

# Delegation meeting- Minutes

- **Date:** 2 June 2020
- **Time:** 11am to 12:30pm
- **Meeting held:** via Teams
- **Attendees:** Chris Carter (CC), Cllr John Batchelor (JB), Cllr Pippa Heylings (PH), Luke Simpson (LS), Richard Fitzjohn (RJ), Lorraine Casey (LC), Julie Ayre (JA)
- **Notes and actions:** Glenda Hansen and Jemma Smith

**Minutes approved by:** Cllr John Batchelor (Consultant) on 3 June 2020 and Chris Carter (Delivery Manager – Strategic Sites) on 5 June 2020

## 130 Rampton Road, Willingham - Erection of 5 bedroom dwelling and 1 bedroom ancillary annex with associated parking (LS)

### Reason for call-in request

Council object to the application for the following reasons:

- Gross overdevelopment of the site. The current location is outside the village envelope and would encroach on open countryside.
- The original outline approval was for a single storey dwelling and should remain as such - not two storey
- The scale of the building is out of keeping with neighbouring properties
- The site has inadequate parking provision for the size of development
- The development extends 20 metres beyond the outline planning permission consent which was already outside the village envelope.
- The Council request the application is passed to committee for consideration

### Key considerations

The themes raised by the Parish Council were considered in turn.

It was noted that the original outline application was replaced by application ref. S/4070/18/FL, which approved a large 1 ½ storey dwelling and that the proposed dwelling is the same maximum height as the existing approved dwelling (approx. 8.5m). As recommended by the LPA at pre-app stage. This point was not considered sufficient to refer to planning committee.

Having regard to the circumstances of the site and the adjacent planning permissions the point regarding the proposal being out of keeping with neighbouring properties was not considered sufficient to refer to planning committee.

Car parking provision would accord with planning policy and was not considered sufficient to refer to planning committee.

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It was considered that the points raised by the Parish Council in respect of the location of the dwelling beyond the development framework boundary, whilst potentially outweighed by the extant permission, did warrant consideration by the planning committee due to the location of the dwelling being further back than that of the extant permission. It was considered that this raised a significant implication for the Council's adopted policy.

## Decision

Refer to Planning committee. Outside Village Framework, significant implication to policy

## 20/01054/FUL - Clock House Dentistry, 2 High Street, Linton

### Reason for call-in request

The extension

- This is in Linton's Outstanding Conservation Area, seen by the public from the High Street and also from the A1307 and The Grip, so it is a significant and highly visible building .
- The new window in the side elevation looks directly into the bedroom of the house on The Grip which is across the A1307.
- There will be a negative impact on the setting of listed and significant buildings in the vicinity (Queens House and Osnaberg House in particular)
- The heritage features to the rear of the building would be lost - aspects that show the development of the building over time. The view of the building from the A1307 would resemble a modern house, rather than a heritage asset. Why the architect would retain the single storey block adjacent to the A1307 is questioned - that really is not an asset.
- Materials must be in keeping with the original fabric of the building - previously, plastic windows and doors were installed and were subject to a retrospective planning application to change them to wood, like the others in the Outstanding Conservation Area.
- The previous planning approval was to limit the "chairs " to three, yet the current is said to already have 4 treatment rooms, already. Other conditions have also not been met
- This application goes against the original planning approval, adding 2 further treatment rooms and a waiting room. The practice would be double the size, extending the surgery outside the capacity of the site to accommodate the traffic associated with the site.
- The site has garden areas that should be converted to parking for the staff and clients – a workplace has no need of these garden areas when parking is needed even for the current practice. This is a waste of space and parked cars negatively impact on the CA.
- There is no mention that any extra capacity would be used for NHS patients - there is a need for these in the village with its high proportion of the elderly and low-income families.
- Although additional local business is normally welcomed, especially if the staff are local, but the adverse effect that this business has had on parking and safety(not just on the High Street) is substantial.
- This is a clear issue of over development. This expansion is not welcome as it will escalate the problems created by the current business.

