

Delegation meeting - Minutes

- **Date:** 11 August 2020
- **Time:** 11am to 12:30pm
- **Meeting held:** via Teams
- **Attendees:** Chris Carter (CC), Cllr John Batchelor (JB), Cllr Pippa Heylings (PH), Julie Ayre (JA), Karen Pell-Coggins (KPC)
- **Notes and actions:** Jemma Smith

Minutes approved by: Cllr John Batchelor (Consultant) on 18 August 2020, Cllr Pippa Heylings (Consultant) on 18 August 2020, Chris Carter (Delivery Manager – Strategic Sites) on 14 August 2020

S/0793/18/COND3 - 1 Horseheath Road, Linton - Discharge of condition 3 (tree survey, arboricultural method statement and tree protection strategy) of planning consent S/0793/18/FL for demolition of existing dwelling and construction of 7 dwellings

Reason for call-in request

We have raised these matters in line with local concerns and knowledge the area. The Tree Warden has raised further issues, in the attached letter.

New documents have been lodged since the LPC comments were submitted. Removal of part the conditioned tree group at the entrance of the site is noted. This appears to now be limited to only those trees necessary for the construction of the entrance. The tree group is of English Elm, currently healthy and forming a significant feature in the streetscape. Resistant Elms have been identified in the village, so we are reluctant to lose these and recommend that, as far as possible they are retained; time will tell if they are a resistant genotype.

The recently planted birches are to be removed, as they are dead/dying probably due to the prolonged hot and dry weather over the summer. Planted in haste to replace original trees in order to get planning through - not looked after since that date.

Tree condition report - Suggest removal of the ivy from the 2 TPO trees, the Weymouth Pine and Atlas Cedar to enable thorough investigations of condition in future to aid their preservation.

LPC Decision: Object and do refer this to the District Council Full Planning Committee.

Key considerations

The comments of the Parish Council were considered carefully, having regard to the criteria used to determine whether or not an application should be referred to the planning committee for a decision. However, having regard to the comments of the Parish Council, whilst a request to refer this condition to committee was made, no clear grounds of objection were set out.

Decision

Delegated decision. See above.

S/0793/18/COND4 – 1 Horseheath Road, Linton - Discharge of condition 4 (hard and soft landscaping) of planning consent S/0793/18/FL for demolition of existing dwelling and construction of 7 dwellings

Reason for call-in request

Comments 1

There do not appear to be any material amendments since the original application was received. Previous comments still stand. LPC are concerned that this does not appear to have been sent out to neighbours, only statutory consultees.

The previous comments still stand. There is continued concern that there will be a severe loss of amenity to neighbouring property due to shading of the garden and loss of light due to the planting of Birch trees so close to their boundary. The planting of such trees is wholly inappropriate in this situation, as previously described and needs to be revised; the trees are too large at maturity, are known to grow vigorously in this area so will overshadow the neighbour from an early stage, the shade is not "dappled" as we know from similar trees in the area, have allergenic pollen, the shed leaves in autumn will land in the neighbouring garden due to the prevailing wind and will seriously affect their quality of life.

LPC to send in the images from Cllr Kell as supporting documentation to support this comment.

LPC Decision: Object and refer this to the District Council Full Planning Committee

Please find below photographs to support LPC objections and comments regarding the planning application for 1, Horseheath Road s/0793/18/COND4 - Hard and soft landscaping.

The trees in the cemetery are Silver Birch (*Betula pendula*), which are currently around 18m tall - the mature height of the *jacquemontii* variety chosen. These trees were planted at a separation of at least 6m - much more than the 3-4m spacing proposed at 1 Horseheath - which appears to be the correct separation for trees of this foliage and crown width.

The photo below was taken at a distance of 18m from the base of the trees, at 12:44pm on Monday 1st June i.e. this is about as short as the shadows will get - they still extend 10m from the trunk of the trees.



