

PLANNING COMMITTEE: MINUTES

Date: Thursday 10th December 2015

Time: 10.00am – 11.35am

Place: Kreis Viersen Room, Shire Hall, Cambridge

Present: Councillors, P Ashcroft, C Boden (substituting for Councillor Loynes), D Connor (Chairman), L Harford, R Henson (substituting for Councillor Lay), W Hunt, S Kindersley, M Loynes, M Mason, J Scutt and M Smith (Vice-Chairwoman)

149. APOLOGIES AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors B Ashwood, A Lay and M Loynes.

There were no declarations of interest.

150. MINUTES – 12TH NOVEMBER 2015

The minutes of the Planning Committee meetings held on 12th November 2015 were agreed as a correct record and signed by the Chairman.

151. CHANGE OF USE FROM CLASS D2 (LEISURE) TO CLASS D1 (NON-RESIDENTIAL INSTITUTIONS) TO PROVIDE A PUBLIC RECORD AND ARCHIVE FACILITY.

AT: STRIKES TEN PIN BOWLING, THE DOCK, ELY, CAMBRIDGESHIRE, CB7 4GS

FOR: CAMBRIDGESHIRE COUNTY COUNCIL

LPA REF: E/3001/15/CC

The Committee considered an application for the change of use of the Strikes Ten Pin Bowling Alley from Class D2 (leisure) to Class D1 (non-residential institutions) to provide a public record and archive facility. Officers highlighted the proposal had been revised significantly and would now provide accommodation for the archives held in the basement of Shire Hall only. Members were informed that there were 56 car parking spaces available at the proposed site; far more than was currently available at Shire Hall. Officers highlighted the pedestrian route from the train station that ran alongside the Tesco Superstore.

Mr Jamie Roberts spoke on behalf of the applicant, and emphasised the urgent need for the archives to be relocated from the Shire Hall site and Members noted that the matter had previously been considered by the Highways and Community Infrastructure Committee. The transport links with mainline train and bus services were also highlighted to the Committee.

Alan Akeroyd, Archives and Local Studies Manager for Cambridgeshire County Council added that there would be more space than was currently available at the Shire Hall site and it would allow researchers to consult maps and large documents more easily. The improved accessibility of the site was highlighted to the Committee with rail links, bus links and improved car parking availability. He explained the intention to accommodate school visits in a specific room and also provide IT and microfilm facilities. There would also be an area

provided to eat and drink. The importance of receiving accreditation from the National Archives was emphasised to Members and therefore they had been heavily involved in the development of the plans. The National Archives had agreed that it was possible for the building to be converted for use as such a facility. In addressing concerns regarding the situation of the building within a flood zone it was highlighted to Members that several other archives had been built in flood zones and that architectural details and staff working practices would mitigate the risk of flooding.

In response to Member questions:

- It was explained that the visitor numbers for those arriving from outside of Cambridgeshire could be provided to Members following the meeting, but anecdotally there were a significant number of out of county visitors, including many from abroad that visited to find relatives from the Cambridgeshire area. It was hoped that signage would be erected so that the visitor experience was as smooth as possible.
- It was recognised that flooding was a serious issue but it was pointed out that floods occurred in the basement of Shire Hall the moment. A large amount of detailed work had been undertaken with the National Archives to mitigate the risks of flooding and it was highlighted again to Members that several archives had been constructed in flood zones, including the National Archives at Kew.
- Confirmed that the expected number of visitors was based on estimated footfall figures and did not include school visits. Engagement was viewed as something much broader with documents able to be viewed remotely.
- Confirmed that it was expected that coaches would enter the site and leave again once passengers had disembarked. There would be no allocated coach parking in the car park. Officers explained that Highways officers had not recommended the provision of coach parking and that there was free coach parking available in the City. Minibuses would be able to park at the site as the spaces would be sufficiently big enough to accommodate them.
- Addressed concerns that the links between the archives and Cambridge could be lost. It was agreed for officers to discuss with Members the possibility of an annual festival where historic documents could be shown to the public. Officers confirmed that the Cambridgeshire Collection would remain in Cambridge.

