

## **PLANNING COMMITTEE: MINUTES**

Date: Thursday 20<sup>th</sup> April 2017

Time: 10.00am – 10:18am

Place: Kreis Viersen Room, Shire Hall, Cambridge

Present: Councillors P Ashcroft, B Ashwood, D Connor (Chairman), B Hunt, S Kindersley, A Lay and M Loynes.

### **239. APOLOGIES AND DECLARATIONS OF INTEREST**

Apologies were received from Councillors Harford, Scutt and Smith.

There were no declarations of interest.

### **240. MINUTES – 16<sup>TH</sup> MARCH 2017**

The minutes of the Planning Committee meeting held on 16<sup>th</sup> March 2017 were agreed as a correct record and signed by the Chairman.

### **241. WIDENING OF EXISTING BANK BY EXPORTATION OF WASTE SOIL (RETROSPECTIVE)**

**AT: MANOR FARM, LOW ROAD, FENSTANTON, PE28 9HU**

**FOR: A M BEHAGG FARMS**

**LPA REF: H/5003/14/CM**

The Committee received a planning application that was first presented to the Committee in February 2016 where the application was deferred to allow the applicant time to discuss with the objector means of improving the way in which water moved from the ditch next to Huntingdon Road over or through the bank to the flood plain to the north. Members were reminded of the location of the bank and were informed that the objector was now satisfied with the work that had been undertaken by the applicant and no longer objected to the application. Members' also noted that the County Council as the Highways Authority was undertaking extensive work on the bridge that would clear the culvert and replace the back-flap valve.

Speaking in support of the application, David Mead agent for the applicant drew attention to the work undertaken by the applicant in consultation with the objector and the work undertaken by the County Council on the bridge.

It was proposed by Councillor Kindersley and seconded by Councillor Lay that the recommendation be put.

It was resolved unanimously to grant planning permission subject to the conditions attached at Appendix A to these minutes.

## 242. ENFORCEMENT UPDATE REPORT

The Committee received the Enforcement Update Report that covered the period 1 January 2017 to 31 March 2017. In particular officers updated Members with developments regarding 2 enforcement actions which had taken place since the report was published; Section 13 of the report for Land at Warboys Airfield Industrial Estate where landowners had been served a Planning Contravention Notice noted that a response had been received from the landowner committing to reducing the level of waste at the site but progress was slow so officers would be visiting the site to assess progress; and Section 15 of the report for East Anglian Resources Limited (Earl) wood waste site, Benwick Road, Whittlesey where a Planning Contravention Notice had now been served to which officers were awaiting a response. Attention was also drawn to Appendix 1 of the report which set out the list of cases where enforcement action has been taken and where monitoring is still ongoing; and Appendix 2 which set out cases where extant enforcement notices exist but no further action is planned at this time.

During discussion Members:

- Thanked officers for the work undertaken regarding enforcement action that could often be extremely difficult.
- Drew attention to paragraph 11 of the report, land known as “Asgard”/Field 6184, emphasising the importance of maintaining prompt action. Officers advised that a letter had been sent to the landowners that requested a response by 24<sup>th</sup> April 2017 and that if nothing was heard then a warrant to gain access to the land would be sought through court. Officers agreed to provide an update to Members on whether a response was received and at key stages going forward. **ACTION**
- Highlighted Section 14 of the report, Barrington Quarry, which had planning permission for the quarry void to be filled with material imported to the site by rail, the impact of the noise and vibration from the delivery of which was reported as affecting nearby properties. Officers informed Members that correspondence had been received from the Parish Council in relation to the site and information had been submitted in relation to these matters by the site operator, CEMEX, which was still being assessed. Therefore the Planning Contravention Notice would not be issued until all the information had been fully reviewed. A meeting with CEMEX had been scheduled to take place on 24 May 2017.
- Noted the evidential and public interest tests that had to be met prior to prosecution action being taken. Prosecution did not resolve the breach of planning control and therefore negotiation was often preferred as it resolved breaches more quickly and cost effectively. However, it was acknowledged that there is a fine line that needed to be balanced.

## 243. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS

It was resolved to note the decisions made under delegated powers.

Chairman

1. The approved drawings are:
  - 2014-11-1 Location Plan dated April 14
  - 2014-11-2 Rev B Flood Bank Levels dated April 14 (stamped received by Cambs County Council 04 Nov 2015)

*Reason: To maintain a connection to the flood plain to the north of the bank and minimise the risk of exacerbating flooding on Huntingdon Road in accordance with the Huntingdonshire Local Plan (1995) policy CS 9 and Huntingdonshire District Council Core Strategy (2009) policy CS1.*