

## Delegation meeting - Minutes

- **Date:** 11 May 2021
- **Time:** 11am to 12:30pm
- **Meeting held:** via Teams
- **Attendees:** Chris Carter (CC), Cllr Pippa Heylings (PH), Cllr Henry Batchelor (HB), Julie Ayre (JA), Dean Scrivener (DS), Karen Pell Coggins (KPC), Michael Sexton (MS)
- **Notes and actions:** Jemma Smith

**Minutes approved by:** Cllr Pippa Heylings (Chair of Planning Committee – Consultee) on 12 May 2021, Chris Carter (Delivery Manager – Strategic Sites) on 12 May 2021

### 21/00561/FUL 26 Fen Road, Milton - Proposed Single Storey Dwelling (DS)

#### Reason for call-in request

1. The proposed building goes right up to (and beyond) the current boundary hedge line which would impair the view of Coles House and be further forward than anywhere else in the street scene
2. Access to front door is via a narrow path
3. Preserve existing tree – Tree has not been drawn in correct location on the proposed plans – Is there plans to add a “no dig” to the foundations to avoid damage to the roots
4. Concerns of damage to Important culvert under proposed location
5. Impact on sighting of a listed building
6. Concerns of front hedge removal and relocation of the parking spaces to the front of the original flats – backing in and out onto a busy village road
7. Not within keeping of the street scene.

## Key considerations

The comments of the Parish Council were noted by the group, and the case officer gave an update on the proposal and proposed recommendation.

It was considered that the issues raised by the Parish Council did raise material planning considerations, in particular around heritage impacts and the street scene. However, having regard to the comments of the specialist consultees in this regard, these issues were not considered sufficient to justify referral of the application to the planning committee.

The proposal did not present any significant issues for adopted policy, nor was it considered to be of a nature, scale or complexity to justify referral to the planning committee. The planning history, including previous refusal was noted, but given that this scheme was materially different, it was agreed that this did not justify referral to the planning committee.

## Decision

Delegated decision. See above

## **S/2553/16/CONDN Land Off Horseheath Road Linton - Submission of details required by condition 22 (Water Conservancy Strategy) of planning permission S/2553/16/OL (KPC)**

### Reason for call-in request

The water consumption calculations have been reduced to meet requirements but are misleading in that the usage allowance is now believed to be inadequate per person.

## Key considerations

The comments of the Parish Council were noted and the case officer updated on responses from technical consultees. The comments of the Parish Council were not

considered to present sufficient information to justify why the application should be referred to the planning committee, having regard to the requirements of the planning condition.

No significant concerns were found to have been expressed and no significant implications for adopted policy found. Whilst the nature, scale and complexity, as well as the planning history of the site itself are relevant, and of some local controversy, there were no reasons found to justify this application being presented to the planning committee.

### **Decision**

Delegated decision. See above.

## **21/00319/FUL Land On The North Side Of 121 Old Forge Way Sawston - Construction of a two bedroom bungalow (KPC)**

### **Reason for call-in request**

The proposed siting, design and materials of this residential garden development is out of character with the local area (Adopted Local Plan Policy H/16 b i & iii) - The development would result in the loss of two on road parking spaces and thus result in a direct and ongoing impact on the residential amenity of nearby properties.

(Adopted Local Plan Policy H/16 ii). - The development would have a direct and long term impact on the amenity of No.121 Old Forge Way due to its close proximity to the existing building and result in some loss of light to the garden of 36, Hillside.

(Adopted Local Plan Policy H/16 ii)

### **Key considerations**

The comments of the Parish Council were noted by the group, and the case officer gave an explanation of the proposed development.

The issues raised by the Parish Council were found to include material planning considerations, namely impacts on amenity, siting, design and materials. However, it

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was considered that these concerns were not so significant, in the context of the proposal and locality, to justify referral of the application to the planning committee.

The view of the Parish Council with regard to policy compliance was noted, however this is a matter of judgement and again, in the context of the proposal, significant implications for adopted policy were not found.

The nature, scale and complexity of the proposal, as well as the site history, were not determinative of a committee referral in this case.

