



Dear Councillor

DEVELOPMENT MANAGEMENT COMMITTEE - MONDAY, 18 MAY 2020

I am now able to enclose for consideration at the above meeting the following reports that were unavailable when the agenda was printed.

**Agenda Item
No.**

LATE REPRESENTATIONS(Pages 3 - 10)

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DEVELOPMENT MANAGEMENT COMMITTEE – 18th MAY 2020

LATE REPRESENTATIONS SUMMARY

3(a) 18/01458/OUT - Phased outline application for the development of up to 340 dwellings alongside associated site infrastructure, open space (including provision of a Neighbourhood Equipped Area for Play) and a primary school (Use Class D1), with all matters reserved except for means of access - Land North Of Shawley Road And West Of Glatton Road, Sawtry
CONSULTATIONS

Cambridgeshire County Council Historic Environment Team (CHET) – No objections. The amendments do not alter advise previously issued by CHET.

REPRESENTATIONS

1 no. further representation received incorporating the following summarised material considerations;

- A number of recent developments in the area have not been identified and there has been limited new infrastructure in Sawtry to support the additional dwellings.
- The primary school is not guaranteed.
- The site is outside the boundary for the Village
- Greenfields is not useable for large parts of the year due to poor drainage, and the contributions towards it are inappropriate.
- The public footpath is used for recreation and exercise by residents and is not suitable to building, particularly as it floods regularly.
- The proposed access is opposite the access to the industrial estate and will cause congestion at this point during rush hours.
- There is insufficient bus provision in the area to support the additional developments.
- Roads are poor quality in Sawtry

The following summarised points have been raised that are not material planning considerations;

- Additional development should be at Alconbury Weald (*Officer note; the application must be assessed on its own merits although it should be noted that the National Planning Policy Framework seeks to significantly boost housing supply and the Local Plan housing allocations, which include Alconbury Weald, are a minimum number and not a ceiling.*)

It is confirmed that the terms of the S106 (and as stated in paragraph 7.105 of the Officer Report) there would be a clause to ensure the school site is transferred to the County Council early, but this would certainly be prior to commencement of the residential development.

In terms of Greenfields, the contribution is to enhance the provision and the amount requested is in accordance with Sport England and the Developer Contribution SPD. It is understood that this is a Parish Council project and any necessary drainage improvement works would be incorporated into the scheme.

The additional points in relation to infrastructure provision, principle of the development, footpath retention, flood risk, suitability of the access and roads, and bus provision are considered to be addressed in the Officer Report already.

ASSESSMENT

Paragraph 7.102 of the Officer Report advised that an update regarding a potential Community Facility Contribution would be provided at or before the meeting. Discussions on this point are ongoing with the County Council, the developer and Caresco but project details have not yet been fully identified. As such a verbal update will be provided at the DMC meeting.

CONCLUSION

Having regard to the above, it is not considered that these Late Representations change the Officer recommendation as set out in section 9 of the Officer Report and therefore remains a recommendation of;

APPROVAL subject to confirmation of NHS contributions and completion of a S106 Agreement and conditions.

OR

REFUSE in the event that the obligation referred to above has not been completed and the applicant is unwilling to agree to an extended period for determination, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

4(a) 19/02613/FUL - Land North East Of 114, Little Staughton Airfield, Little Staughton

Typographical error:

Paragraph 5.1 of the Officer Report refers to Great Gransden Parish Council. This is incorrect and should read Great Staughton Parish Council as per the comments elsewhere in the report.

Archaeology update:

Since publication of the Officer Report, CCC Archaeology have received and approved a Written Scheme of Investigation (WSI) for the archaeological evaluation of this development area. The fieldwork is to start on 18th May and will be monitored. As such an approved WSI for evaluation is now in place. The investigation programme starts with evaluation and would lead to a further brief and WSI for mitigation works should they find significant archaeological evidence best investigated in a stripped open area that cannot be properly addressed in the evaluation trenches. For evidence of lower significance, investigation in trenches alone would suffice. The recommended condition referred to in paragraph 7.40 of the officer report can reflect this updated position.

