

Delegation meeting - Minutes

- **Date:** 21st November 2023
- **Time:** 11:00 – 12:30
- **Meeting held:** via Teams

Attendees: Cllr Martin Cahn (Chair of Planning Committee), Cllr Peter Fane (Vice Chair of Planning Committee), Rebecca Smith (RS) Delivery Manager (DM West & Compliance) and Phoebe Carter (Senior Planning Officer)

Apologies:

Minutes approved by: Cllr Martin Cahn (Chair of Planning Committee) 02.12.2023

23/03537/FUL – 29 Cootes Lane Fen Drayton

Erection of 1no two storey 3bed detached dwelling and double garage with space for secure cycle storage.

Reason for Call-in Request:

Parish requested - We raised through our SCDC councillor, Sue Ellington, the issue that has arisen about number 29 Cootes Lane applying for planning permission to build a house in the garden. Number 29 is a house on the former LSA land and as such is subject to the regulations applying to LSA land. Two houses have been built on number 29 land based we assume on the footprints of piggeries as required by legislation. In a letter to Cllr Ellington on 9th October you stated that the proposal to build a house in the garden of number 29 was covered by "Policy H/16. As such the Council has to consider whether the proposal complies with this policy or any other policy within the Local Plan that supports development such as this." We don't see any justification for why the local plan supersedes the LSA H/5 policy. The LSA was put in place for exactly this reason.

Essentially this is setting a precedent that all other LSA properties can, after using their LSA quota for development, then carve up their remaining "gardens" because they are considered to be that rather than LSA land. There are a lot of LSA plots that are large enough to have subsequent development after having utilised the LSA allocations. Looking at the allocations on the original LSA Development Framework document, there was never any defining of garden space over small holding space - the entire property boundary was considered the plot. Another note from this document is the fact that the allocation of eligible buildings that has already been used for the two other dwellings on 29's plot was (and still is by the looks of the last google aerial images) on the land that the latest application is for. This gives clear precedent that the land in question is LSA land and not a garden that is outside of scope

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Key considerations

The Case Officer (TC) introduced the application outlining the existing context of the site and surrounding area, outlined the proposal together with the details of the planning history on site and relevant in the surrounding area. The case officer advised that the site has already been the subject of a planning application to use the relevant building footprint under policy H/5 to build two additional houses within the site.

This current application is not under policy H5 (with the LSA) but rather falls to be assessed under policy S/7 as the site lies outside of the development framework and policy H/16 covering developments within residential garden land. H/5 covers the change of use of

existing buildings or redevelopment of building footprint within the LSA area with sustainable living accommodation. However in this instance the applicant is not proposing to replace any existing footprint, but to erect a new residential unit. Therefore this policy is not relevant to this application and instead the proposal falls to be assessed under policy S/7 and H/16.

The concerns raised by the Ward Member and Parish Council objecting to the proposal were noted. However, it was acknowledged that all applications are assessed on their own merit and as such there are no concerns about setting a precedent for further applications for such development. The character and plot widths within the immediate streetscene would not support such a proposal.

It was acknowledged that the nature, scale and complexity of the proposed development is not significant in context. There is no public interest in the scheme and it was not considered there were any policy implications. Consequently, in consultation with the Chair and Vice Chair of the Planning Committee, the Delivery Manager considered, on balance, the proposal should not be referred to the planning committee.

Decision

Do not refer to Planning Committee

23/03837/FUL – 9 Longstanton Road Oakington

Demolition of existing garage and erection of a 2 bed dwelling

Reason for Call-in Request:

Officer requested – Departure from development plan.

Key considerations

The Case Officer (AY) introduced the application outlining the existing context of the site and surrounding area, outlined the proposal together with the details of the planning history on site. The case officer advised that the site is accessed via a private road, and is located in Flood Zone 3 which means there is a high probability of flooding in this area. The NPPF states that new development should be steered to areas with the lowest risk of flooding, and that development should not be permitted if there are reasonably available appropriate sites in areas with a lower risk of flooding.

The case officer also advised that the proposed dwelling would include flood mitigation measures (including raised finished floor levels) and floodplain compensation measures which total a net gain of 100.9m³ in floodplain storage. This would offset the flood storage impact arising from the location of an additional dwelling in the flood zone and would provide additional flood plain storage for the public, reducing the flood risk to the immediate community.

As part of the application process the Environment Agency and Councils Sustainable Drainage officers have been consulted and raised no objections. The Local Highways Authority however have raised objections to the proposal.

It was acknowledged that the nature, scale and complexity of the proposed development is not significant in context. There is no public interest in the scheme, however given the planning history the policy implications relating to new residential development within flood zone 3 in consultation with the Chair and Vice Chair of the Planning Committee, the Delivery Manager considered, on balance, the proposal should be referred to the planning committee.

Decision

Refer to Planning Committee