### **Decision**

Delegated decision. See above.

### **S/1963/15/CONDB Land North and South of Bartlow Road, Linton - Submission of details required by condition 15 (Construction Programme) of planning permission S/1963/15/OL (MS)**

### **Reason for call-in request**

There might have been a response to LPC comments as part of the appeal submission, but these are part of a separate matter and have not been submitted to the planning portal, nor have we been informed that such a response exists. It would appear that the developer has sent responses to the wrong group, denying consultees, such as Linton Parish Council, the chance to respond. This is the first response to our comments that we have seen; the developer is wrong in asserting that LPC comments are not up to date - comments refer to what was submitted to us at the time. The deadlines for submission of comments are as advised by SCDC; comments have been submitted by the deadline advised and in accord with the timing of LPC meetings where these were discussed. Any extensions were agreed with the developer and have not been exceeded. There is still no information on the portal regarding times of operation, lighting, noise rating on equipment, etc. As the documents on the portal are those that we respond to, as far as we can see, the information is still incomplete. The deadlines for submission of comments were

adhered to by LPC and were as advised by SCDC and agreed in writing. There is still no information on the portal regarding times of operation, lighting, noise rating on equipment, etc. As the documents on the portal are those that we respond to, as far as we can see, the information is still incomplete. The amended Build Route Plan has the site compound placed over the 10m "no-build, no-plant zone above the Gas main. Further concerns must be addressed regarding parking for contractors working on site, parking on the adjacent local roads will cause issues with access for parishioners and bus routes. The developer consistently refers to conditions which are still in dispute and so this condition should not be discharged unless all other conditions are satisfactory. The developer is repeatedly referred to as "experienced" and "a house builder who fully understands the methodology and process of constructing a housing development of this scale". However, had this been the case, the correct documents would have been submitted in a form accessible to consultees. Also, if "submitted material reflects this experience" then suitable and deliverable plans would have been submitted from the start; we would not have had to deal with the slew of amendments and could have had meaningful discussions and a development suited to the area, the landscape, setting and needs of the village. LPC understands that this condition is now at appeal and it is too late to submit comments. Please note that under "related cases" the proposed new housing is referred to as "Trout Beck" and "Otter Burn". We object strongly to these names. Becks and burns are north country names for streams and rivers, with no connection to this region, so wholly inappropriate. The Trout population is at a critical level in our rare chalk stream and is likely to be detrimentally affected by the development and the pollution from it. Likewise, the otters will be deterred from the area by the residents, their activities, and animals (unless the thorny barriers are planted). Otterburn has specific significance following that battle and is particularly unsuitable for this area. Linton Parish Council Decision: Object and do refer this to the District Council Full Planning Committee.

## Key considerations

The comments of the Parish Council were considered by the group and it was noted that many of the comments set out did not relate to the details of the condition to be discharged.

The view of the Parish Council that some information was still inadequate was noted, however this was not found to justify referral of the application to the planning committee.

The proposal does not raise significant issues for adopted policy.

Whilst the nature, scale and complexity, as well as the planning history of the site itself are relevant, and of some local controversy, there were no reasons found to justify this application being presented to the planning committee

## Decision

Delegated decision. See above.

## **S/1963/15/CONDC Land North and South of Bartlow Road, Linton - Submission of details required by condition 18 (CEMP) of planning permission S/1963/15/OL (MS)**

### Reason for call-in request

Linton Parish Council Comments: The responses to the submissions and amendments are not repeats but do raise many of the same issues which have not been addressed by the developer. We note that the CEMP and other documents are barely changed, appear to be re-submitted reports and which would, of course, result in similar comments and objections. There might have been a response to LPC comments as part of the appeal submission, but these are part of a separate matter and have not been submitted to the planning portal, nor has LPC been informed that such a response exists. It would appear that the developer has sent responses to the wrong group, denying consultees, such as Linton Parish Council, the chance to

respond. This is the first response to our comments that we have seen; the developer is wrong in asserting that LPC comments are not up to date - comments refer to what was submitted to us at the time and remain relevant. The deadlines for submission of comments are as advised by SCDC; comments have been submitted by the deadline advised and in accord with the timing of LPC meetings where these were discussed. Any extensions were agreed with the developer and have not been exceeded.

