

**PLANNING COMMITTEE: MINUTES**

Date: Thursday 18<sup>th</sup> July 2019

Time: 10.00am – 11.53am

Place: Kreis Viersen, Shire Hall, Cambridge

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

Officers: Kirsty Carmichael – Development Management Officer, Hannah Edwards – LGSS Law, Hilary Ellis – Principal Officer Sustainable Drainage, Emma Fitch – Joint Interim Assistant Director, Environment and Commercial, Dr Jon Finney – Principal Highways Development Management Engineer, Iain Green – Senior Public Health Manager Environment and Planning, Lesley McFarlane - SCDC Development Officer (Health Specialist), Tam Parry – Principal Engineer Transport Assessment, Hannah Seymour-Shove – Graduate Transport Officer, Daniel Snowdon – Democratic Services Officer

**88. APOLOGIES AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillor Whitehead.

Councillor Ashwood declared a non-statutory disclosable interest under the Code of Conduct in Minute No.90, as she was Chair of the School Advisory Board for Trumpington Park Primary School which was part of Cambridge Primary Education Trust. Councillor Ashwood assured the Committee that she had not discussed the application with the Trust and remained open-minded about the application.

**89. MINUTES – 16<sup>TH</sup> MAY 2019**

The minutes of the Planning Committee meeting held on 16<sup>th</sup> May 2019 were agreed as a correct record and signed by the Chairman.

**90. ERECTION OF A 2FE (420 PLACE) PRIMARY SCHOOL AND SINGLE STOREY 52 PLACE PRE-SCHOOL NURSERY WITH ASSOCIATED VEHICLE AND PEDESTRIAN ACCESS, CAR AND CYCLE PARKING, VEHICULAR DROP OFF AREA WITH LANDSCAPING AND PLAYING FIELDS, A PEDESTRIAN CROSSING, NEW FOOTPATH, WIDENING OF THE EXISTING FOOTPATH AND ANCILLARY WORKS**

**AT: LAND AT BUXHALL FARM, GLEBE WAY, HISTON, CAMBRIDGE, CB24 9XP**

**LPA REF: S/0101/18/CC**

**FOR: CAMBRIDGESHIRE COUNTY COUNCIL**

The Committee considered a report that sought planning permission for the erection of a 2 form entry (FE) primary school and single storey 52 place pre-school nursery with associated vehicle and pedestrian access, car and cycle parking, vehicular drop off area with landscaping and playing fields, a pedestrian crossing, new footpath, widening of the existing footpath and ancillary works. Members confirmed that they had received the amendment sheet already circulated which took account of an amended plan reference ahead of the case officer's presentation.

In presenting the report the Development Management Officer drew the attention of Members to paragraphs 143 - 145 of the National Planning Policy Framework (NPPF) that stated inappropriate development was, by definition harmful to the Green Belt, and should not be approved except in very special circumstances. Members were also directed to paragraph 94 of the NPPF which states that great weight should be given to the need to create, expand or alter schools. A map showing the location of the site within the Green Belt was shown. On balance, the recommendation of officers was that very special circumstances were demonstrated and therefore planning permission should be granted subject to the conditions set out in the officer report.

Members noted that 29 representations had been received and a map was shown that illustrated the locations of representations made in relation to the proposed site. Reference to the earlier Member site visit and the locations visited were also shown on a map with corresponding photographs.

Various plans, drawings and views of the proposed development were presented to the Committee and key features such as football pitches, teacher and visitor parking, the drop-off point and proposed planting were highlighted. A further highway infrastructure plan was shown that illustrated the proposed improvements to the highway that would be undertaken. Members noted the elevations shown of the proposed school, the proposed construction materials and the design that took inspiration from the large agricultural type buildings found in the wider countryside landscape. Illustrative visuals showing the proposed scale and mass of the development in the wider context were also displayed. The site would also require raising in order that the level was suitable for the construction and drainage requirements, which was also highlighted to Members.