4(b) 19/02544/FUL - 8 Cambridge Gardens, St Neots, PE19 1JX

There are no late reps for this item

4(c) 19/02551/S73 - Land At 2 To 6 Thrapston Road, Spaldwick

There are no late reps for this item

4(d) 19/01881/OUT - Outline application for a development of up to 54 homes to include 44 Affordable homes, landscaping, open space, creation of new access following the demolition of Nos. 20 and 22 Buryfield and all associated ancillary works. Access and Layout are to be considered at this stage, Landscaping, Scale and Appearance are reserved matters. - Land South Of Buryfield, Bury

Since the Report was published a number of updates are required.

Some of the plans contained within the Agenda for the Development Management Committee were not the most up to date version of plans submitted to the Local Planning Authority. An up to date pack of revised plans is therefore provided. The changes shown by the up to date plans are very minor and relate to final adjustments to the scheme including enhancing the corner plots and making final adjustments to the housing mix and unit types, to align precisely with the Bury Affordable Housing Needs Register. None of the differences relate to layout or access, which are the matters for which approval is sought. The most significant difference is between the building heights plan and the difference between the two is helpful in explaining the changes to the reserved matters that are outlined in your report.

A planning application for the adjacent allocated site on land east of Valiant Square was submitted to the Council on 13 May 2020. The application is submitted in outline for the construction of 88 dwellings with approval sought for access only. The site is allocated under Policy RA7 for approximately 90 homes. The status of the application cannot yet be determined but Members will be given any updates, if they are available, at the Committee meeting. The submission of the planning application is a material planning consideration but given that it is in outline, has been submitted three working days before the Committee meeting, cannot be confirmed to be a valid application and is in outline on a site that is already allocated in the Local Plan to 2036 it is considered that limited weight can be given to it.

Three local residents have written to reiterate their objections to the scheme which are already summarised in the main report. One of these has written raising a new issue, stating that the applicant has had no community engagement with local residents, but in the very next paragraph of their objection letter go on to refer to the applicant being questioned at a public meeting about their proposals.

A further objection has also been received from the Abbey Group (the applicants on the Meadow Lane site, application 19/02271/FUL, are Abbey Properties and The Ramsey Club Company Ltd) who have submitted the application on the adjacent allocated RA7 site. The objection makes the following points:

- The Buryfield application jeopardises the delivery of housing allocation RA7 as it shows roads connecting through to a large attenuation basin. The Buryfield site might, depending on site levels jeopardise the drainage strategy for the allocated site.

Officer Comment: The fact that an application has been submitted would suggest that delivery of the allocated site is not as significant as the Abbey group suggests. The objection does not suggest that land outside of the boundary of the allocated site that is owned by a third party would be required in order to satisfactorily meet the drainage requirements of that site. An additional condition regarding site levels is recommended though and clearly it would be in the interests of proper planning of the area if both

applicants were to cooperate with each other regarding the interface between the two developments. Given the limited information available approval of this current application would not have any impact upon the ability of the allocated site to be developed.

The issue regarding the road layout has already been addressed at paragraph 6.3. Furthermore, the changes that might be required could easily be dealt with through the submission of an application for non-material amendments or minor material amendments to any planning permission.

- The loss of the two existing dwellings has not been taken account of in the Committee report and tempers any benefits alleged by the proposal.

Officer Comment: The loss of the dwellings is addressed in paragraph 6.2 of the report. With regard to further appraisal of this point the loss of two dwellings must be balanced against the provision of 54 new dwellings. It is not considered to be a significant factor that weighs against approval of the scheme and is certainly not considered to outweigh the benefits of the proposed development.

- The scheme is contrary to Policy G3 of the Bury Neighbourhood Plan given the lack of any public support from either local residents or the Parish Council. In addition, the applicant has made no attempt to engage with local residents or the Parish Council.

Officer Comment: Policy G3 of the neighbourhood Plan states the following:

- *Developers considering making proposals for major development within Bury should contact Bury parish Council at the earliest opportunity to discuss how pre-application community engagement can be undertaken.*
- *Bury Parish Council will work with developers to facilitate effective and proactive community engagement and to ensure that the requirements of the Neighbourhood Plan are taken into consideration.*
- *Proposals for development which are accompanied by a community engagement report that details how the outcome of the pre-application community engagement has been taken into account in the scheme will be particularly supported.*

The applicant has stated that they, the affordable homes provider and the architects have visited the Parish Council three times since 2018 to discuss the development of the site at Buryfield. In addition, the meeting referred to by the local resident above was an open day in Bury Village Hall that approximately 200 people attended where a scheme was presented, and questions answered. The applicant states that they then took residents views into consideration when finalising their plans.

