

AGENDA REPORTS PACK

PLANNING COMMITTEE

20th February 2020

20P/034. Minutes

DRAFT Planning Committee Meeting Minutes

Meeting held in the Pavilion, Recreation Ground, Cottenham on Thursday 6th February 2020 at 7.30pm

Present: Cllrs Morris (chair), Collinson, Graves, Ward, Wilson and the Clerk

In attendance: 1 member of the public

20P/022. Chairman's Introduction and Apologies – Apologies accepted from Cllr Smith (personal).

20P/023. Any Questions from the Public or Press – No comments.

20P/024. To accept Declarations of Interest and Dispensations – None given.

20P/025. Minutes – Minor typo amended. Resolution that the minutes of the Committee meeting held on 23rd January 2020 be signed as a correct record. **RESOLVED.**

20P/027. SCDC Planning Committee – Consider specific concerns to be raised at the 12th February SCDC Planning Committee re **S/2549/19/RM (Redrow)** – Item brought forward. Prudent to review the application prior to the Committee meeting next week. Standing Orders suspended 7.39pm. Resident 1 concerned about the second access onto Rampton Road, which will become the primary access to/from the site due to closer proximity to the village. Would like to see restrictions places so that it can only be used by emergency vehicles/cycles/pedestrians. Standing Orders reinstated 7.41pm. Noted that the Bidwells design and access statement and Case Officer have said that the Neighbourhood Plan only has limited weight. However our advisor states it now has considerable weight as it is now a post-examination Neighbourhood Development Plan and has the same status as a made Plan; the language in the Neighbourhood Planning Act 2017 backs this up (part 1 details an amendment to Section 70, subsection 2, of the Town and Country Planning Act 1990). CPC concerns about the application include: extensive removal of the hedge; Case Officer giving less weight than they should to our post-examination Neighbourhood Development Plan (could be grounds for a judicial review); not enough/sensitive parking; connectivity to the Persimmon site (there is a solution but they seem reluctant to resolve); too many linear blocks of houses; drainage issues; landscaping issues; and housing mix not consistent with recent ACRE housing needs survey. In conclusion it is premature to determine this application. Cllr Morris will circulate a short note to the SCDC Planning Committee before Wednesday. General discussion about how the second access was described in the original application. Need to find out how far the designation of the access was settled. Resident 1 to see if other residents will attend the meeting. Resident 1 left the meeting at 8pm.

20P/026. Planning Applications:

- **S/0033/20/FL** - Two storey side and rear extension plus single storey rear extension to replace the conservatory, 3 Village College Staff Houses, High Street, Cottenham. Noted that in the conservation area and adjacent to the greenbelt and general discussion about pros/cons. CPC recommends approval. **APPROVED.**

Tree Orders:

- **S/0157/20/TC** - T1 Yew in neighbouring garden (87A Rooks Street, Cottenham) ~ Trim back regrowth by 0.5ms, 1 New Road, Cottenham. Already determined.

- **S/0178/20/TC** - T1 Walnut in rear garden ~ Reduce crown by approximately 20%, equating to 1.5 / 2.0 metres, incorporating clearance of adjacent garage to leave with compact and balanced crown, 50 Brenda Gautrey Way, Cottenham. Noted.

For information only:

- **S/0110/20/RM** - Discharge of condition 2 (External Materials) of Planning Permission S/3450/19/RM, Land between 117-123 Histon Road, Cottenham
- **S/0106/20/RM** - Discharge of conditions 5 (Surface Water Drainage), 6 (Foul Water Drainage), 7 (Arboricultural Report) and 8 (Construction Method Statement) pursuant to planning appeal APP/W/17/3184497 (S/1225/17/OL), Land between 117-123 Histon Road, Cottenham
- **S/0186/20/DC** - Discharge of conditions 13 (External Lighting) and 28 (Lighting Assessment) of planning permission S/4116/18/VC, Land SW of Rampton Road, Cottenham (Redrow)

SCDC Decisions – Approvals

- **S/3878/19/FL** - front entrance doors and windows decorated. New plant area with fence. New external chiller with opening in external wall. 4 new steel bollards. New timber enclosure and gates for external cage storage. New roller shutter to shop front. New cycle racks, 273 High Street, Cottenham
- **S/4152/19/FL** - Demolition of existing conservatory and single storey rear extension and the construction of a two-storey side extension, single storey rear extension and front porch, 16 Males Close, Cottenham
- **S/3768/19/FL** - Two storey side extension, Single storey rear extension and loft conversion, 8 Mill Field, Cottenham

Withdrawn

- **S/4272/19/FL & S/4273/19/LB** - The refurbishment of part of the existing ground floor to the single-storey wing and loft conversion, 4 Bramley Close, Cottenham

20P/028. Enforcement – consider updates from Enforcement Officers and additional items for enforcement – no further updates.

20P/029. Date of next meeting – 20th February 2020 (Cllr Wilson gave his apologies).

20P/030. Close of meeting – 8.15pm.

Signed _____ (Chair) Date _____

20P/035. Neighbourhood Plan Referendum Campaign

The long-awaited Referendum will take place on Thursday 26th March with voting at the Community Room in Franklin Gardens.

Those eligible and willing to vote will be asked a simple question with a Yes/No answer. Irrespective of how many people vote, a simple majority is enough to require that local Planning Authority to adopt the Plan and make it part of planning policy which planning decisions are made within Cottenham parish.

