

AGENDA REPORTS PACK

PLANNING COMMITTEE

7th December 2017

17P/222. Minutes

DRAFT Planning Committee Meeting Minutes

Meeting held in the Village Hall, Recreation Ground, Cottenham on Thursday 23rd November 2017 at 7.30pm

Present: Cllrs Mudd (Chair), Collinson, Morris, Nicholas, Ward and Wilson and the Clerk

In attendance: 3 members of the public

- 17P/208. Chairman's Introduction and Apologies** – Apologies accepted from Cllrs Bolitho (personal) and Graves (personal). Cllr Young arrived at 7.32pm.
- 17P/209. Any Questions from the Public or Press** – Standing orders to be suspended 7.32pm. Resident 1 spoke regarding application S/3072/17/FL. Cllr Smith arrived at 7.33pm. Resident 1 concerned that the 2 storey extension would be overbearing and dominant. There is nothing similar on the estate so it is out of keeping. Too close to neighbouring property and will overshadow plus cause a terracing effect. Resident 2 spoken regarding item 17P/216. Question will be taken during that item. Standing Orders reinstated 7.35pm.
- 17P/210. To accept Declarations of Interest and Dispensations** – None received.
- 17P/211. Minutes** – Resolution that the minutes of the Committee meeting held on 9th September 2017 be signed as a correct record. **RESOLVED.**
- 17P/212. Planning Applications:**
- **S/3072/17/FL** – Single Storey Extension to rear of property plus 2 storey side extension, 8 Goldfinch Drive, Cottenham. Noted that the plans have avoided detailing how close they are to no. 6. Standing Orders suspended 7.39pm. Resident 1 has an approved application for alterations to the rear of the property included a large window to the dining room which will face the proposed development wall; purpose of the window was to let in more light to the middle part of the house. Standing Orders reinstated 7.40pm. Standing Orders suspended 7.41pm. Design of car port clarified (which will face no. 6). Standing Orders reinstated 7.41pm. The application for no. 6 needs to be taken into account. Gap between the 2 properties will be very small. Discussions regarding effect on light. Standing Orders suspended 7.51pm. Resident 1 clarified the location of the side dining room window and new glazed kitchen door. Standing Orders reinstated 7.53pm. CPC recommends refusal of the application. **REFUSED.** Contrary to DP2 – 1a and 1f. CPC would like the application to go to Committee should Officer be minded to approve. Chair clarified the planning process for the benefit of resident.
 - **S/3981/17/FL** – Single storey extension and re-roofing, 9 Dunstal Field, Cottenham. CPC recommends approval of this application. **APPROVED.**
- 17P/216. Housing policy** – consider Cottenham's future likely housing need and supply – Item brought forward. Cllr Morris outlined the report. In a Neighbourhood Plan, there is a legal requirement to allocate housing above that in the Local Plan. More recently, as advised by SCDC, our housing requirement has dropped to 81 houses. The 92 in the Plan assumes a 2% growth. The approved developments have changed the situation. The NP identifies 4 sites and these have been independently assessed. None of the sites can be fully developed due to various restraints. For the Plan to be legal we have to show we can supply what is needed. Standing Orders suspended 8.10pm. Resident 2 raised concern about the maths. Cllr Morris clarified. As part of the Local Plan SCDC need to allocate 900 more houses across 6 of the most sustainable villages (which includes Cottenham). The fair share for Cottenham should be an additional 64 houses and no more market homes should be needed. Still trying to work out how many affordable homes are needed but we should have that information in the next few weeks. Resident 1 commented that the new developments should cover our housing requirement. Cllr Morris said those houses aren't truly affordable for Cottenham people. Resident 2 said that the locations of the

new development couldn't be a mistake. Cllr Morris responded that the locations in the NP are more sustainable. He outlined why SCDC were allowing the developments. The NP is a way of taking back control. Resident 2 objected to the location of the NP Broad Lane development. Cllr Morris said that some of the plot is still in the flood plain and the Environment Agency may still say it can't be built on. SCDC has a 3 year housing supply and if we have a Neighbourhood Plan in place this would be sufficient. He confirmed that for any site to be developed there would be a requirement to improve the roads (i.e. the Broad Lane site). A meeting has been arranged with SCDC to go over the housing needs numbers. Standing Orders reinstated 8.25pm. Residents left 8.27pm.