In conclusion the presenting officer drew attention to the recommendation contained in the report and made reference to the recommendation of approval of the application being 'finely balanced' subject to the conditions set out at paragraph 10.1 of the report. In drawing this conclusion, the presenting officer explained that it was for members to strike the balance between harm to the green belt and the applicant's case for need, in their role as the decision maker.

Before concluding her presentation the presenting officer introduced the specialists that were attending the committee in relation to highways / transport, air quality / health, and drainage matters, so that questions could be answered by the relevant statutory consultees in the event Members required clarification on any information contained within the report or which may be raised by the speakers.

In response to Member questions officers clarified the requirement for new public buildings to be nearly zero carbon from 1 January 2019. The proposed development was designed to achieve a Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'Very Good' with proposed planning conditions seeking specific energy and water credits to ensure the design was acceptable in line with current Council policy. It was acknowledged that it was possible that because the design was somewhat advanced it may not be caught by the new nearly zero carbon requirements, as there had been no guidance received from government yet regarding the requirements. However, the applicant team had already been made aware of these requirements and had already been discussing these with the Council's Energy Team. In any event they would need to satisfy building regulations to be able to occupy the building.

The Chairman informed the Committee that owing to the number of speakers he would exercise his discretion and allow 6 minutes per section that would be shared between those speakers registered.

Speaking in support of the application on behalf of the applicant, Mr David Fletcher informed the Committee of the process that had been undertaken since 2016, including pre-application discussions with both County and District Planning Officers, that resulted in Buxhall Farm being chosen as the most appropriate site following the submission of a robust report that identified there were no suitable sites that were not located on the Green Belt.

Attention was drawn by Mr Fletcher to an objection to the application relating to air quality. An assessment was commissioned by the applicant that gathered samples along Glebe Way to look at the impact upon children at the school. The report found that there were no issues relating to air quality. Detailed discussions had also taken place with the Highway Authority and Camcycle.

The Chairman invited head teacher Jonathan Newman, to address the Committee in support of the application. Mr Newman provided the context to the application, highlighting the decision to increase the number of forms of intake four years ago. That decision necessitated the need for a split site and mobile classrooms in order to accommodate the additional children. It was currently very difficult to manage the school across two sites. Mr Newman concluded by drawing attention to NHS population forecast data that consistently inadequately forecast population growth for the area and was leading to pressures in the system.

In order that clarity for the Committee could be provided regarding demography and pupil forecasts the Chairman invited Clare Buckingham, Strategic Policy and Place Planning Manager and Alan Fitz, 0-19 Place Planning and Sufficiency Officer to respond to Member questions.

In response to Member questions:

- Confirmed in response to Member concerns about need for the school (and potential over provision) having to outweigh the harm to the Green Belt when considered against the wider strategic assessment for this area, that provision of school places had been assessed in the area. Orchard Park School was

close to capacity along with Cottenham Primary School which although had capacity there were significant housing developments planned that could require future expansion of the school. There was a small surplus of spaces at Milton Primary School and similarly at Oakington Primary School. The demographic trend for the area was upwards which was contrary to more rural areas of Cambridgeshire. Officers were confident that there were sufficient pupil numbers to fill four forms of entry.

- Informed the Committee that normally when a new school was opened it was done so in a phased manner in order to mitigate the impact upon surrounding schools. It was regrettable that the Cambridge University Primary school had not been opened in such a phased approach as there had been significant impact upon neighbouring schools. Members noted that the construction of the planned Darwin Green Primary School was being timed to coincide with the wider housing development in order that there was demand when the school opened.
- Explained in response to Member concerns about the figures in Table 1 showing the need was lower than the 2FE proposed and therefore empty classrooms would result or children coming from out of catchment, that the Council had a good and long standing relationship with the trust and worked with them across the county and there was a clear understanding of the strategic role of school planning and assessing impact on other schools. It was confirmed that there would be a period of time where not all facilities at the new school would be utilised. Ideally the construction of the school would be phased however, it was not possible to do so owing to the disruption it would cause to children's education.
- Informed Members there would be capacity for 60 children per year which would be phased as local demand dictated. It was essential that capacity was able to meet the demand of future developments in the area.
- Explained that there was a large growth in young families moving to the area which reflects the pattern of schools within Cambridge City losing pupils. The birth rate data used by the NHS did not reflect the movement of population. There was insufficient space at the current junior school site to support the predicted numbers of children in the mid 2020's.
- In response to questions about the figures in Table 1 including out of catchment children, the Head Teacher acknowledged that the school currently had about 10% of children from out of catchment.

