffic not using the correct construction traffic routes which was subsequently revised on 14/6/16 when Plan "b" emerged, after I highlighted the issue.

Constant interaction / phone calls with the site manager addressing all the above and visits by enforcement initially by Glen More ENF/092/16/BOC.

All the above to us more than demonstrate the developer's non-compliance and total disregard for its neighbouring sensitive receptors.

Craig Gillies, David Wilson Homes site manager has addressed quite a few of the issues but it is still the case of problems being resolved after neighbours have endured for days and frequently weeks. David Wilson Homes are reactive rather than being proactive knowing they are building out within an established residential area.

Fenland Local Plan policies LP 2 and LP 16 are in place to protect resident's well-being and the high-quality environments that we reside in. This is further endorsed by Government and European legislation. Article 8, of the Human Rights act states, "that a person has the substantive right to respect for their private and family life ". Additionally, everyone has the right to the quiet enjoyment of their garden amenities.

Summary.

The five reasons we have offered Members of Whittlesey Town Council planning committee this evening to refuse application F/YR17/0544/RM are based on the local plan policy guidelines, NPPF guidelines as well as Government and European legislation, which I believe demonstrate that this application is not viable in planning terms.

P89/17. To consider Planning Applications received from FDC for comments including :- Questions for every planning application – Does it meet the criteria of the Cambridgeshire Fire and Rescue Service, building safe and designing out fire.

F/YR17/0544/RM – Reserved matters application relating to the detailed matters of layout, scale, appearance and landscaping pursuant to outline permission F/YR14/0365/0 (residential development (150 dwellings) with associated infrastructure), 149no dwellings comprising of 5 x 1 bed; 19 x 2 bed; 55 x 3 bed; 61 x 4 bed and 9 x 5 bed with garages and associated infrastructure – Land North of Snowley Park and Glenfields Whittlesey.

The Town Council recommend refusal of this application due to the grounds that are stated in the Chairman of the Snowley Park and Glenfields action committee. (details above).

F/YR17/0555/TRCA – Works to 1 no Holm Oak Tree – The Elms Nursing Home, 2 Arnolds Lane, Whittlesey.

The Town Council have no objection and recommend approval.

F/YR17/0583/LB – Works to a Listed Building to install 2 no doors in place of windows and replace 1no window at 56 Whitmore Street, Whittlesey.

The Town Council have no objection and recommend approval.

DPPB Windmill Street – Disabled parking bay – Comments to be submitted no later than 31st July 2017

The Town Council have no objection and recommend approval.

P90/17 – Additional agenda items & Information

There was no additional information

P91/17 Date of next meeting 2nd August 2017.

Meeting Closed 20.05



Cllr, Mrs Rita Tolley, Chairman Planning Committee

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Cllr Ralph Butcher
Mayor of Whittlesey