17P/212. Planning Applications cont'd:

Tree Orders

- **S/3976/17/TC** – Fell dead crab apple tree, fell messy wild plum and lilac that are intertwined and plant one tree to replace all three. Remove dead wood from another crab apple. Trim holly tree. Cut back a couple of overhanging branches from a fir tree. Trim top and sides of thuja. Trim and shape hazel. Remove branches of bay tree leaning on a wall, 196 High Street, Cottenham. CPC recommends approval subject to Tree Officer comments.

For Information Only:

- **S/3893/17/DC** - Discharge of conditions 5 (Hard Landscaping), 6 (Boundary treatment), 16 (Traffic management plan), 20 (Scheme of ecological enhancement), 23 (site waste management plan) and 26 (Construction programming plan) of planning permission S/1952/15/OL, Land at Oakington Road, Cottenham. Noted that County Highways currently say they won't adopt the roads and objections also submitted from Landscape and Drainage Officers.

17P/213. Enforcement – consider updates from Enforcement Officers and additional items for enforcement. Cases 7/16 and 8/17 closed. Clerk gave update on case 6/16. No further meaningful updates on other items.

17P/214. East Cambs DC Local Plan consultation – Consider comments on Plan (by 19th December) – Defer to next meeting.

17P/215. Planning Appeal (S/3080/16/OL) - Consider comments, or modify/withdraw your representation in relation to this appeal (by 14th December) – No further comments/amends.

17P/216. Housing policy (cont'd)– consider Cottenham's future likely housing need and supply – Noted that Cllrs Morris, Nicholas and Young met with SCDC yesterday along with John Slater (our planning advisor) via phone. Further Neighbourhood Plan grant has been accepted.

17P/217. Date of next meeting – 7th December 2017

17P/218. Close of meeting – 8.47pm.

Signed _____ (Chair) Date _____

17P/223. Planning Applications:

- [S/4022/17/OL](#) – Application for outline planning permission for residential development with all matters reserved apart from access, 17 Orchard Close, Cottenham
- [S/4026/17/FL](#) - New garage and car port (following demolition of existing garage), 17 Telegraph Street, Cottenham
- [S/4129/17/FL](#) - Remove existing shed and replace with larger timber shed, 54 Pelham Close Cottenham
- [S/4126/17/FL](#) – Single storey rear extension, 14 The Linnets, Cottenham
- [S/4020/17/FL](#) – to replace 16 windows and the front door of property, 2 Bramley Close, Cottenham

SCDC Decisions:

Approvals

- [S/3385/17/FL](#) - Proposed re-roofing works to existing conservatory, single roof light, with piers to support the roof, 69 Lambs Lane, Cottenham
- [S/1509/17/FL](#) & [S/1510/17/LB](#) - Renovate Dilapidated materials on first and second floor of existing 3 storey residential listed building also extension to existing garage, 120 High Street, Cottenham (delegated authority)

Refusals

- [S/3345/17/LD](#) – Proposed chimney and single storey rear extension, 14 The Linnets, Cottenham

For information only:

- [S/4138/17/FL](#) – Lawful development certificate for proposed single storey rear extension, 59 Coolidge Gardens, Cottenham

17P/224. Enforcement update (not for publication)

NB: during the public meeting, all items must be referred to under the case number only.

Ongoing:

Case 1/16 - Jolly Millers – Tree Officer has issued a voluntary replanting notice with works to be undertaken between Oct 16 – March 17. CPC to report to Ian Lorman on status of works in January 2017. Tree Officer has a meeting on site with a representative of Admiral Taverns on 21 December to discuss replanting. They have agreed to pay for this to be done and 2 weeping willows will be planted in the next season (Oct 17 – March 18). Clerk wrote to Tree Officer 25/9/17; waiting response.

