

Planning Committee Meeting Minutes

Meeting held in the Village Hall, Recreation Ground, Cottenham on Thursday 17th August 2017 at 7.30pm

Present: Cllrs Morris (Chair), Bolitho, Collinson, Ward, Wilson and Young and the Clerk

In attendance: 6 members of the public, Philip Kratz (Birketts) and Cllr Tim Wotherspoon

- 17P/148. Chairman's Introduction and Apologies** – Apologies accepted from Cllrs Graves (work), McCarthy (holiday), Mudd (holiday) and Nicholas (sick).
- 17P/149. Any Questions from the Public or Press** – Standing orders suspended 7.31pm. Questions taken specifically regarding item 17P/154. Resident 1 asked for an understanding of where we are regarding all 3 applications; are we in a position to understand the Highways provision regarding the 70 homes with care? This will be a different kind of traffic due to mobility issues etc. Standing Orders reinstated 7.34pm.
- 17P/150. To accept Declarations of Interest and Dispensations** – Cllr Bolitho declared a non-pecuniary interest in applications S/1669/17/FL and S/2718/17/LB but will leave the room during discussions. Cllr Collinson declared a non-pecuniary interest in application S/2736/17/TC and will take no part in discussions.
- 17P/151. Minutes** – Resolution that the minutes of the Committee meeting held on 3rd August be signed as a correct record. **RESOLVED.** Agenda re-ordered.
- 17P/154. Major planning applications** – consider possible responses to SCDC permission of S/2413/17/OL. Cllr Morris ran through the current situation with the three Gladman applications. SCDC has moved to have the permission quashed of the second application; application 3 is largely the same as the second which has been granted delegated approval and the decision notice issued the same day! Gladman now have two years to submit a reserved matters application unless there is a legal challenge in the meantime. Any challenge would have to be launched before 20th September. CPC need to decide whether the decision is legally valid and whether to mount a challenge. Cllr Morris then ran through the possible grounds for a judicial review. Standing Orders suspended 7.45pm.
- Mr Kratz summarised the status of the three applications. It has taken only a month to validate and approve the third application which is a record. It looks as though SCDC have got it right this time; it's not procedurally perfect but to be pragmatic they have put right the main issues. It was clarified that the total number of care homes would be up to 70 but not more. There is no difference between the two S.106 agreements. It appears that this time the procedures were correct but having weighed up the situation regarding the listed buildings it doesn't tip the balance. Officers were advised of the Hopkins case but the approach would depend on if a Neighbourhood Plan was in place; again it's a matter for the decision makers as to how much weight they give this. It was confirmed that an appropriate public notice was put in the Cambridge Independent newspaper. In terms of a course of action we need to keep it proportionate and given that in Mr Kratz's view of a less than 50/50 chance he would not encourage further action. His recommendation was that CPC had probably already done all it could proportionately. Resident 1 was at the SCDC meeting and listened to the Chair directing Cllrs regarding the consequences of losing on appeal. Mr Kratz said that the decision was 6/5 and wasn't on party lines. The recommendation to approve was given by Officers so the bottom line is that the direction was ok. Standing Orders reinstated 8pm.
- Cllr Ward asked for the implications on the 2 actions. If we pull the plug we inform SCDC that we won't request a judicial review of S/2413/17/OL and in that case we also won't lodge any more evidence to the Inquiry. It will incur costs if we submit further information so there is a cost risk. We will incur further costs whatever we do but won't incur further barrister fees for evidence preparation if we stop now. If we behave properly we shouldn't incur Gladman costs. In principle you pay for your own costs unless you behave recklessly/in a vexatious manner. Gladman may try to put costs on us but we should be able to defend; it's ultimately up to the Inspector. If the appeal goes ahead Gladman will ask for the application to be replaced with application 3. Cllr Collinson asked if the appeal is likely to go ahead? In the appeal Gladman could challenge the S.106. As yet CPC hasn't appeared at the appeal under Rule 6 status and the case was against SCDC not CPC so Gladman shouldn't be able to go for costs against us. Standing Orders suspended 8.08pm.

