

AGENDA REPORTS PACK

PLANNING COMMITTEE

26th March 2020

20P/056. Minutes

DRAFT Planning Committee Meeting Minutes

Meeting held in the Pavilion, Rec Ground, Cottenham on Thursday 5th March 2020 at 7.30pm

Present: Cllrs Morris (Chair), Collinson, Jones, Wilson, SCDC Cllr Wilson and the Clerk

In attendance: 3 members of the public, Philip Kratz

- 20P/040. Chairman's Introduction and Apologies** – Cllr Morris took the Chair. Apologies accepted from Cllrs Graves (personal) and Ward (personal).
- 20P/041. Any Questions from the Public or Press** – No comments.
- 20P/042. To accept Declarations of Interest and Dispensations** – Cllr Wilson expressed an Other Interest in item 20P/046 and will take no part in discussions. Cllr Smith arrived 7.33pm and took the Chair.
- 20P/043. Minutes** – Minor typo amended. Resolution that the minutes of the Committee meeting held on 20th February 2020 be signed as a correct record. **RESOLVED.**
- 20P/044. Redrow** – consider grounds and possible next steps to requesting a Judicial Review of SCDC S/2549/19/RM and S/2679/19/RM planning decisions – Cllr Morris outlined the report; there are 8 possible reasons for grounds. Noted that ground 4 had already been dealt with. Standing Orders suspended 7.42pm. Mr Kratz outlined the process of a judicial review. He suggested sending a Pre-application protocol letter (PAPL) since it appears that SCDC failed to properly access several areas of evidence for the application. Mr Deas (ACRE) arrived 7.53pm. Would be courteous to send a copy of the PAPL to Redrow. Costs for the PAPL and advice regarding the response would be £250. Mr Kratz outlined what would go into the PAPL. SCDC Cllr Wilson spoke to agree with the points being raised. Standing Orders reinstated 8.08pm. Mr Kratz thanked. Resolution to initiate PAPL to SCDC relevant to S/2549/19/RM and S/2679/19/RM planning decisions and engage Philip Kratz accordingly to work with Cllr Morris on a response. **RESOLVED.** Mr Kratz left the meeting at 8.09pm.
- 20P/045. Cottenham Housing Needs Survey Report** – presentation of results and discussion with Mark Deas (Cambridgeshire ACRE) – Standing Orders suspended 8.10pm. Mr Deas gave an outline of the results of the survey. Previous survey undertaken in 2012, prior to the 5 houses being built on Histon Road. Key points: an income of £60k would be needed for a 2 bed house which is clearly an issue for low income families; average of 59 bids per affordable property, slightly higher than the District average; in principal 77% of respondents supported affordable housing but this doesn't mean they want building everywhere; concerns are that affordable houses are truly affordable; shared ownership favoured; concerns about infrastructure, particularly traffic and congestion. Cambridge Housing Society will come back to us as necessary (unable to attend this meeting). Need to let Mr Deas know if spot any typos in the report. Noted that most exception sites would consist only 25 homes rather than large scale developments. Mr Deas to send copy of the SCDC leaflet. He was thanked for attending and Standing Orders reinstated 8.35pm. Mr Deas left the meeting 8.36pm.
- 20P/046. Planning Applications:**
- **20/01218/HFUL** - Two storey side extension, 3 Dunstal Field, Cottenham. Standing Orders suspended 8.37pm. Applicant spoke to say was looking to improve environmental performance. Footprint increase will be minimal. Standing Orders

reinstated 8.39pm. Extension follows suit with other properties in the street. CPC recommends approval. **APPROVED.**

- 20P/047. SPD Consultations** – Consider responses to East Cambs Supplementary Planning Document consultations on Natural Environment SPD and Custom and Self-Build Housing SPD (by 30th March 2020) – Cllr Jones to draft response and bring to next meeting.
- 20P/048. Minerals & Waste Consultation** – Consider response to County Planning Minerals and Waste Development consultation (by 8th April) – Cllr Morris to contact Emma Fitch to see if there are routing issues which may increase traffic on the B1049. Standing Orders suspended 8.48pm. SCDC Cllr Wilson reported that SCDC Cllr Gough has followed up resident query regarding gravel lorries and no Frimstone lorries should be coming through Cottenham. If we see any gravel lorries the details should be taken and reported to County Enforcement Officer. Cllr Morris to come back with consultation comments by 24th March.
- 20P/049. SCDC Planning Delegation** – Consider update regarding SCDC planning delegation procedure – Cllr Morris outlined the background. Standing Orders suspended 8.59pm. SCDC Cllr Wilson confirmed that at the Civic Affairs Committee it was agreed to go with the amendment giving Stephen Kelly sole control over all delegation decisions. Discussion about the process. Standing Orders reinstated 9.09pm. Resolution for Cllr Morris to draft comments and circulate to the Committee. **RESOLVED.**
- 20P/050. Enforcement** – consider updates from Enforcement Officers and additional items for enforcement. Case 11/18 – LHO has visited site and update provided. New case – waiting response from Licensing.
- 20P/051. Date of next meeting** – 24th March 2020
- 20P/052. Close of meeting** – 9.15pm.

