

## **PLANNING COMMITTEE: MINUTES**

Date: Thursday 3rd October 2019

Time: 10.00am – 10:23am

Place: Kreis Viersen, Shire Hall, Cambridge

Present: Councillors B Ashwood, D Connor (Chairman), I Gardener (Vice-Chairman), L Harford, B Hunt, S Kindersley and M Smith.

Officers: Sandra Bucci – Senior Compliance Officer, Hannah Edwards – LGSS Law, Emma Fitch – Joint Interim Assistant Director, Environment and Commercial, Rachel Jones – Development Management Officer, Strategic and Specialist, Daniel Snowdon – Democratic Services Officer

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

Apologies for absence were received from Councillors Hudson and Whitehead.

Councillor Kindersley declared a non-statutory, non-pecuniary interest in agenda item 4 as he was the local Member for Barrington and Chairman of the Barrington Liaison Committee.

### **93. MINUTES – 18<sup>TH</sup> JULY 2019**

The minutes of the Planning Committee meeting held on 18<sup>th</sup> July 2019 were agreed as a correct record and signed by the Chairman.

### **94. RETROSPECTIVE APPLICATION FOR THE ERECTION OF DOUBLE STOREY REPLACEMENT OFFICE BUILDING WITH EXTERNAL ACCESS STAIRCASE**

**AT: BARRINGTON QUARRY, HASLINGFIELD ROAD, BARRINGTON, CB22 7RQ**

**LPA REF: S/0106/18/CW**

**FOR: CEMEX UK OPERATIONS LTD**

The Committee considered a report that sought retrospective planning permission for the erection of a replacement double storey office building with an external access staircase.

The presenting officer informed Members that the Barrington Quarry site was a former chalk extraction site. Members were reminded that planning permission had been granted by the County Council in June 2019 for the importation by rail of inert material for the restoration of the quarry.

The Committee was informed that outline planning permission had been granted by the District Council in October 2016 for the erection of 220 residential units, formal and informal open space including allotments, car parking for Barrington School and transport links. An element of the development was the demolition of the former administration block for the cement works which was being used as a site office for the restoration of the wider quarry. The applicant required a replacement building and constructed one within the existing leachate area that was not visible from outside the site and sought retrospective planning permission for its construction for the remainder of the scheduled restoration work. The demolition of the former administration block was due to take place imminently.

Members noted that one objection had been received from South Cambridgeshire District Council which recommended that due to the temporary nature of the replacement building, planning permission should be time limited for 2 years or for the duration of the restoration, whichever was sooner. This would require the applicant to submit up to a further 9 planning applications over the duration of the restoration. It was noted further that South Cambridgeshire District Council had agreed verbally for temporary consent to be granted for up to 7 years. However, no written confirmation of that had been received.

The presenting officer informed the Committee that LGSS Law had confirmed that there was no relevant case law which would preclude granting planning permission for the duration of the restoration providing that the planning permission was tied to the end of the restoration.

Members noted that no letters of representation had been received.

The Committee was provided with a location plan that illustrated the relationship of the site with Barrington and nearby strategic highways. Elevations and photographs of the buildings were shown and Members noted the colour scheme of the buildings that was designed to match other buildings on the site. Once again it was highlighted that the structure were not visible from outside of the site.

During debate of the application Members expressed disappointment that the work undertaken by officers and the local Member had not elicited a more constructive response from South Cambridgeshire District Council. It was requested with the unanimous agreement of the Committee that council officers write to South Cambridgeshire District Council on behalf of the Chairman expressing disappointment regarding the objection raised, highlighting the considerable expense to the Council incurred as a result and including the impact to the environment of convening a meeting for the one item. **ACTION**

It was proposed by Councillor Smith and seconded by Councillor Harford that the recommendation be put to the vote.

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

## **95. ENFORCEMENT UPDATE REPORT**

Members received the enforcement update report that covered the period 1<sup>st</sup> May - 31<sup>st</sup> August 2019, detailing the number of site monitoring visits undertaken and provided updates on key enforcement cases.