Case 2/16 - Three Horseshoes – Owner will shortly receive letter from Enforcement requesting that the wall is repaired as soon as possible. We will be informed once there is a timetable for the works. As to the storage of bricks these are to be used in connection with works on site therefore no further action can be taken. Owner has confirmed that works will be done to the wall in due course. Anticipates that the driveway works will be completed in the next 12 months (from 22nd September 2016). Concern was expressed that so little progress had been made by the owner in his 27 years of ownership. The suggestion that a Section 215 notice be issued was felt inappropriate on the grounds that the property was said to be insufficiently dilapidated. Clerk wrote to owner 26/9/17. Owner has responded to say that he doesn't recognise the authority of the PC.

Case 4/16 - Old Labour Hall – issue of rear garden has been raised. Not bad enough for a s215 notice but we can write to the owner ourselves requesting that they tidy it up within a reasonable amount of time. Failure to comply could result in a Community Protection Notice being issued but Enforcement would need a copy of the letter as part of the evidence. Following another complaint from neighbouring resident regarding the state of the garden and poor condition of the building I have chased Enforcement. They will investigate when current workload allows. 22/9/17 - Enforcement visited the hall on 13th September and took photographs, and revisited the site again on 21st September. In the process of contacting the owner, to ascertain when the site will be tidied up, and will continue to periodically check the progress. Clerk and Cllr Morris attended 25/9/17 following resident contact re. tree being cut down. No tree application has been submitted and Enforcement Officer commented that one wasn't needed despite being in the conservation area! Waiting further comments.

Case 5/16- CVC – 3 trees removed from the front of the property. Has been agreed that these will be replaced, preferably with something more climate suitable and disease resistant. Potentially up to 6 half or full standard trees will be planted (6-8ft tall). Richard Rice (CCC) working with Ian Lorman (SCDC) regarding replacements. Clerk mailed Richard Rice 7/7/17.

Case 6/16 - Gothic House – further damage to stonework with bits falling onto the pavement causing potential hazard for pedestrians (1st Sept 2016). Building Control are requesting similar repairs to those done previously. Enforcement to speak to Conservation to see what can be done long term. Downstairs window has been broken and potential hazard. Celia Wignall Conservation officer, Listed buildings will inspect the Gothic House property as soon as possible and will advise as to actions that may be required. Andrew Dearlove, Building Control, has been to inspect and will write to the owners requesting repair works are carried out. There is a hole in the roof at the rear along with a hole in a chimney. Potentially Andrew thinks closing the footpath and wiring/boarding the whole front of the house may be necessary. Building Control have been unable to gain internal access but further external damage has been noted. Owners are being written to. If no satisfactory response the matter will be handed to the legal department for possible compulsory purchase. Andrew Dearlove hand delivered a letter to the owners on 21st February giving them 28 days to respond. No response received from owners. SCDC will now move to do the works

themselves and charge to the owner. If necessary a charge will be put on the property. Andrew Dearlove has stated that quotes for repairs to the chimney and frontage are currently being sought. Cllr Mudd wrote to Charlie Swain 10th July 2017 raising concerns over the time taken to get repairs done to the property. Mailed Andrew Dearlove for update 24/8; waiting response. 22/9/17 - An aerial survey is to be carried out using the SCDC drone to ascertain the condition of the roof. Aerial survey has been undertaken and results passed to owners. A Section 215 will be issued.

Case 7/16 - Barbers – CLOSED

Case 9/16 - Phone mast – following replacement there have been complaints from neighbouring residents and Cllr Morris & SCDC Cllr Harford have been to visit them. The mast appears to comply with the original application however a tree was removed (May 2015) which was in/very close to the Conservation Area. Cllr Morris has written to Rachel Coulter to request suitable replacement and she has forwarded to CTIL who are now dealing with the project.