This vote has been a long time coming with the Neighbourhood Area being approved back in November 2015 with planning and other setbacks delaying submission of the draft plan to January 2019 and the examination itself only completed in December last year.

Inevitably it has changed a little over that time and elector residents will need to be reminded and updated.

- 1) The flyer in the last Newsletter, delivered to every household, has begun the process,
- 2) The full 85-page plan is published on-line on our and the SCDC website,
- 3) Hard copies will be available for inspection in the Library and our Office during opening hours,
- 4) Hard copies can also be purchased for £10 per copy,
- 5) A banner will be flown on the Village Green advertising date and location.

There are some rules of engagement which prevent us actively campaigning for “Yes” or “No” but we should be able to hold an exhibition summarising the policies etc. in, say the Community Centre, with support from some members of the NP Working Party.

Should we do more or less?

20P/036. Redrow

On 12th February, SCDC’s Planning Committee gave approval for various Reserved Matters related to the Redrow (previously Gladman) planning application off Rampton Road.

There was an objector who was particularly concerned by the potential for the former secondary access to be used extensively for construction traffic and eventually the main site entrance.

I was delegated to express this Council’s concerns about a number of aspects which I submitted as an email on the Friday before the meeting and summarised – and was examined on – at the meeting. The Committee was in some disarray, partly as a result of trying to correct their practices on delegated decision-making earlier in the meeting.

Following the debate, the Committee were unsure at times whether to test their appetite from deferral, refusal or approval with discussion on likely appeal consequences on 5-year land supply etc.

- In the event, a move to defer was tied and refused only on a Chair’s vote
- An attempt to get refusal failed, on a political majority

- Finally a call to approve was tested and achieved a majority, after the “Persimmon Condition 8” was added at my request (this sets requirements for surface water management design, implementation and long-term maintenance by an enduring party).

As ever, with these complex planning decisions at SCDC, there were procedural irregularities which might be enough to obtain a Judicial Review. We have six weeks from the issue of the planning permission to request such a review. The grounds might include:

- 1) The Case report implies that the application is not a departure from the adopted Local Plan despite it originating from a 5-year land supply approval. The Reserved Matters application only beat the 2-year application deadline by a few days. **Was it properly advertised as “non-conformant” and was my pointing this out in the meeting enough for the Committee not to have been misled?**
- 2) Cottenham’s Neighbourhood Plan is now a “post-examination draft Neighbourhood Development Plan” under the Neighbourhood Planning Act 2017. Our planning advisor asserts “it has the same status as a made plan” yet appropriate weight does not seem to have been applied in the Case Officer deliberations. Had “moderate weight” been applied, as she claimed, we might have expected the report to cite and take a view on the relevant policies individually so Members could take their own view. **Specifically, should policies COH/1-5 a, b, f, g, h, i and COH/2-2 a, e, f, g have been explicitly assessed for increased weight?**
- 3) The proposed housing mix differs significantly from that indicated in either the research for Cottenham’s Neighbourhood Plan nor the very recent study by Cambridgeshire ACRE. Building the wrong size houses now will create a long-term disruption in the availability of appropriate housing in and around Cottenham. **Should the mix have been re-appraised?**
- 4) The surface water drainage condition (8) applied to the neighbouring Persimmon site should be applied here too. SCDC assured us that this would give protection concerning either business failures during development or long-term maintenance and, in effect, comply with policy COH/2-2 in the Neighbourhood Plan. **This was accepted by the Committee.**
- 5) The site layout fails to meet the policies COH/1-5 and COH/2-2 in the Cottenham Neighbourhood Plan with too many identical houses clustered in linear rows and the affordable homes inadequately dispersed around the site. **Should the layout have been re-appraised?**
- 6) The site access “B”, represented as a secondary access in the outline permission, appears to be morphing into the primary access to the detriment of neighbours. We argued that conditions should be applied to ensure that this access has suitable obstructions and signage to avoid its use by construction traffic and longer-term use by motorised vehicles except in emergencies. Highways insist they will not adopt the roads but, unusually, no Highways representative was present to clarify this or the definition of “secondary access”. **Should time have been allowed for this?**
- 7) The extent of hedgerow proposed for removal along Rampton Road to achieve the necessary visibility splays is way short of “doubling nature”. Cottenham Parish Council intends to continue applying speed-calming measures to our arterial roads. The 40mph buffer zone, if brought forward, would avoid the removal of ancient hedgerow. **Should time have been allowed for this?**
- 8) Finally, the need to provide pedestrian and cyclist permeability between the sites could use a mirror-image of the approach used by Persimmon to secure permission for S/1606/16/OL. If valid, it should ensure adequate “cross-over” rights. **Should time have been allowed for this?**

Overall, we argued that a deferment was the correct answer to the rushed way the application had been brought forward. Further work appears necessary to bring the application more in line with local needs and preferences, a key part of ensuring integration of such a large development into the community despite its 5-year heritage.

Options

A. We can do nothing, or

B. We can give notice that we might apply for a JR on some of the above reasons

This latter option would involve obtaining some legal advice to test whether the grounds are adequate for the purpose.

In the extreme, as we know from previous experience, the planning approval could be set aside at some cost, forcing a re-consideration by SCDC at a future date, possibly around 12 months from now with a likely improvement in some of the issues we raised above.

In the middle, SCDC might broker a modest improvement on terms.