The Council's Legal Officer explained that there was nothing to prevent an application being made within a flood zone and reminded the Committee that it was their role to judge whether the report and the applicant had demonstrated that the flood risks had been mitigated.

It was resolved to:

Approve the application subject to the conditions set out in appendix A to these minutes.

152. CHANGE OF USE OF LAND TO MOTOCROSS AND RECREATIONAL RIDING OF MOTORCYCLES WITH SITING OF 2 NO STORAGE CONTAINERS, TOILETS, MARSHALLING BOXES, LITTER BINS, WASTE SKIP AND SITE CABIN TOGETHER WITH OPERATIONAL DEVELOPMENT INCLUDING RAISED AREAS, RACE TRACK, CAR PARKING, TRACK FENCING POSTS, RAILINGS, AND SPECTATOR FENCING

AT: BLOCK FEN DROVE, CHATTERIS, CB6 2AY

APPLICANT: F15-MX

LPA NO: F/YR15/0985/F

The Chairman proposed a motion, seconded by Councillor Smith to allow Councillor Anna Bailey to address the Committee and to speak on the matter as she was not the Local Member for the division that the application was related to.

The Committee considered the proposed Council's formal consultation response for an application made to Fenland District Council to change the use of the land at Block Fen, Chatteris in order to allow motocross and the recreational riding of motorcycles for a period of 5 years. Officers informed the Committee that the restoration of the site should have been completed by November 2014 and a similar application had been refused by Fenland District Council in December 2014. The Committee was reminded that it refused an application to vary condition 2 of the 1998 mineral permission and the 2002 S106 agreement to defer restoration of the site for approximately 7 years to allow the use of the land for motocross and motor cycle riding in December 2014. Members were informed that the landowner, Hanson, have acknowledged they have a duty to restore the site and have proposed to complete restoration work by summer 2016. Officers informed the Committee that a meeting was due to take place with Hanson together with conservation bodies to resolve the matter and work to bring the completion date forward.

In response to Members questions officers:

- Confirmed that no application to vary the conditions of the mineral permission or S106 agreement had been received.

Mr Robert Partridge speaking against the application thanked officers for their professionalism and expressed the hope that Members joined the many other bodies and conclude the application should be refused. Mr Partridge's concern was one of principle in that companies had failed in their legal obligations to restore the site as per the original planning permission. He suggested that because Hanson had not specified a completion date for the restoration to be completed by, motocross would form part of the restoration plan running alongside the restoration work and they were incompatible. All the site required was fencing and to be left alone in order to recover.

Councillor Anna Bailey addressed the Committee as a Member for East Cambridgeshire District Council and Cambridgeshire County Council. She relayed apologies for Mepal Parish Council as they were unable to attend the meeting. Councillor Bailey had received many communications from residents on the matter and drew attention to the Section 106 agreement and the revised restoration plan submitted by Hanson that was accepted by all parties apart from timescales involved. There could be no justification by Hanson for the delay in restoration and for there to be no completion date for the work. She expressed hope for the outcome of the meeting between the Council and Hanson that was due to take place the following week. Attention was drawn to an e-mail received from the Director of Communications for Hanson in which he stated that all options for the site were under

consideration including restoration and the sale of the site. She emphasised that local residents were promised that the site would be restored and challenged officers to force Hanson to comply with the conditions of the original application by issuing a breach of condition notice. Councillor Bailey requested the Committee register its objection to the application and asked for a resolution to be added to ensure that restoration of the site was completed by March 2016.

During discussion of the report Members:

- Accepted that motocross riding had to happen somewhere but emphasised that as a matter of principle the site should be restored as per the original planning application and expressed surprise that the Council had been so accommodating to Hanson and suggested that enforcement action be considered.
- Thanked the people that had addressed the Committee and those that had e-mailed Members and suggested that Hanson demonstrated a level of arrogance and disdain for the Council with regard to the delays in the restoration of the site.
- Highlighted the need for an additional resolution to be proposed for restoration of the site to commence immediately and to be completed by 31st March 2016.
- Drew attention to an e-mail received by a local resident that highlighted the intention to run motocross events at the same time as the restoration work.