Mr Kratz clarified that the starting point is that everyone incurs their own costs so we aren't at risk. The Inspector has written to Gladman asking why they don't withdraw the appeal. Gladman are being cagey because whilst still in the 6 week judicial review period anyone could lodge a review. Once that window has closed on 20th September they may let go. He confirmed that in relation to swapping the applications at the appeal, it was up to the Inspector whether to accept or not and it would be normal for them to accept. There is still a chance that Gladman won't drop the appeal because they are still vulnerable. The Inspector has the right to comment on the S.106. Mr Kratz suggested saying that we would be withdrawing from the appeal subject to the same S.106 agreement.

Standing Orders reinstated 8.20pm.

Cllr Morris read out 2 different possible statements for issue. Resolution to abandon any further resistance to application S/2413/17/OL. **RESOLVED**. Wording to be amended slightly and then issued in the morning. Mr Kratz and Christiaan Zwart were both thanked along with the residents who have been very supportive.

17P/152. Planning Applications:

- **S/2652/17/FL** – Two storey side extension & single storey rear extension, 107, Rooks Street, Cottenham. Standing Orders suspended 8.25pm. Resident 2 spoke to say that the Parish Council recommended refusal of the application in February. The new design is practically the same but the ground floor is now a solid structure with double doors and a brick fall facing their property so may make it even darker than the previous application. Standing Orders reinstated 8.28pm. Noted that the main difference was the originally proposed car port is now filled in with doors/wall to create a storage room; this leaves the property with no off-road parking (contrary to DP/3c). Standing Orders suspended 8.36pm. Cllr Young requested clarification of where the resident lived. Confirmed that his front door and bedroom window faced the application site, approximately 10ft away from what is the proposed brick wall. Standing Orders reinstated 8.38pm. Appears to be over development of the plot and the extension isn't subservient to the original building – ridge height should be lower. Light concerns to neighbouring properties include no. 98 opposite. CPC recommends refusal. **REFUSED**. CPC would like the application to go to Committee should Officer be minded to approve. Cllr Morris ran through the planning process for the benefit of the resident. Cllr Bolitho left the room at 8.40pm.
- **S/1699/17/FL** - Proposed First Floor Extension & Alterations. Replacement front porch, The Echo, 127, Histon Road, Cottenham. Standing Orders suspended 8.41pm. Resident 3 stated that at a previous meeting CPC recommended refusal of the design and requested a light survey. SCDC have received the survey but the resident was struggling to understand the report and how much light would be lost. Standing Orders reinstated 8.45pm. Noted that the report was unusual by only showing one time of day and only 2 points during the year; not considered an adequate report and would have expected to something showing other times of day and the other quarter points in the year. Cllr Collinson thought the design of the extension would need to be amended. CPC recommends refusal in line with previous comments. **REFUSED**. CPC would like the application to go to Committee should Officer be minded to approve. Standing Orders suspended 8.50pm. Resident 3 said that the report doesn't seem to address the issues and replacing the existing flat roof with a pitched roof hasn't been quantified. Cllr Morris recommended resident write to the Case Officer again to say that CPC agrees with their objection; was also suggested that they submit photos. Resident 1 asked if items 17P/155 and 17P/156 could be brought forward. Agreed. Standing Orders reinstated 8.52pm.
- **S/2718/17/LB** – Revised plans for Conversion of outbuildings to form an annexe, erection of a single storey extension to form en-suite to annexe and erection of a single storey store behind the garage, 333 High Street, Cottenham. CPC recommends approval. **APPROVED**. Cllr Bolitho returned to the room at 8.55pm.

17P/155. Major planning applications – consider possible responses to SCDC delegated approval of S/1606/16/OL. Cllr Morris outlined the background to the delegated approval. We don't need to make any decisions until the decision notice is issued however the earlier legal advice applies. Cllr Young raised a concern about the traffic and whether the aggregate would affect the proposed roundabout design. Cllr Morris confirmed that he believed the design had the capacity to take 600 extra houses. Cllr Collinson queried whether the accesses were already approved. SCDC Officers will check the conditions. In practice there

will be other changes i.e. pavement reconfiguration, toucan crossing, change to 30mph zone, buffer zone etc. County Highways may modify the roundabout in terms of signage, removal of speed cushions. Standing Orders suspended 9.03pm.