The application

We note discrepancies in the application:

- The extension will take up a garden area (not currently planted as per the conditioning) not a parking space.
- The space marked as parking for the manager is a garden, not used for parking, so this would not be a lost space.
- "Staff and patients would continue to park on the High Street and in the Coles Lane public car park". We know that this is incorrect - they park all over the village and clients are not being directed to Coles Lane car park, a good walk (around 500m) and impossible for many older clients.
- The area behind the Clock House has not been paved, as per the conditioning for the original application and change of use s/0226/14/FL. This makes disabled access impossible for those in wheelchairs, with walkers or using crutches as they cannot negotiate gravel and stones.
- Disabled bays are marked with signs stuck into garden patches - not the marked bays accessed by paved areas, as per conditioning.
- The garden areas have not been planted, as in the approved documents for the previous application - they could easily be used as parking areas for staff and clients.
- In previous applications, only one neighbour was carded - other residents are also affected by changes at this site, have they been informed of these proposals? In particular the residents of The Grip and Osnaberg house who have right of way over the open area.

This extension would not make a positive contribution to the village, but only draw in more clients from outside of the area, only to benefit this practice and discomfort other Linton residents, local commerce and visitors.

#### Traffic Comments

- The previous conditioning stipulated that client and staff cars should park at Coles Lane car park. This has not been complied with.
- The problems of the High Street are being addressed by the GCP/City Deal Group. Traffic lights have been installed to the A1307/High Street junction, to aid safe access, a P+R has been proposed to take the commuter traffic off the High Street and Lanes, and the LPC LHI submission has proposed restricted parking on the High Street. We did not do this for the benefit of one business but for the general benefit of residents and to promote shops, pubs and other local enterprise.
- The double yellow lines opposite Clock House are being extended, reducing parking spaces.
- We have since seen that parking for the dentist has impacted on neighbours by taking their spaces and impacted on local business as their would-be customers cannot park.
- There are traffic flow and parking difficulties on the High Street caused by clients and delivery lorries, parking on pavements, parking to cause blocking of resident cars and drives, impeding the movement of buses blocking sight lines by parking on verges, etc. This includes "drop-off" outside the door, at a narrow point. The previous Traffic Management Plan s/1033/15/DC was not adhered to
- The High Street is effectively one-way due to the almost permanent parking on the western side. Clients are known to park on the eastern side of the High Street so blocking passage of cars, delivery vehicles, buses and emergency vehicles
- As the area behind the Clockhouse has not been paved, it makes access impossible for the disabled, those in wheelchairs, with walkers, or crutches, as they cannot negotiate gravel and stones. This area needs to be parking space for the staff and all clients.

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- "staff and patients would continue to park appropriately on the High Street and in the Coles Lane public car park". They do not park in the car park, but anywhere in the village, causing serious congestion and obstruction for residents, limiting access for other business and creating safety issues for other traffic (including buses and emergency vehicles).

- "parking demand is generally limited to no more than 5 cars at any one time". This is flatly contradicted by their own on-street parking survey (4-10) and baseline for staff (9 needed on site plus patients)

- If the baseline traffic is around 5 cars, these can be accommodated in the rear gravel and garden area - there is no need for them to be causing problems in the village.

- The traffic survey took place over one day - Linton experience their traffic all year.

- The areas used for parking beat analysis were the following:

High Street - A major through route and "rat run" for people wanting to avoid congestion on the A1307. This will be greater following the installation of the traffic light at the High St/A1307 junction. Due to almost permanent parking on the west side, the high Street is effectively a single lane highway, with few passing places. Traffic coming from the A1307 has limited space - blockage here causes tail back on the major road, frequently caused by "dropping off" clients and supply lorries and thoughtless parking. The regular parking on the A1307 grass verge restricts sightlines for those exiting the High Street.

Market Lane - used for resident parking, and again, effectively single lane. The only parking here is reserved for residents of Holtthums Yard.

Horn Lane - another narrow lane, with a disabled bay and limited sight lines. The majority of residents do not have off-street parking and need spaces on the lane.