The second photo below shows the applicant's drawing with some additions:

1. An 8m spread of the trees (which is quite possible at maturity in approx. 20 years. See [Betula utilis var jacquemontii details on RHS website](#))
2. The extent of the shading (in the only area of the garden assessed as "private" by the planning officer), in mid-summer just after midday. This clearly covers the entire "private" decking area as well as the conservatory and the south facing kitchen window. The area of garden to the east of the neighbouring property will also be overshadowed and overlooked by the new development.



Comments 2

New documents have been lodged since the LPC comments were submitted. The issues raised on the proposals to discharge have not been addressed so LPC comments stand, but slightly amended following discussion and the correspondence with the developer (see correspondence list) and re-iterated for clarity (e.g. mishearing of tree type due to social distancing required during meeting)

Soft Landscaping - The row of birches along the back fence is still on the drawings. The application seriously underestimates their potential height and spread, which grow particularly well in the village (as described by Barchams - ultimate height higher than 12m, ultimate spread 4-8 m, time to ultimate height 20-50 years). The effect on the neighbour has not been considered; their pyramidal shape will cause significant shading on the narrow garden and home (see potential so spread of these trees) Also, they are indicated to be planted too close together and too near to a structural retaining wall. Pruning of these, when they become overbearing, usually results in loss of form and is not recommended, so these will greatly affect the neighbour physically, aesthetically and by the effect on their property

Additionally, when Birches were proposed at another development site, discussion at the SCDC Planning Committee noted the allergenic properties of the pollen. This is significant as the nursery, pre-school and other social groups that use the Cathodeon Centre, and other neighbour, would be affected by this. Birch trees in this situation are totally inappropriate.

Suggest a smaller species to be used which will give privacy at a more suitable height.

Hard Landscaping - There appear to be inconsistencies between proposed block plan and detailed hard and soft landscape proposals. To issue planning permissions on the basis of applications that contain inconsistent and contradictory plans is not lawful. The road surfaces are shown as paving blocks with some tarmac on the block plan but on hard landscaping plans the road is only asphalt, which is impermeable, and not the paviors as in the OL. Being on a slope, in an area known to flood and with inadequate

capture, this will be to send rain water straight onto Horseheath Road, a busy thoroughway, already known to flood and to freezeover in winter. N.B. Recent data, monitoring flood risk, shows Linton as the second highest area in the table for flooding.

LPC Decision:

Object and do refer this to the District Council Full Planning Committee

Comments 3

The proposed impermeable road surface will lead to flooding of water onto Horseheath Road. This already happens at this site, when much of it is grass, so is increasingly likely when it is mainly building and hard surface. Insufficient provision of drainage at the boundary to take the surface water.

Key considerations

The comments of the Parish Council were noted. Having regard to the criteria for referral to planning committee it was considered that the issue of potential for overshadowing of neighbours by the proposed trees was a material planning consideration but, in the context of this scheme this was not considered to be significant and was something capable of being considered by the case officer and the tree officer.

Turning to the other landscaping comments submitted by the Parish Council. The details shown on the block plan were then subject to control by planning condition, with these details being the subject of this planning application. It is not therefore necessary for them to match. Surface water considerations are subject to a separate application.

It was not considered that any of the other criteria, those being significant implications for adopted policy, the nature, scale and complexity of the proposal or the planning history of the site would warrant referral of these condition details to the planning committee.

Decision

Delegated decision. See above

S/0793/18/COND14 – 1 Horseheath Road, Linton - Discharge of condition 14 (surface water drainage) of planning consent S/0793/18/FL for demolition of existing dwelling and construction of 7 dwellings

Reason for call-in request

Comment 1

LPC Planning Committee has now had time to consider the 16 new documents loaded onto the planning portal during the day of our last meeting, some documents did not appear until late in the afternoon; they could not be part of the agenda. We also note that data were sent to the drainage consultees before being submitted to SDCD planning or LPC (as evidenced by the date of the consultee response uploaded on 13th July, prior to the 16 documents on 16th July).