There is no evidence that the applicant has not complied with the requirements of Policy G3 of the Neighbourhood Plan. The evidence is in fact the opposite, that the developer has engaged with the local community and the Parish Council in accordance with the aims of Policy G3, which does not require that local residents support the proposal in order for permission to be granted as is suggested by the objector.

Paragraph 7.49 of the Local Plan states that promoters will be expected to work with communities to resolve any concerns expressed regarding a specific proposal but that given that any individual scheme is likely to receive both

support and objections, a balanced judgement will be taken reflecting community views and the merits of the proposal. It is considered that both the merits of the proposal and the views of local residents have been appropriately assessed and that the balance weighs comprehensively in favour of approval of the application.

A further detailed objection has been received from the agents acting for the applicants of the Meadow Lane site that makes detailed comment on both reports. The basis for their further objection is areas of concern and perceived inconsistencies with regard to how this Buryfield application has been presented. The agent makes the following points:

- That the report at paragraph 1.5 fails to give distances from local facilities, differing from the approach taken on the Meadow Lane report.

Officer Comment: distance to bus stops is set out clearly at paragraph 7.58 of the report. The site is approximately 640 metres from the Primary School and approximately 690 metres from the convenience store at the junction of Owl's End and Warboys Road.

- That at paragraph 7.10 the report says that the Buryfield site is adjacent to but outside the built-up area of Bury whereas the Meadow lane site, at paragraph 7.15 of that report is considered to be well related to the settlement.

Officer Comment: Paragraph 7.10 of the Buryfield report goes on to say that the site is considered to relate well to the built-up area of Bury.

- That at paragraphs 7.31 and 7.122 the Buryfield report states that the development complies sufficiently with Policy LP28 of the Local plan to 2036. This is not a policy test.

Officer Comment: It is agreed that a more appropriate form of words is that it is considered that on balance the proposal accords with the requirements of Policy LP28.

- That the bus stop improvements are not a social benefit as the report states at paragraph 7.118, they are required as mitigation to make the development acceptable.

Officer Comment: This point is agreed with, but it does not alter the conclusions of the report that the proposed development provides social gains in accordance with paragraph 8 of the NPPF.

- That little consideration has been given to whether or not the Buryfield scheme complies with points ii) and iii) of part d) of Policy LP28.

Officer comment: Consideration of point ii) of part d) of Policy LP28 is contained with the section of the report that deals with access, parking and highway safety. Consideration of point iii) is found within the section that deals with the impact upon the character and appearance of the area. Paragraph 5.17 states that the Council's Landscape Officer has no objections to the proposed development.

Policy G3 of the Bury Neighbourhood Plan. These points are covered in the officer comment above.

At paragraph 7.106 the final sentence should read “In addition, of the remaining 40% of the net site area, of which 15 of the other 25 homes to be provided shall be affordable...”

4(e) 19/02271/FUL - Land North East Of 15 Meadow Lane, Bury

Since the Committee Report was published a number of updates are required.

Two local residents have written to reiterate their support for the scheme and one local resident has written to reiterate their opposition. All are for reasons which are already summarised in the main report.

A further detailed response has been received from the agent acting for the applicants of this application that makes detailed comment on both reports. Their letter expresses concerns in respect of the Meadow Lane report and highlights inconsistencies with how the reports have been presented. The agent makes the following points:

- The views of the Parish Council and the strong support from local residents have not been factored into the planning balance.

Officer Comment: The views of the Parish Council are summarised at paragraph 5.1 of the report. The views of local residents are set out in section 6 of the report. For the reasons set out in the report Officers do not agree that Meadow Lane is a suitable location for residential development or for meeting local affordable housing needs. The support of the Parish Council and a majority of local residents for the development is noted and taken into account but is not considered to outweigh the material considerations that have led to the conclusion that development of the site in contrary to the development plan as a whole and should not be allowed.