Case 4/17 - Twentypence Road – there have been spoil deliveries to the site at all hours and fires most evenings. Appears that the banking is being increased in height. Pollution issue reported and Officers attended promptly. Enforcement are due to visit site again w/c 6th March. Enforcement are liaising with Deborah Jeakins from CCC Waste & Minerals Department. On Wednesday 19 April 2017, Enforcement Officer met on site with Mr Tidd the owner of the land, Mr De Simone, the contractor and Deborah Jeakins. It was agreed that a part retrospective planning application would be submitted to cover the work to date and any further landscaping to be completed. Pending the outcome of the application process no further materials are to be imported into the site. Once the application is validated the Parish Council will be consulted. 24/5 – report received of deliveries still arriving and JCB working on site to move the spoil. Alistair Funge contacted again. He has spoken to FDS who say they are only taking away. However deliveries were spotted w/e of 27/28 May. Have contacted Alistair Funge again for update and have received response from Deborah Jeakins (Minerals & Waste Officer at County). She has visited the site on several occasions since the first reports of the importation of waste were sent, on one occasion this was at a weekend to ensure that the land owner / ground works company are aware that the site is being monitored. On each of the occasions she did not see any obvious piles of new material being placed on the site. Photos have been taken on each visit that, when compared, seem to confirm that the large mound of waste in the centre of the site is being reduced and that there is not any sign of any significant new importation onto the site. Therefore although our comments have been noted they have not seen any evidence of this. However, it is possible that material is being brought on and spread / flattened immediately which would be very difficult to prove. She has advised FDS that they continue to receive complaints about the importation of material onto the land, given him some details and asked for a response. Deborah has asked if anyone would be prepared to give a formal statement as to what has been witnessed. Cllr Graves has submitted photos and video evidence.

Case 5/17 – Smithy Fen

A: Kathleen O'Brien should have vacated pitch 11 Orchard Drive circa 2 years ago. Since the planning inspectors decision work has been carried out to ensure that Ms O'Brien vacated the plot. Unfortunately several attempts were made to Appeal the decision including those of the High Court. Having finally exhausted all avenues a letter was sent by the Councils Legal office to Ms O'Brien requiring the plot to be vacated by January 2017. During the Christmas break the plot was subject to an arson attack which burnt out the caravan. The plot is now unoccupied. Pitch 11 Orchard Drive/Kennedy Croft was being occupied as of 24th March in breach of both the terms of the temporary permission and, too, the injunction over that land.

B: David Gammell: 4 years temporary on 10 Orchard Drive because of extreme ill-health. Mr Gammell's health deteriorated and he was taken back to Ireland. Whilst the plot is unoccupied the temporary planning permission granted by the Appeal Inspector is still live until the expiry date.

C: Circa 20 chalets (oft mobile homes) are being utilised/block stowed on Setchel Drove and on land covered, at least, by extant enforcement notices. This plot is part of the current enforcement action as they are in breach of the current planning permission and extant enforcement notice. Work in progress.

D: It's been reported that land to the rear, and south, of pitches 10, 11, 12 is being developed to create more pitches on land covered by injunction. Plot 12 unless changed since last enforcement visit is currently unoccupied. Plot 11 - Two of the four caravans in breach of the Injunction have been removed - Work is currently in hand to prosecute the occupants and land owner for failing to comply with the High Court Injunction. With regards to imprisonment this will be at the discretion of the court but would depend on the mitigation provided by those committing the offence. Work in progress.

Update taken from email correspondence: The Stokes family has sold-up thereby vacating official pitches 7 - 12, at least, Water Lane. However, it seems that prior to departure they acquired ownership of pitches on land covered by injunction to wit:

8, 9, 10, 11 Orchard Drive and possibly 5a, 6 and 7; 13 -17 on what was Pine View; 14, 17, 18 Water Lane (not sure about 15 as technically still Jimmy/Kathleen O'Briens'. 11 Orchard Drive was being occupied as of 24th March in breach of both the terms of the temporary permission and, too, the injunction over that land.

[4 & 5 Orchard View and 16 Orchard View/Water Lane is owned by the Wall family and not subject to further change of ownership]

The Stokes' are, purportedly, offering these pitches for sale with rights of occupation: more specifically pitches 10 and 11 (at least), it seems, have been bought by the Monghans' and (despite warnings?) they intend to settle the pitches in the next few days.