Thank you for the errata note, which goes a little way to resolving the issues raised by the previous submission, e.g. ash trees have been removed from the planting mix, but willows have not been substituted. Also, that the developer has also recognised anomalies that we raised. However, these do not address the many other issues, so LPC comments stand. LPC response to Developer comments on LPC comments of July 2020: These DoC's mainly appeared to be re-submitted reports upon which LPC has already commented. The CEMP report was out of date as the swales had been removed. The data that comments were based upon were also out of date. The season-long, required amphibian survey has still not been completed. Although surveys were done for other species, the RM surveys were undertaken on ground that had been degraded and with altered habitat, the crop and topsoil having already been removed and after prolonged drought. Biodiversity cannot be protected when large, natural hedges are replaced with small urban ones - even those cannot be protected from resident actions. Trees on the riverbank are part of biodiversity and help hold the banks - their removal cannot be seen as protecting biodiversity. These aspects are repeated under other comments on conditions, to emphasise their importance. Biodiversity interests on site also affect the adjacent areas - these have not been taken into account nor assessed against recent guidelines. LPC response to Developer comments on LPC comments of March 2021: Surveys were incomplete, taken at the wrong time of year, in unusually prolonged drought conditions, and do not include the nearby relevant site natural features. Repeat surveys were again undertaken on altered habitat. The Ecology officer was not satisfied, noting that "this condition is only discharged once a consistent approach (e.g. revised landscape proposals) across all conditions has been submitted and

approved". This is a natural landscape where "low graded trees" bushes and scrub form part of the natural surroundings - the developer appears to want to urbanise the area with inappropriate planting (including gorse and holly on a floodplain) only in patches. Trees, hedges, crop and topsoil have already been removed with loss of biodiversity and protection for the natural aspect the riverbank and the rare chalk stream. The 30m buffer zones have been reduced and will no longer provide the expected protection of the chalk stream the riverbank and wildlife. The mounds were created to allow archaeological work, without planning permission. During our regular bouts of heavy rainfall, these deposited mud into the chalk stream promoting growth of algae in the chalk bed. They are a cause of harm and suitably sensitive removal is required. Lighting during construction and post-construction are quite different issues, and lighting during construction has not been adequately addressed. Please note that under "related cases" the proposed new housing is referred to as "Trout Beck" and "Otter Burn". We object strongly to these names. Becks and burns are north country names for streams and rivers, with no connection to this region, so wholly inappropriate. The Trout population is at a critical level in our rare chalk stream and is likely to be detrimentally affected by the development and the pollution from it. Likewise, the otters will be deterred from the area by the residents, their activities, and animals (unless the thorny barriers are planted). Otterburn, has specific significance following that battle and is particularly unsuitable for this area. Apart from the minor changes described as "errata" or anomalies, LPC previous comments still stand. Linton Parish Council Decision: Object and do refer this to the District Council Full Planning Committee

### **Key considerations**

The comments of the Parish Council were considered by the group insofar as they related to the details of the condition to be discharged.

The view of the Parish Council that some information was still inadequate was noted, as were their wider concerns about ecological impact. However, this was not found to justify referral of the application to the planning committee.

The proposal does not raise significant issues for adopted policy.

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Whilst the nature, scale and complexity, as well as the planning history of the site itself are relevant, and of some local controversy, there were no reasons found to justify this application being presented to the planning committee

## **Decision**

Delegated decision. See above.