The Grip - again the majority do not have their own off-street parking, so need spaces here. There are frequent reports of residents being blocked in, the access to houses being blocked, etc. Access to the Hadstock Road from The Grip has difficult sightlines, and is the subject of safety work through the latest LHI

Joiners Road - the planning application at the White Van site, 20 Cambridge Road, had previously been refused due to the sightlines and difficult access to Joiners Road which is very narrow. This development of 14 self-contained flats is now going ahead, adding traffic to the narrow road. Traffic usually has to mount the pavement for access from A1307 if there is already a car in the road. This pavement is the major route for pupils at Linton Village College. Exiting drives in Joiners Road is hampered by parked cars affecting sight lines. The surveyed section of the road cannot accommodate 2 cars, so parking here delays emergency vehicles and those of carers going to Dovehouse Close - an area of sheltered accommodation for the elderly. Delay reduces the time available for care of the elderly residents of Dovehouse Close.

Coles Lane Car Park - The Coles Lane Car Park is only partly for public use. The part outside the Health Centre is for their use, only. This reduces the space available by approx 60%, much of which is used for the school and commuters taking the bus to Cambridge..

For resident amenity, healthcare, and highway safety, none of these lanes and roads should be used for client parking.

There will be additional detrimental effect of the proposed development on the character of the local area and effect on the Conservation Area - turning residential areas and streets into car parks for one commercial enterprise, with knock-on effect on other business. There is barely sufficient parking in the area for current use, and other businesses and residents have their needs, too.

There is no certainty that any travel plan will be adhered to - there has been little or no compliance in the past, as we are well aware

The only acceptable parking plan would be if the gravel and garden area were converted to parking, for staff and all clients. There is sufficient space for around 6-8 cars and this should be used.

### Conclusion

With the expansion of the village by infill housing (around 50+ dwellings built or in the pipeline in the last 4 years), applications for two major estates (42 and 55 houses) with approval at the edges of the village, more applications in the pipeline, the central village cannot accommodate the current traffic, and would not be able to cope with any extra parking on public roads from this one business.

This application is a clear and compelling example of over-development of a small site to the serious detriment of the village and its other businesses.

This should be rejected on grounds of Traffic (see statutory consultee response), parking, and the effect on the Outstanding Conservation Area.

LPC Decision:

Object and request this is referred to the District Planning Committee

## Key considerations

The comments of the Parish Council were considered by theme in relation to the extension and associated heritage issues, the application and traffic.

With regard to the extension, whilst the concerns were noted, it was not considered that the considerations associated with an extension of this sort raised significant planning or conservation concerns, significant implications for adopted policy or were of a nature, scale or complexity that were sufficient to refer the application to the planning committee. It was noted that the application was for a small scale two storey addition to the rear of the building.

With regard to the application, it was considered that the points raised related largely to the enforcement of planning conditions associated with a previous planning permission and did not warrant the referral of the application to the planning committee.

In respect of traffic, it was noted that this is an operational dentist surgery and that the majority of the issues raised in relation to traffic were common to Linton as a whole rather than specific to this application. It was noted that the highway authority did not object to the proposals. This issue was not considered to have significant implications for adopted policy or to be of a nature, scale or complexity to warrant referral to the planning committee. It was noted that these concerns are material planning considerations but it was not considered that they raised significant planning concerns in this case.

## Decision

Delegated Approval. See above.

# S/4518/19/FL – 7 Back Lane, Barrington (RF)

## Reason for call-in request

### 1. Introduction

1.1. Barrington Parish Council considered this application at its Council meeting on 21.1.2020.

1.2. This followed two previous informal “pre-application” presentations from the applicant where issues such as visibility from the High Street; height bulk and scale of the dwellings; the modern flat roof design; their positioning within the plot and their proximity to the Grade II listed buildings; and the overall effect on the Conservation Area were discussed. Councillors made clear that their “pre-application” views were informal, and Council’s opinion would only be given on seeing the formal application.

