

PLANNING MINUTES

Minutes of the Planning Meeting on Friday 9th September at 2.00pm at Grosvenor House, Grosvenor Road, Whittlesey

Present: Cllr Mrs Jolley, Mrs Laws, Mrs Mayor, Mrs Windle, Whitwell, Miscandlon, Bristow

P74/16 To receive apologies from absent Members.

Cllr Butcher (holiday)

Officer in Attendance: Mrs Sue Piergianni – Town Clerk

Recording: DS250079.ds2

P75/16 To confirm and sign the Minutes from the last meeting of the Planning Committee held on Wednesday 27th July & 26th August 2016

Change the date of the minutes to Friday 26th August 2016.

27th July Minutes - In the planning appeal the reasons were listed on FDC website.

26th August – FY16/0593/F – Objection to FDC as why it was dealt with under delegated powers.

P76/16 Declaration of Members 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 at a later date.

Cllr Mrs Mayor – declared a personal interest as she has known the applicant and her family for many years, she also knows the agent.

P77/16 Public Forum.

To allow any member of the public to address the council. Time allowed 15 minutes total.

4 Members of the public were present.

P78/16 – Presentation by Dr David Dodwell & Dr Fiona Dodwell regarding the proposed development on land North of 30 Park Lane.

Cllr Mason was in attendance as the Town and District Council and was representing the objectors.

I am here today to represent as a Ward and District Councillor the immediate neighbours of this development in the forms of Dr David Dodwell, Dr Fiona Dodwell, Anne Pacey and Iain Griffin who have raised serious objections to the proposed development but are unable to attend in person due to their professional commitments and the short notice given on rearranging this particular hearing.

I feel my role mirrors that of a prosecuting counsel in a court of law but that is not my intention nor is that of any of the objectors that I represent. All of us and I am sure everyone in this room has total sympathy for the plight of the applicant, Mrs Hall and the need to care for her partner, Mr Woodbridge during the period of his deteriorating health.

The background to this application is that Mrs Hall and Mr Woodbridge occupy at present 30 Park Lane a two storey dwelling with limited access for parking of one vehicle on the corner of a busy and dangerous "S" bend frequented by children and parents walking or driving to Park Lane Primary School. The intention is to build a second property in their rear garden to allow Mrs Hall and Mr Woodbridge to move into the new property where 24 hour care can be afforded to Mr Woodbridge. The existing property would then be passed on to other adult family members for occupation who in turn would need facility for up to two additional vehicles.

A previous application to build a two storey building was due to come before this committee in April of this year but was somewhat dramatically withdrawn a few days before the due date in light of perceived objections and has now been resubmitted in this revised form.

However, residential planning applications are viewed not on emotional grounds but logically and fairly with a view to complying with and taking into account certain conditions which include:

- Access
- Backfill
- Density/Over development
- Design/Appearance
- Devaluing of neighbouring property
- Complying with local planning policy
- Drainage
- Environmental Concerns
- Flooding
- Light Pollution
- Loss of view/Outlook
- Noise
- Out of character/not in keep with area
- Overlooking/loss of privacy
- Parking arrangements
- Proximity to adjoining property
- Residential Amenity
- Shadowing/loss of light
- Traffic or Highways
- Trees
- Visual Impact
- Wildlife Concerns

On all of the twenty-two conditions that I have just read out this application falls short on the majority if not all of these points details of which are contained in the submissions made by the neighbours and submitted to this planning committee in advance for their consideration.

Further objections have now been lodged with Fenland District Council from immediate neighbours at Nos 1 & 3 Horsegate and 34 Park Lane who all have similar objections to those lodged by objectors previously, details of which can be viewed on the Fenland District Council website.

HEALTH

Health issues (LP2)

As previously stated all have sympathy with Mr Woodbridge's health problem and disability. However, the application is not demonstrated to be either the only or the best response to Mr Hall's unfortunate situation

Other options can be explored to accommodate the situation and the Dodwells are prepared to pay for an independent survey to assess feasibility of this

BUILT ENVIRONMENT

Road safety, car parking and access issues (LP13 LP15 and LP16)

The current driveway into Park Lane is already quite worrying (blind bend, heavy school traffic): proposal increases car traffic

Over-intensification and flood risk (LP14 and LP16).

Replacing grass areas by new building and parking areas increases flood risk whilst the drainage relies on a soakaway - is this sufficient? (local road floods often)

Design and the conservation area (LP11, LP16, LP18).