In recent exchanges Enforcement have implied an assurance that no reoccupation of pitches 10 or 11 would be permitted, that in fact any occupancy of injunctive land would be prosecuted in full: it might therefore be prudent, and as a priority, to post new notices ('Stop' or as otherwise appropriate) on the land covered by injunction thereby giving fair warning to new owners of the consequences of a breach of the law. This is action SC can take immediately, and it is an option which just might avoid the huge expense of fighting another round of planning applications and appeals any delay will doubtless bring about.

Response from Enforcement: Not in a position to give specific details out on the work being carried out by officers, external agencies, Lawyers and timetables etc. ,this matter is being addressed as a high priority. With regard to the breach of any High Court Injunction you can be totally assured the Courts will not accept such breaches and will deal with matters to an extent that a breach could result in a custodial sentence.

In regard to planning applications there is nothing in law to stop anyone applying for planning permission however individuals cannot breach a High Court Injunction whilst waiting for a decision, Appeal or Judicial Review and must purge the breach.

I will of course keep you apprised where I can and to that regard I can confirm that a full aerial assessment of the site has been instigated and is the basis of evidence gathering for the Lawyers in relation to prosecutions and breaches of planning control. There is also work being carried out in relation to Site Licences and planning permissions.

Resident update: Chemical toilets have been despatched to Water Lane over Easter. Prior to Easter, and for a period of about 4 weeks, tankers for emptying septic tanks were a daily/twice daily/even thrice daily

occurrence. Temporary toilets, past pollution of the ground AND local water courses, and a history of, generally, no regard for sanitary disposal of excrement is a cause for some concern.

Tasking & Coordination Group met Wednesday 26th April. With regard to the tankers Anglian Water have been carrying work in regard to the pumping station which they now have responsibility for and it is thought likely that this is as a result of those works. Officers will follow up with Anglian Water for conformation and to confirm the reason for the portable toilets.

Notices served 3/7/17 on illegal plots. 28 days to leave with no right of appeal. SCDC issued press release following 28 day period.

22/9/17 – reported that additional caravans were seen entering the site and Enforcement notified and will review. Regarding the Sewage issue, this is being handled by Environmental Health (Emma Knight).

Case 8/17 – 210 High Street - CLOSED

17P/225. East Cambs DC Local Plan consultation

You are invited to read and comment on the Proposed Submission Local Plan; please visit:
<https://www.eastcambs.gov.uk/local-development-framework/local-plan-review>

Please ensure your comments reach us by 11.59pm on 19 December 2017.

Dear Sir / Madam

RE: East Cambridgeshire Local Plan Proposed Submission Consultation, 8 Nov to 19 Dec 2017

I am writing to inform you that East Cambridgeshire District Council (ECDC) is consulting on the latest version of the East Cambridgeshire Local Plan, known as the Proposed Submission Local Plan. This consultation is undertaken under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Separately, but linked, ECDC is also consulting on a Sustainability Appraisal of the Proposed Submission Local Plan.

You have received this notification because you:

- made comments on earlier drafts of the Local Plan; or
- are a person or body which has requested to be informed; or
- are a body whom we are obliged to inform.

Full details of the consultation are set out in the attached Statement of Representations Procedure and on our website at: <https://www.eastcambs.gov.uk/local-development-framework/local-plan-review>.

Please note that this consultation stage is different to earlier consultation stages. Therefore, if you are not familiar with this stage of the consultation process, before making any comments please read the guidance note available on our website which explains how to make comments and how any comments will be dealt with.

Once the consultation period ends, all representations (comments) received during the 8 November to 19 December 2017 consultation period will be submitted by the Council to the Secretary of State for Communities and Local Government, who will subsequently appoint an Inspector to hold an 'Examination' into the soundness of the Plan. If you do make comments, they will be considered by the Inspector (not by the Council) and you may be asked by the Inspector whether you wish to also appear at a Public Examination. You will not be obliged to attend.

May I advise you that representations will not be kept confidential and will be made available to the public (including online).

If you no longer wish to be kept informed on the Local Plan and other planning policy matters for East Cambridgeshire, please let us know - we do not want to contact you unnecessarily.

Yours faithfully,

Richard Kay Strategic Planning Manager