- The views of the Conservation Team should be read in the context of no objection being raised by Historic England.

Officer Comment: Historic England did not comment on impact to the Conservation Area which is of primary concern. They are simply consultees as are the Conservation Team. They also took a narrow view of the church's setting. This development in the green fringe would impact views within the Conservation Area and views which include the church are important to both assets. Historic England guidance indicates that setting can be extensive and varies in the way the 'experience' of the heritage asset is impacted. In the context of the medieval topography as identified through the green fringe and medieval causeways, putting a housing development into the wider green setting to the church would have a negative impact on how the church is experienced in its historic context.

- At paragraph 5.9 the report states that harm to the medieval causeway would be 'less than substantial'. This is not consistent with the test set out in paragraph 197 of the NPPF regarding non-designated assets. The assessment in section 7 does not consider the impact on the Causeway specifically.

Officer Comment: Paragraph 197 of the NPPF states the effect of an application on the significance of a non-designated asset should be taken into account in determining the application and that a balanced judgement will be

required having regard to the scale of any harm or loss and the significance of the heritage asset. Scale has to be referenced somehow and while there is no choice of policy regarding level of harm as there would be with designated heritage assets it is still a valid point of reference.

The impact of the proposed development on the medieval causeway is set out in paragraph 5.9. The development would have a harmful effect on the significance of the medieval causeway and although less than substantial it weighs in the planning balance against the benefits of the scheme.

- The report incorrectly assesses the impact of the development on the green fringe.

Officer Comment: The green fringe is identified in the Conservation Area Character Assessment which is an adopted document in which the Council expresses particular areas of significance to the conservation area. The Local Planning Authority has a statutory duty to preserve or enhance the character or appearance of the Conservation Area. This proposal fails to preserve the character or appearance of the Ramsey Conservation Area as set out in the adopted document.

- Policy LP28 should be assessed in the round. Even if the Council supports the Officers view with regard to Policy LP28 according to the assessment the application fails one third of one quarter of the policy – that is not a breach of policy.

Officer comment: It is agreed that sometimes policies pull in different directions and that there is a need to consider policies in the round. The effect that an application has on the character of the immediate locality and the settlement as a whole is a key component of Policy LP28 while relates to Rural Exceptions Housing. Paragraph 7.44 of the Local Plan explains that opportunities for development within the built-up areas of settlements may be limited. Paragraph 7.45 makes clear that a Rural Exceptions Site is one where planning permission would not normally be granted for planning permission. Officers are firmly of the view that taking all material considerations into account and being mindful of the benefits of the proposal and other compliance with Policy 28 the scheme is, on balance, contrary to Policy LP28 of the Local Plan and that the proposal is contrary to the development plan as a whole.

- The way that both reports deal with the level of compliance with Policy G4 of the Bury Neighbourhood Plan is dealt inconsistent.

Officer comment: This is not correct, both reports states that there are elements of both applications that do not comply with that part of Policy G4 that relates to the remainder of a rural exceptions site being prioritised for self-building and custom housing aimed at meeting local needs. Neither application does this and this is set out in both reports.

At paragraph 7.27 and 7.28 this should read as a single paragraph rather than separate paragraphs.

A further letter of support has been submitted by Ramsey Club Company Ltd, one of the joint applicants. It states that the impact of Covid-19 is significant, and that financial forecast show the club having Page 9 of 10 additional funding before the end of

the year. Should permission be granted for the Meadow Lane development, then this would help secure the Club's future.

Officer Comments: Covid-19 is affecting the entire country. Golf courses have, in the past few days, allowed to reopen. Any financial benefit to the Club cannot be guaranteed to secure its future and it is not considered that the assistance that it might provide outweighs the clear conflicts with the development plan and the harm that has been identified.

A statement of community involvement has also been submitted demonstrating the public consultation has been undertaken in compliance with Policy G3 of the Bury Neighbourhood Plan and paragraphs 39 - 42 of the NPPF.

**4(f) 19/02107/FUL - New Manor Farm, Sawtry Way, Wyton, Huntingdon
PE28 2DY**

There are no late reps for this item

**4(g) 19/02108/FUL - New Manor Farm, Sawtry Way, Wyton, Huntingdon
PE28 2DY**

There are no late reps for this item