This is a Whittlesey conservation area and should be should be protected as such and this proposal contravenes LP 18: which provides a clear justification for the works, especially if these would harm the asset or its setting, so that the harm can be weighed against public benefits

The project replaces one family house with 2 houses for 2 families

The plot has insufficient space for separate new building, garden & parking

The building design has a modernist glass front, out of keeping with buildings in the conservation area

The roof is high and could be termed of chalet bungalow nature which will still be clearly visible neighbouring houses and contravenes LP 16 which protects and enhances any affected heritage assets and their settings. (Horsegate House is Grade II Listed)

There is genuine concern there could be a future vertical extension to create a 2nd storey

Horsegate House: privacy, light and amenity (LP16).

The project will over power the site of Horsegate House surroundings resulting in a reduction in Horsegate House privacy

North elevation window and glazed door face into neighbouring garden and annex

The process of destruction and building will be noisy and intrusive with additional noise long-term

NATURAL ENVIRONMENT

Trees

Root Protection Area [RPA] of poplars is underestimated with working space between the RPA and the proposed build being small in places

The mitigating risk to surrounding trees during the building works relies on consistent implementation of requirements: no monitoring or sanctions.

The Tree Officer (G. Causey) reported a need for a "foundation suitable for potential soil shrinkage/heave" which has not been addressed whilst cutting branches back to the boundary is likely to damage and kill trees

There is a high risk of poplar branch drop (not due to decay) - new build will be liable to damage and may be uninsurable, insurers may demand complete destruction of trees (this happened at 8 Horsegate)

Biodiversity, protected species, protection of natural environment (LP16 and LP19)

Animals do not obey property boundaries - creatures in neighbouring gardens are relevant but were ignored in the 'ecological survey'

Ponds adjacent and in 30 Park Lane are Habitats of Principal Importance

Gardens and surrounding areas are home to great-crested newts. The pond in 30 Park Lane is a suitable habitat for great crested newts and has frogs

Grass Snakes: gardens and ponds are home to grass snakes

Bats: Bats forage in and around surrounding gardens at night. Proposal envisages cutting back (potentially causing permanent damage) of trees and ivy which potentially support a bat roost. Commuting routes are affected. The Velux windows will cast light upwards causing light pollution.

Hedgehogs: hedgehogs are known to use the site

Breeding birds: breeding birds use the ivy-covered wall and fence forming the boundary between 7 Horsegate and 30 Park Lane.

Other protected species and Species of Principal Importance include pool frog, greater spotted woodpecker, redwings, house sparrow, marsh tit, starling, song thrush and cinnabar moth

Building work would harm the area's great crested newt population and almost certainly other protected species. Any threat to the trees would have a direct and devastating impact.

The ecologist's report states there will be damage to some habitat. It makes extensive recommendations to reduce (not abolish) the risk of harm during building - unclear how this can be successfully policed.

In recent years it has been the policy of Whittlesey Town Council to oppose developments where over intensification has been an issue. Also to defend the natural habitat and tree preservation. Consistency has to be seen to be applied in this particular case in view of past decisions.

I would therefore ask this committee to endorse my recommendation to refuse this application principally on the grounds of over intensification, destruction of the natural environment and protected species and traffic issues although any of the previously mentioned twenty-two conditions could be applied.

Members of the planning committee discussed the application, asked questions and made the following statements:

Cllr Mrs Laws asked what Flood zone is the existing and proposed property in – Flood Zone 1.

Cllr Bristow advised that discussions about the proposed single storey dwelling be changed to a two storey dwelling should not be considered as this would need to go through a separate committee.

Cllr Mrs Mayor advised this is not major back garden development as it is only one property. Members were also advised that the road safety is not a major issue as it may only have one car at present, but if there was a family living in the property, there could always be 2 or 3 cars. Cllr Mason commented that

for the past 30 years there has only been one car exiting the site, with the new property there will be additional vehicles due to the carers, and possibly further medical vehicles.

Cllr Mrs Mayor wished to highlight the fact that this is only one property that could affect the wildlife, however there are much bigger developments being built in Whittlesey where the wildlife has been severely affected. Cllr Mrs Mayor further advised that if suitably worded conditions are put in place, these would need to be adhered to.

Cllr Mrs Laws will not vote but would like to make the following observations – She was part of the Showfield Committee and many conditions that were in the application, along with the recording of all endangered species, however the development overtook this and the recommendations were not taken into consideration. The species that were removed or destroyed are now back on the Showfield site.

Cllr Mrs Laws also confirmed that CCC Highways are the authority on the roads and access and will determine what is acceptable and will overrule anything that the town council may say.