The presenting officer updated the Committee further to the report relating to Field 6184 / Black Bank, Little Downham. Following discussion with senior officers, a letter would be sent to the landlord and the tenant farmer reminding them of the High Court judgement regarding the importation of material without the expressed permission of Cambridgeshire County Council and setting out the penalties if breached.

During discussion of the report:

- A Member commented that regarding Field 6184 / Black Bank, Little Downham, a prior notification had been submitted for an agricultural building using permitted development rights that did not therefore require planning permission from East Cambridgeshire District Council. The Member requested that officers worked closely with East Cambridgeshire District Council and the local District Councillor regarding the matter as there was concern that breaches could occur. Officers advised that pre-emptive action for anticipated breaches could not be undertaken but if breaches were reported officers would investigate in the usual way. Officers explained that legal advice would be sought regarding whether it would be appropriate for copies of correspondence to be shared with Little Downham Parish Council.
- It was noted by the Committee that the first payment regarding the successful enforcement action undertaken at Field 6184 / Black Bank, Little Downham had been made and a second payment was due during November 2019.
- Members noted that the research being undertaken by officers regarding Mill Road, Fen Drayton was taking longer than expected due to many of the records at South Cambridgeshire District Council being stored on microfiche.
- Welcomed progress made relating to Block Fen which was drawing to a positive conclusion.

It was resolved to note the contents of the report.

## **96. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS**

The Committee considered a summary of decisions made under delegated powers.

It was resolved unanimously to note report.

Chairman



Approved plans and documents

1. The retrospective development hereby permitted shall not proceed except in accordance with the details set out in the submitted application dated 06 November 2018 and the following approved plans and documents (received 20 November 2018 unless otherwise stated), except as otherwise required by any of the following conditions set out in this planning permission:
  - Drawing number 18\_C041\_BARR\_001 – Site Location Plan
  - Drawing number 18\_C041\_BARR\_002 – Site Plan
  - Drawing number 18\_C041\_BARR\_003 – Site Cabins

**Reason:** *To define the site and to protect the character and appearance of the locality in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (2011).*

Duration of permission

2. This permission shall be for a limited period only expiring on 31 December 2035 or on the completion to the satisfaction of the Waste Planning Authority of the importation and deposit of inert restoration material to restore the former clay and chalk quarry approved under planning permission reference S/0204/16/CW whichever is the sooner. On or before this date, the development carried out in pursuance of this permission shall be demolished/removed from the site and the land restored to its former condition in accordance with a scheme which shall have been previously submitted to and been approved in writing by the Local Planning Authority.

**Reason:** *The use is not considered suitable as a permanent form of development and to protect the amenities of adjacent land users in accordance with policies CS2, CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (2011) and policy NH/2 of the South Cambridgeshire District Local Plan (2018).*

Hours of operation

3. The site office building hereby approved shall not be occupied for use except between the hours of 0600 and 2200 hours Monday to Friday and between 0600 and 1300 on Saturdays. There shall be no Sunday or bank or public holiday working.

**Reason:** *To protect the amenities of adjacent land users in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (2011) and policy SC/10 of the South Cambridgeshire Local Plan (2018).*

### Lighting

4. No additional external lighting shall be erected or installed unless full details have been submitted to and approved in writing by the Waste Planning Authority. The external lighting shall be erected or installed and maintained in accordance with the approved details.

***Reason:*** *To protect the amenities of nearby residents in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (2011).*

### Compliance with paragraph 38 of the National Planning Policy Framework (February 2019)

The Waste Planning Authority has worked proactively with the applicant to ensure that the proposed development is acceptable in planning terms. All land use planning matters have been given full consideration relating to the retention of a two storey site office with external access staircase. Consultation took place with statutory consultees and other consultees, including local residents, which have been taken into account in the decision making process.