The Council's Legal Officer reminded the Committee that the application was made to Fenland District Council by F-15 MX not Hanson. The role of the Council in the matter was one of statutory consultee. The concerns regarding the Section 106 agreement were not relevant to the application because the applicant company does not own the land so is not bound by it. The minute of the meeting reflected the concern of Members regarding the restoration of the site for officers to explore further.

Members therefore requested a report to be presented at the January meeting of the Planning Committee that considered the options for the case for action regarding the site as it would have the necessary impact on Hanson to conclude the restoration of the site. Officers confirmed that a report setting out the legal position with regard to enforcement action would be presented to the January meeting of the Committee. **ACTION.**

It was resolved that:

The County Council as the mineral planning authority objects to planning application F/YR15/0985/F for the following reasons:

1. The proposed use of the land for motocross and the recreational riding of motorcycles was contrary to the terms of paragraph 5 or Part II of the second schedule of the S106 agreement between Cambridgeshire County Council, Church Commissioners for England and Hanson Quarry Products Europe Limited dated 28 November 2002.
2. To permit the proposed development of delaying by 5 years the restoration of land which is identified as a nature reserve within the Cambridgeshire and Peterborough Minerals and Waste Development Plan Block Fen/Langwood Fen Master Plan Supplementary Planning Document (July 2011) would be unacceptable and considered contrary to policies CS1, CS3, CS25, and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy Development Plan Document (July 2011).

153. ENFORCEMENT UPDATE REPORT, 1 MAY – 31 OCTOBER 2015

The Committee considered the Enforcement Update Report and were asked to note the content. Officers provided an oral update regarding section 8 of the report, Land Known as Asgard off Black Bank Road Little Downham. Since the report had been written the Council had received a response from the landowner with regard to the prosecution proceedings commenced under the section 16(1) of the Local Government (Miscellaneous Provisions) Act 1976. As a response had been received the prosecution would now be withdrawn as it was no longer in the public interest to continue.

It was resolved to note the contents of the report.

154. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS

It was resolved to note the decisions made under delegated powers

155. DATE OF NEXT MEETING: THURSDAY 7th JANUARY 2015

Chairman

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1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following documents and drawings:

- Planning Statement March 2015 rev C (received: 06/03/2015);
- Planning Statement Addendum November 2015 (received: 3/11/2015)
- Transport Statement Report No 5 30.10.2015 (received: 03/11/2015)
- Location Plan CAM.1030 (received: 03/11/2015)
- Site Plan - 9125-SK-001 rev B (received: 03/11/2015);
- Proposed Elevations - SK4 rev P4 (received: 03/11/2015);

Reason: To define the site, protect the character and appearance of the locality, and to ensure flexibility of the internal arrangement of the space, in accordance with policy ENV 2 of the East Cambridgeshire Local Plan (2015).

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 (or any order revoking, re-enacting or modifying that Order) the development hereby permitted shall be limited to the purpose of providing public access to the County Public Archives with ancillary storage of the archive material only and for no other purpose including any other use falling within Class D1 non-residential institutions.

Reason: In order to limit the development to that which has been applied for to limit the transport impacts, in accordance with COM 7 of the East Cambridgeshire Local Plan (2015).

4. The car parking spaces and bicycle parking spaces shown on "Site Plan - 9125-SK-001 rev B" shall be provided prior to the building first being brought into use and kept available for the parking of motor vehicles and bicycles, respectively, at all times. The parking shall be used for the benefit of the staff and visitors to the building and permanently retained as such thereafter.

Reason: To accommodate staff and visitors vehicles at the site in accordance with COM 7 and COM 8 of the East Cambridgeshire Local Plan (2015).

Informative

Condition 3 requires that any subsequent change of use from the County Public Archive Facility will require planning permission.