The only new data submitted appears to be at the top of the document "Additional Information" uploaded on 16th July, which is undated but could have been done in between 7th and 10th July 2020 (as observed by members of the public). Methodology and dates of tests are not known - the data are taken after a long dry period, which is not typical.

Soakaway data - We note that in order to get a successful infiltration rate (July 2020), these tests were carried out over 3 successive days, after a long dry spell of dry weather, rather than sequentially on the same day. This is not made clear in the methodology. In January 2020 the tests failed. The test pits nearest the entrance have the worst infiltration results - where the large crated storage is located.

Buried Soakaway Tanks - these appear to be crated water storage systems which would hold stagnant water which could flow out at times of flash-flood, as often happens in this area. The stored stagnant water, with pollution, dirt, algae and anaerobic bacteria such as *Clostridium botulinum*, is likely to be flushed out at times of heavy rain and flood. The possible effect of this drainage water on the aquifer is a great concern - this being an SPZ. Contamination at this site would endanger our drinking water supply.

Test pits - It is unclear how close the depth of the test pits were to the top of the aquifer and how susceptible our drinking water is to pollution and leachates from the site. The Ground Investigation Report makes several references to previous investigations to a depth of 5.45m, but there is no detail of these investigations provided.

Infiltration tests

The initial infiltration results are noted to have failed in January, which was, as expected, generally wetter (there were severe storms with surface water flooding). The climatic conditions in this area and our particular ground/soil conditions are not necessarily covered by the use of generic modelling. The results cannot be extrapolated, as they appear to have been.

The Greater Cambridge Shared Planning Service is a strategic partnership between Cambridge City Council and South Cambridgeshire District Council

The responsibility for maintenance of the drainage scheme has not been clarified. The suggested road sweeping schedule of every 6-months is insufficient for the trees debris, leaves and litter that accumulates here. CCC will not adopt the road, bin lorries cannot use it, and the gradient is too severe, so who will pay for and arrange this sweeping schedule?

Given the sloping nature of this site this still leaves LPC with major concerns regarding the longterm run-off from the site, etc. Our previous comments still stand.

LPC Decision: Object and do refer this to the District Council Full Planning Committee

Key considerations

Whilst the concerns of the Parish Council were noted, it was also considered that the requirement of the planning condition was for a surface water drainage scheme to be submitted and approved. Such a scheme has been submitted and subject to technical consultation, and agreement, with the Council's drainage officer. The Parish Council concerns regarding infiltration tests were noted, as well as those regarding the maintenance of the system. These are material considerations but were considered to be technical matters, capable of determination by officers.

It was not considered that any of the other criteria for referral to planning committee, those being significant implications for adopted policy, the nature, scale and complexity of the proposal or the planning history of the site would warrant referral of these condition details to the planning committee.

Decision

Delegated decision. See above.

S/0793/18/COND15 – 1 Horseheath, Linton - Discharge of condition 15 (foul water drainage) of planning consent S/0793/18/FL for demolition of existing dwelling and construction of 7 dwellings

Reason for call-in request

Comments 1

This development will put further pressure on the already overburdened 6 ins Victorian sewer that serves this area of the village. The responsibility for maintenance of the scheme has not been clarified.

Comments 2

Management - how will this scheme be maintained in future? who will pay for the upkeep? 6-monthly road sweeping is not sufficient, considering the trees, leaves, litter that can accumulate in that time; suggest monthly sweeping

Key considerations

The comments of the Parish Council were noted. However, it was considered that the provision of foul water drainage capacity was a matter for the relevant statutory undertaker. With the Council having been advised by that undertaker that these flows could be accommodated, it was not considered that the objections of the Parish Council met any of the criteria for referring the matter to the planning committee.

Decision

Delegated decision. See above.