1.3. At the January Council meeting to consider the application, there were particular concerns about the cumulative effect of these proposals upon the Conservation Area which has seen considerable pressure with two other large dwellings having already been approved by the LPA in the same part of the Conservation Area, namely in the lane behind “Greenwood” and at No. 9 Back Lane. The photographs at Appendix A demonstrate the state of the Conservation Area both before and after these recent developments had begun.

1.4. While Councillors understood the intention is to undertake some replanting, the obvious stress on the Conservation Area and the time it will take for new tree growth to occur is a significant area of concern.

1.5. Councillors also expressed a concern that the two-storey modern design flat roof dwellings within the Conservation Area would still be visible from the High Street. Details provided in the Heritage Statement and Planning Statement do not allay those concerns.

### 2. Background

2.1. The previous proposal for redevelopment at No 7 Back Lane was opposed by the Parish Council and refused by Planning Authority. On Appeal, the refusal was upheld by the Inspector on the grounds of the effect of the proposal on the character and appearance of Barrington Conservation Area (CA) and on the setting of the surrounding grade II listed buildings. Reference is made to the National Planning Policy Framework (the Framework) 2018 and the South Cambridgeshire Local Plan 2018 (LP)

### 3. Recommendation

3.1. Councillors were strongly of the opinion that given the local residents’ heightened concerns about current stress upon and the need to protect the Conservation Area in which the application site is located, the application should not be determined under delegated powers by officers.

3.2. Given the application history of this particular site, Councillors therefore agreed to recommend refusal and that the application should again be considered by the full Planning Committee of the District Council.

3.3. Councillors noted the views expressed by the Planning Inspector in her Appeal Decision 1 , and in particular her Costs Decision<sup>2</sup> that:

“Such requests are in my experience usually granted, particularly in cases such as this where the Officer recommendation conflicts with the views of the Parish Council.” (Para 4)

#### **4. Comments**

4.1. Councillors were minded of the Planning Inspector’s assessment in refusing the previous application. Namely:

“Sections 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require [one] to have special regard to the desirability of preserving the setting of the listed buildings and to preserving or enhancing the character or appearance of the CA.” (para 10)<sup>1</sup>

4.2. Photographs of Back Lane before and after the start of work within the Conservation Area are attached. Councillors asked whether this extent of clearance within the Conservation

Area had been fully appreciated by the Local Planning Authority and whether the Conservation Officer was fully aware of the works being undertaken and content that the works were compliant with the permission granted.

4.3. Councillors also noted that with respect to views of the Conservation Area the Planning Inspector had found that the height of the previously proposed dwellings and lack of space

between plots would introduce housing in a manner that does not follow the historic development pattern and would erode the strong sense of openness that currently exists, and that the development would not preserve the setting of the listed buildings or the character of the Conservation Area.

4.4. Councillors were unable to find convincing evidence that the revised plans in the current application would remove this concern so carefully expressed by the Planning Inspector.

4.5. Councillors also questioned the public benefit of two further four bedroom dwellings in the Conservation Area. As the Planning Inspector had previously taken the view:

“In this case, the replacement of a 1960’s bungalow with two new houses would be a public benefit however such a benefit is clearly very limited. To my mind, the public benefits of the additional dwelling would not outweigh the harm to the CA (Conservation Area) or to the setting of the listed buildings. Therefore the proposal would be contrary to the historic environment aims of the Framework.” (para 13)

4.6. Councillors were not convinced that this test of public benefit against harm to the Conservation Area had been met.

4.7. For the previous application, the Inspector concluded that the proposal for two substantial dwellings on this site:

“...would cause harm to the character of the Conservation Area and to the setting of the adjacent listed buildings contrary to Policies HQ/1 and NH/14 of the Local Plan, which amongst other matters seek to preserve or enhance the character of the area and the significance of heritage assets, including their setting. It would also conflict with the conservation and environmental aims of the Framework.” (para 14)<sup>1</sup>

4.8. Councillors considered that the revised application also failed these tests.

## 5. Conclusions

5.1. Barrington Parish Council welcomed the applicant’s willingness to share their revised plans for redevelopment of the land at No 7 Back Lane.