## **S/1963/15/CONDD Land North and South of Bartlow Road, Linton - Submission of details required by condition 17 (EDS) of planning permission S/1963/15/OL (MS)**

### **Reason for call-in request**

Linton Parish Council Comments: Thank you for acknowledging the errata and inconsistencies, which go a little way to resolving the issues raised by the previous submission. However, these do not address the many other issues, so LPC comments stand. Until the inconsistencies are resolved, the condition is not in a position where it should be reasonably discharged. The responses to the submissions and amendments are not repeats but do raise many of the same issues which have not been addressed by the developer. We note that the CEMP and other documents are barely changed, appear to be re-submitted reports and which would, of course, result in similar comments and objections. There might have been a response to LPC comments as part of the appeal submission, but these are part of a separate matter and have not been submitted to the planning portal, nor has LPC been informed that such a response exists. It would appear that the developer has sent responses to the wrong group, denying consultees, such as Linton Parish Council, the chance to respond. Planning process has not been followed as complete consultation has not been possible. Developers have an unfair advantage in being allowed to submit many amendments without proper consultations. This is the first response to our comments that we have seen; the developer is wrong in asserting that LPC comments are not up to date - comments refer to what was submitted to us at the time and remain relevant. The deadlines for submission of

comments are as advised by SCDC; comments have been submitted by the deadline advised and in accord with the timing of LPC meetings where these were discussed. Any extensions were agreed with the developer and have not been exceeded. There might be repetition of comment submitted for other conditions, but this is because there is such overlap in the issues addressed and that the developer has submitted such similar documents (without addressing the issues raised) LPC response to Developer comments on LPC comments of July 2020:

Biodiversity also includes microbiology - some of which we do not want to enhance but which needs to be taken into account for safety. Surveys were incomplete, taken at the wrong time of year, in unusually prolonged drought conditions, and do not include the nearby relevant site natural features. Repeat surveys were again undertaken on altered habitat. The Ecology officer was not satisfied, noting that "this condition is only discharged once a consistent approach (e.g. revised landscape proposals) across all conditions has been submitted and approved". Comments stand. The Ecology officer was not satisfied, noting that "this condition is only discharged once a consistent approach (e.g. revised landscape proposals) across all conditions has been submitted and approved". Condition 18 has been commented upon and overlaps the comments on this. Comments stand and are re-iterated in comments on other conditions as there is overlap in developer submissions. LPC response to Developer comments on LPC comments of July 2020 Comments stand. We have taken advice from an Ecologist and the Wild Trout Trust. It must be borne in mind the parlous condition of chalk streams especially during times of low flow, and overabstraction. Concentrated pollutants will severely affect the health of the river. Comments stand - this has been a time of unusual weather conditions - severe, prolonged drought followed by flooding, which would affect the results of animal surveys. Local knowledge is also useful...The status of the river as a rare chalk stream has not been acknowledged in submissions; we are becoming increasingly aware of the importance of the Granta and wish to protect it from incursion, pollution, and degradation. This is a specific reference to "Smart Sponges". SUDs schemes have their own maintenance issues. Perhaps the Ecologist was looking at the wrong ponds? LPC response to Developer comments on LPC comments of March 2021:

These were submitted and accepted by SCDC, having been alerted that further comments would follow. LPC comments stand. The range of the surveys has already been commented upon, but also note that the nearest ponds might not be the most significant, especially for creatures that do travel. The plans submitted by the developer have been amended frequently, and the ones upon which the current EDS scheme are based are now out of date. Having been there for some years, the spoil heaps now have wildflower growth and are likely to house a mixed range of wildlife - which has not been assessed. LPC comments stand. The wooded buffer along the southern edge has been largely dismantled. The planned planting will introduce an urban feel to the area, with inappropriate species such as moorland gorse being introduced. At the time of responding, these hedgerows were to be removed to be replaced with insubstantial and urban species. Apart from the minor changes described as "errata" or anomalies, LPC previous comments still stand. Again, the objections to the proposed street names are strongly opposed. Linton Parish Council Decision: Object and do refer this to the District Council Full Planning Committee.

### **Key considerations**

The comments of the Parish Council were considered by the group and it was noted that many of the comments set out did not relate to the details of the condition to be discharged.

The view of the Parish Council that some information was still inadequate was noted, however, as with item 5, this was not found to justify referral of the application to the planning committee.

The proposal does not raise significant issues for adopted policy.

Whilst the nature, scale and complexity, as well as the planning history of the site itself are relevant, and of some local controversy, there were no reasons found to justify this application being presented to the planning committee



## Decision

Delegated decision. See above.