Signed _____ (Chair) Date _____

20P/057. Planning Applications

- [20/01588/PRI03Q](#) – Prior approval for change of use from agricultural building to dwellinghouse (Class C3) and for building operations reasonably necessary for the conversion, Land adjacent to Setbroad Farm, Oakington Road, Cottenham

SCDC Decisions – approved

- [S/0033/20/FL](#) – Two storey and rear extension plus single storey rear extension to replace conservatory, 3 Village College Staff Houses, High Street, Cottenham

HM Inspectorate Decisions – Refusal

- [S/1269/19/OL](#) – Single dwelling, Haelen Feld Farm, Twentypence Road, Cottenham

Tree Orders

- [20/1132/TTCA](#) – Laburnum (fell), All Saints Church, High Street, Cottenham

20P/047. SPD Consultations

Notes on East Cambridgeshire District Council Custom and Self-Build Housing Supplementary Planning Document (SPD)

Draft for Consultation February 2020 - Notes prepared by Tim Jones, 10 March 2020

Impact for Cottenham

- The East Cambridgeshire Local Plan includes an obligation on developers of large sites (100+ dwellings) to provide at least 5% as plots available for self-build and custom housing
- This Supplementary Planning Document deals, in the main, with how developers can meet this obligation, the status of self-build and custom housing, the rules around numbers and how plots that remain unsold for self-build are managed
- The South Cambridgeshire local plan does not have a similar self-build target, which recognises and increasing trend towards self-build particularly in replacement of existing dwellings

Comments on the Proposed SPD from Cottenham Parish Council

- None proposed

Context

- Self-build means either DIY or self-procurement, where you organise the build yourself. With a custom build, you work with a developer who creates the house for you. (<https://www.homebuilding.co.uk/what-is-a-serviced-plot/>)
- There may be multiple custom-built homes as part of a single development
- From a legal standpoint Self-Build and Custom-Build houses are treated the same
- “East Cambridgeshire District Council has an ambition to help deliver housing for all sections of the community, where and how communities want it. Custom and self-build housing could be a route for some to get on to the property ladder and for others to build their ‘dream home’.”
- The East Cambs Local Plan does not contain a specific policy for custom and self-build housing, it is referenced in Policy HOU1: Housing Mix.

“Developments of 100 or more dwellings will be expected to provide a minimum of 5% self-build properties. The inclusion of self-build properties on smaller sites will also be encouraged.”

With some additional, supporting text.

“The development of self-build properties by individuals or community groups (including Community Land Trusts) can also contribute to meeting the need for additional housing within the district, and provide a more diverse housing stock. The policy below proposes that larger housing schemes should include an element of self-build plots, to facilitate this diversity. Where this policy would result in the requirement relating to part of a dwelling the calculation will be rounded upwards to ensure that at least the minimum requirement is met.”

Supplementary Policies

SB1: Interpretation and Application of Policy HOU1

- Clarifies that the policy (HOU1) is applicable to self-build *and* custom housing
- Clarifies that the minimum 5% self-build provision is required where the total number of houses on a development exceeds 100
- Clarifies that self-build and custom plots are not part of affordable provision and that the two subjects are dealt with separately
- The calculated number of self-build plots to be provided is always rounded up to the nearest whole unit
- Self-build plots must be ‘serviced’ and have legal access to the highway, or at least be capable of such

SB2: Making plots available and fall-back position for unsold plots

- This sets out the rules for how and when any proposed self-build plots which remain unsold, can be disposed of
- The plots have to be serviced and marketed as self-build until at least 50% of the development is occupied
- Once all the development is occupied, or two years after 50% occupation, then the landowner can apply to the council to remove the self-build requirements

The SPD goes on to clarify the planning positions on:-

- Provision of self-build as part of affordable housing obligations
- Self-build and custom development is covered by standard S106 conditions
- Self-build houses can be exempt from Community Infrastructure Levy, if appropriate documentation is provided. However, the process is complicated!