Resident 1 asked that as all 3 parties contributed towards the roundabout does this mean the building can't start? No, the roundabout has to be done prior to construction taking place. Highways could take on the construction knowing it is getting the contributions. Resident 1 has received a letter from a Fulbourn resident asking if Cottenham would be interested in a joined up campaign regarding large developments. Cllr Morris commented that it may be too late for Cottenham now. Standing Orders reinstated 9.10pm.

17P/156. Major planning applications – consider possible responses to SCDC refusal of S/2876/16/OL. Decision notice not yet published by SCDC so reasons are not yet fully known.

It was only after the Gladman decision that SCDC looked at the cumulative effect of the 3 applications. This application was also distinguished from the others due to LGS designation and loss of recreational space.

17P/152. Planning Applications:

- **S/2598/17/FL** – Detached garage, 15, Histon Road, Cottenham. CPC recommends approval. **APPROVED.**
- **S/2678/17/FL** – Two storey rear extension, following demolition of existing single storey extension, 55, Coolidge Gardens, Cottenham. CPC recommends approval. **APPROVED.**
- **S/2721/17/VC** – Variation of conditions 3 (External materials), 4 (Surface water drainage), 11 (Glazing) and 13 (Traffic Management Plan) to planning permission S/0077/17/FL, 2 Denmark Road, Cottenham. Noted that no information has been received regarding conditions 3 and 11 therefore we cannot comment. CPC recommends approval of conditions 4 and 13 only. **APPROVED.**
- **S/2624/17/LD** - Lawful development certificate for proposed single storey rear extension, 60, Lambs Lane, Cottenham. This application has already been approved.
- **S/2780/17/VC** - Variation of Condition 2, 3 & 4 of Planning Application C/0090/52, Mayfields, Beach Road, Cottenham. CPC recommends approval. **APPROVED.**

Tree Orders

- **S/2725/17/TC** – T1: ornamental conifer – cut back to reduce spread & height; T2: Cycpressus – now too big for site, remove, 50 Corbett Street. CPC recommends approval. **APPROVED.**
- **S/2736/17/TC** – Sycamore (T.1) Reduce Sycamore to allow more light to neighbours back garden; Sycamore (T.2) Reduce Sycamore to allow more light to neighbours back garden, 34 Telegraph Street. Cllr Collinson took no part in discussions. Noted that there was is no mention of how much the tree will be reduced by. CPC recommend approval subject to Trees Officer comments. **APPROVED.**

For information only:

- **S/0929/17/LD** – Lawful development certificate for the proposed re-roofing of existing conservatory, 69, Lambs Lane, Cottenham

SCDC Decisions

Approvals:

- **S/2090/17/VC** – Variation of Condition 10 (visibility splays) of planning permission S/2530/16/FL for a new 3 bedroom dwelling and associated parking 33 Margett Street, Cottenham
- **S/2079/17/LD** – Single storey rear extension, 11 The Herons, Cottenham
- **S/2624/17/LD** - Proposed single storey rear extension, 61 Histon Road, Cottenham
- **S/2413/17/OL** – Outline application for the erection of up to 200 residential dwellings (including up to 40% affordable housing) and up to 70 apartments with care (C2), demolition of no.117 Rampton Road, introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access points from Rampton Road and associated ancillary works. All matters reserved with the exception of the main site accesses, Land off Rampton Road, Cottenham

Refusals:

- **S/1857/17/FL** - Proposed Two Storey Rear Extension, 40 Telegraph Street, Cottenham

- **S/2001/17/FL** - Proposed dwelling, Haelan Feld Farm, Twenty Pence Road, Cottenham

17P/153. Enforcement – consider updates from Enforcement Officers and additional items for enforcement. Clerk to chase case 5/16. Confirmed that response has been received regarding case 6/16.

17P/157. Neighbourhood Plan (report) – Update on progress and possible next steps. Cllr Morris outlined report. The Inspector has been very helpful and we are close to issuing a new draft plan subject to a review of the housing needs. Cllrs Morris and Ward are working on a list of questions for a mini consultation before we go out to a larger consultation. Due to meet Inspector again on the 20th September prior to a further 6 week local consultation period. Timing wise it may be possible to conduct the SCDC consultation by the end of February 2018 with a view to holding the referendum at the same time as the elections. A CLT group is working independently of the Council with help from SCDC.

17P/158. Date of next meeting – 7th September 2017

17P/159. Close of meeting – 9.44pm.

Signed _____ (Chair) Date _____