5.2. However, given the current additional stress being placed on the Conservation Area from other developments in Back lane, Councillors considered that the cumulative impact upon the character of the Conservation Area would be unacceptable and contrary to the Local Plan and the Framework.

5.3. Councillors were concerned about the visual impact of the proposals upon the setting of the adjacent Listed buildings and views from the High Street.

5.4. In particular, given the planning history of the application site, it was felt that the application should be subject to full scrutiny by South Cambs District Council Planning Committee and therefore recommended refusal.

## Key considerations

The comments of the Parish Council were noted. The case officer commented that they proposed to recommend the application for refusal. It was agreed therefore that the case officer should contact the Parish Council to relay this and to provide a summary of the proposed reasons for refusal and to seek the agreement of the Parish Council to this decision being made as a delegated decision.

Following this, the case officer will come back to Delegation meeting to confirm whether the Parish Council supports this approach.

## Decision

Delegated Refusal (subject to views of the Parish Council). See above.

## S/4375/19/FL - 47 Gibraltar Lane, Swavesey (RF)

## Reason for call-in request

The Parish Council does/does not\* request that the application be referred to the District Council Planning Committee

“Planning Reasons:

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Swavesey Parish Council raises objections to this application on the following grounds:

1. In September 2019 a Planning In Principle application (Ref: S/1992/19/IP) for two new properties on this site was refused by SCDC. The Parish Council objected to that application as well and supports the two reasons from SCDC for the refusal, which it believes remain the same for this new application.

2. The proposed development area is prone to regular flooding from surface water, particularly for periods during winter and in heavy downpours. This has been communicated to SCDC and CCC on numerous occasions by the owner of No.47 who has been very concerned regarding potential flooding of the property at No.47.

3. The existing highway access (from the garden) is onto Fen Drayton Rd close to the junction of the mini-roundabout at Moat Way. There will be increased traffic through this junction when the Bloor Homes 99 house development directly south of the proposed development area is completed. Working is currently starting on this new development now.

4. There is no footpath on the east side, alongside the proposed development site and where the proposed access will be. Residents and visitors will have to cross the road each time they enter or leave the proposed new dwellings, across a road which will become busier due to the 99 house development being built just south of the site.

5. The Swavesey Village Design Guide, which has recently been adopted by South Cambridgeshire District Council, has the following guidelines for development which the Parish Council highlights will be in conflict with this proposed development:

From the VDS:

4.1 Maintain the rural gaps and important views identified in figure 10, including through controlling tree planting and alterations to buildings and boundary structures.

4.5 Infill development of larger individual plots should be avoided where it would block or encroach on the important or valued gaps and views identified in figure 10. Gibraltar Lane gardens are large and long and this site is alongside a road, giving a non-built up gap, particularly now with housing development beyond it.

4.6 Infill development should be in proportion to its plot and location within the village. The scale and massing of each building should as a rule be no bigger or higher than the existing building and no higher than the surrounding buildings, to distinguish back land development from the older linear village pattern.

6. The Parish Council has also been informed that the application site has a covenant within its Land Registry document (as has neighbouring properties along Gibraltar Lane) restricting the use the 'garden land' and that only sheds or greenhouses may be built on it, no additional dwelling houses. Please could this be note?

## Key considerations

The comments of the Parish Council were noted. The case officer commented that they proposed to recommend the application for refusal. It was agreed therefore that the case officer should contact the Parish Council to relay this and to provide a summary of the proposed reasons for refusal and to seek the agreement of the Parish Council to this decision being made as a delegated decision. The case officer noted that their reasons



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for refusal may not entirely accord with the views of the Parish Council and this would be explained to the Parish Council.

Following this, the case officer will come back to Delegation meeting to confirm whether the Parish Council supports this approach.

## **Decision**

Delegated Refusal (subject to the views of the Parish Council).