Notes on East Cambridgeshire District Council: Custom and Self-Build Housing Supplementary Planning Document (SPD)

Draft for Consultation February 2020 - Notes prepared by Tim Jones, 10 March 2020

Impact for Cottenham

- The first parts of the SPD deal with planning associated with highly sensitive designated sites. SCDC has one such site at Eversden and Wimpole Woods, so these aspects do not have a direct impact on Cottenham.
- Many of the remaining policies relate to general development and are relevant to Cottenham. Particularly NE6 biodiversity net gain and NE7 doubling nature’.
- The SCDC Local Plan (2018) is more up to date than East Cambs (2015), so provides guidance on some aspects of the SPD, e.g. biodiversity and climate change

Comments on the Proposed SPD from Cottenham Parish Council

- Note that the Swan and Goose IRZ map is on page 27 rather than 25

Context

- Relevant national legislation and planning policies (25 Year Environment Plan and National Planning Policy Framework)
- Natural Cambridge (Local Nature Partnership) plans for “doubling land for nature across Cambridgeshire and Peterborough”
- Cambridgeshire County Council declared a climate and environmental emergency in May 2019 and issued a consultation draft of a ‘Climate Change and Environment Strategy’ in Dec 2019
- East Cambridgeshire Local Plan and Dec 2019 Climate Change motion

Supplementary Policies

NE1: Conserving and Enhancing Biodiversity – Internationally Designated Sites

- East Cambs has four internationally designated sites including Wicken Fen and the Ouse Washes, and provides a buffer zone to Breckland which is outside East Cambs
- This policy considers likely impacts to be development of facilities within the site associated with its operation and other development on adjacent sites
- Impacts considered include increased recreational demand through increased local population and the loss of adjacent land used by wildlife from the designated site (e.g. Swan and Goose foraging) affecting the integrity of the site

NE2: Proposals within the Swan and Goose Impact Risk Zone (IRZ)

- The IRZ is linked to the Ouse Washes designated site, but covers a large swathe of the North of the district
- Any proposed developments within the zone, including those detailed in Local or Neighbourhood plans, need to undertake a Habitats Regulation Assessment to determine whether the site is used by qualifying species

NE3: Recreational pressure on the designated sites of Devil’s Dyke and Breckland

- Developments within an 8km buffer zone of the sites will have to show provision of recreational facilities and open space ‘in-excess’ of normal provision

- It will be up to the developer to show that this excess provision will mitigate the increased pressure on the designated sites

NE4: Development resulting in the loss or deterioration of a County Wildlife Site (CWS), Local Nature Reserve (LNR) or Protected Roadside Verge (PRV)

- States that permission will be refused for developments resulting in loss of 'irreplaceable habitat (as defined in the NPPF)', unless there are wholly exceptional circumstances and a suitable compensation strategy
- For other sites, without 'irreplaceable habitat' the Local Plan applies

NE5: Reviewing planning applications for Protected Species

- Does not detail protected species, but provides guidance on how a developer can assess impact on protected species
- If a development does not impact a protected species already present, but may result in new habitats for protected species in future, this is considered a benefit

NE6: Biodiversity Net Gain

- *Net gain in planning describes an approach to development that leaves the natural environment in a measurably better state than it was beforehand. Net gain is an umbrella term for both biodiversity net gain and wider environmental net gain. (NPPG)*
- The Environment Bill, assuming it is passed in the current session, introduces a mandatory requirement for biodiversity net gain in the planning system
- This supplementary policy defines East Cambs approach to net gain until such time as the national policy comes into force
- Individual householder applications are exempt from this policy, but there is an expectation that biodiversity gain should be included in such applications, e.g. bird/ bat boxes, bee hotels etc.

NE7: Contributing to the strategic target of doubling land for nature

- Strategic vision defined by Natural Cambridgeshire endorsed by the Combined Authority, County Council and East Cambs district.
- Distinct from biodiversity net gain and harder for developers to deliver directly
- Developer to do one of
 - Maintain any existing rich wildlife habitat on-site, additionally setting aside at least 20% of the site area as rich wildlife habitat
 - Provide off-site land for rich wildlife habitat equivalent to the site size, or funding for another provider
- The document asks Parish Councils if they have candidate sites for this off-site provision

NE8: Trees and woodland

- Based on existing statutory duties
- Development proposals should be prepared based on the overriding principle that:
 - the existing tree and woodland cover is maintained, improved and expanded
 - opportunities for expanding woodland are actively considered, and implemented where practical and appropriate to do so
- Describes how many new trees should be planted in replacement of any existing trees lost

NE9: Landscaping and Biodiversity

- Provides guidance relating to the biodiversity affects of landscaping, such as planting, provision of wildlife corridors etc.
- Willow trees are called out as a particularly rich habitat, locally appropriate and useful as part of water management (e.g. attenuation ponds)

NE10: Taking the most appropriate natural environment opportunities

- Seeks to provide guidance on where environmental facilities are best placed within a site such that they remain viable and maintainable in the long-term

NE11: Provision of sufficient, suitable and robust information

- Sets out what is expected in order for the council to make a decision on a planning application in terms of its implications for the natural environment.

20P/045. Street Trading Consent

Sent under separate cover.