Cllr Mrs Laws was asked if she would be voting as she had signed in as part of the committee -Cllr Mrs Laws confirmed she was present but only as an observer

Cllr Mason advised that as Cllr Mrs Mayor registered a personal interest would she be voting. Cllr Mrs Mayor confirmed she would vote.

Cllr Bristow requested that Cllr Mason leave the table and sit in the public area of the meeting.

P79/16 – Presentation by Mr D Broker – Architect on the proposed development on land North of 30 Park Lane.

Mr Broker commenced his presentation by advising members that there is a driveway up to a garage with three additional parking spaces, he also confirmed that the proposed dwelling is not a Chalet Bungalow, but is a single storey dwelling with three Velux windows in the roof

Mr Broker confirmed the property is in flood risk one the EA consider this to be a low risk zone.

There have been two ecologist reports, one that was organised by the existing owner and one by Mr & Mrs Dodwell, the reports have been accepted and submitted.

The proposal is reduced to a single storey and there is no overlooking. In planning terms windows that are more than 1.7 m above the construction floor level are not considered to be overlooking.

The proposed building would allow further habitat for wildlife along the Northern boundary wall, as the existing garage is being removed and a space of more than 5 metres is being created for garden in that area adjacent to No 7 Horsegate side boundary wall. The area of the site which is affected this proposal is 135m². The area presently covered by garage and drive is 139m² on the western side furthest away from the neighbouring Horsegate properties. Garden and habitat space is not lost it is gained.

A previous application was withdrawn when a number of issues were highlighted, these were mainly, the siting of the building within a conservation area, the effect on ecology, the effect on the adjacent trees with TPO's, the overlooking of No 5 Horsegate.

All the above have been considered and professional advice obtained.

The Building has been reduced in height to a single storey under a simple slate roof and positioned further from the boundary with No 7 Horsegate. These were suggestions made by the Conservation Officer. We understand that she now has no objections to the proposal.

An ecologists report has been submitted and approved. There is no inherent harm anticipated to the ecology of the site and the report's recommendation will be followed.

The arboriculturalists report sets out root protection zones for the trees and the building has been moved in order to place it outside those zones. If special foundations are required to protect root growth, then they will be designed in. This will be done and the trees will be safe.

The proposed building does not overlook the neighbours, there will be no light or noise pollution. The occupants one of who is immobile are both in their 70's. The only activity on site outside the building would be gardening or sitting in a wheelchair by the pond.

Cllr Mrs Laws commented that this was just an observation, should the application be approved, one possibility to be included is what is called a 'Considerate Contractors Scheme' This would bring in to line a good code of conduct, being considerate to neighbours.

Cllr Mrs Laws also asked if the trees were subject to TPO – Mr Broker advised that officially there were no TPOs' on the trees but as they are in a conservation area, they are protected by the powers of the conservation rules.

Cllr Mrs Windle asked why previous application was withdrawn – Mr Broker advised that the new development was submitted to placate all the problems that the original scheme had generated, he also advised that the applicant wishes to remain on the site for the rest of her life and her son will move into the main house and care for her in old age.

Cllr Bristow asked about the windows in the roof and clarification on them. Mr Broker advised the first application was for a Chalet bungalow with Dormer windows in the face of the roof. The plan that is in now is single storey but on the elevation in the lower part of the roof there are Velux windows, these are not there for vision but are for incoming light.

P80/16 To consider planning applications received from Fenland District Council for comment, including: - Question for every planning application - Does it meet the criteria of Cambridgeshire Fire and Rescue Service, Building Safe and Designing out Fire.

F/YR16/0711/F – Erection of a single – storey 2 bed dwelling with associated parking (including 2 spaces to serve 30 Park Lane), involving demolition of existing outbuildings within a Conservation Area – Land North of 30 Park Lane, Whittlesey.

The Town Council discussed the application in depth, Cllr Bristow proposed the application is approved, as he does not feel there are highways issues, overlooking issues, or lack of light and privacy, this was supported by Cllr Whitwell who also commented that County Highways will make recommendation and it is there statements that will be taken into account. Members voted as follows: In favour, Cllr Mrs Mayor, Whitwell, Bristow and Mrs Jolley. Against Cllr Mrs Windle. Cllrs Miscandlon and Mrs Laws took no part in the vote. Cllr Mrs Mayor requested that the applicants be advised that Whittlesey Town Council are only consultees and just make recommendation, it will be Fenland District Council that make the final decision.

P81/16. Agenda items for update and discussion

There were no items for discussion.

P82/16 Date of next meeting – 23rd September 2016 at 2.00pm

Meeting closed 2.35.


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Cllr Mrs Rita Jolley
Chairman
Planning Committee