Speaking against the application:

Mr Tom McKeown informed Members that he was a local resident whose daughter would likely attend the proposed school and he was a trustee for Camcycle, who represented 1,300 members in Cambridge and the surrounding area who worked

for better and safer cycling. Mr McKeown highlighted in particular issues relating to the non-motorised access to the school site.

Commenting further Mr McKeown, informed members that the motor-vehicle entrance cut across the Cottenham cycleway. Although measures had been undertaken to mitigate the impact through reprioritisation and a raised table, a path would continue along the main road without priority crossing of the school entrance. Retaining the route would lead to confusion of road users due to unclear priorities.

Mr McKeown turned his attention to the proposed signalised crossing of the B1049 toward the south of the school. The plans before the Committee showed that it was a cramped space with too little room for families to make their way out of the school gate and wait for the crossing or make progress riding along the cycleway, which contravened South Cambs Local Plan Policy T1/2. The space would be further restricted by the addition of traffic poles and guard rails. There was ample space shown on the school plans to significantly widen the area to both reduce conflict around the crossing and creating an inviting public space at the school gate.

In conclusion Mr McKeown, drew attention to the Cottenham Road junction north of the school that remained wide and fast. It was not an appropriate place for the uncontrolled proposed crossing. The junction should be realigned as a T-junction and narrowed to reduce turning speeds. As such, the application should be rejected and the applicant should come back with plans for sustainable transport.

In response to a Member question Mr McKeown, confirmed the current well-used cycleway could become potentially dangerous if planning permission for the school be granted. There was a conflict with the school entrance and where it interacted with the toucan crossing.

The Chairman invited Mr Malcolm Creek, to address the Committee. Mr Creek drew attention to the road on which he lived, Garden Walk, which was un-adopted and suffered from drainage issues due to the high water table. Residents of Garden Walk had undertaken their own improvements to drainage however, the development would impact upon resident's gardens. Increased risk of flooding would cause significant issues for septic tanks and Mr Creek questioned why foul water drainage for Garden Walk had not been included in the scheme.

The Council's Sustainable Drainage Principal Officer informed the Committee that the assessment carried out by Anglian Water had determined that flooding was unlikely and that the Council was satisfied with the surface water drainage strategy. The school was designed in a manner that allowed water to drain at the north of the site. The drainage system was designed to cope with a one in 100 year weather event plus climate change, which allowed for events over a number of days or torrential downpours, so that the worst scenario was taken into account. The Lead Local Flood Authority's assessment had taken into account the drainage infrastructure proposed and the raising of the land heights and it was confirmed that this was for the whole site and not just the buildings.

Mr Warren Eagling, was invited by the Chairman to speak on the planning application. Mr Eagling began by praising the school and its leadership. However, he acknowledged the questions being asked by members of the Committee in

relation to need and he expressed his own concern regarding the perceived demand for the school, where he did not believe that the sacrifice of Green Belt was justified.

Mr Eagling, endorsed the comments of the previous speaker Mr Creek regarding Garden Walk and expressed dissatisfaction with the flood tests undertaken.

In conclusion Mr Eagling, expressed concern regarding the level of proposed car parking provision which would result in people parking along Cottenham Road which was busy and fast and would result in accidents.

In response to a Member question Mr Eagling confirmed that he agreed with the views of Mr McKeown and that there were points of conflict along the route between different modes of transport.

Councillor David Jenkins, local Member for Histon and Impington addressed the Committee in support of the application. Councillor Jenkins, emphasised to the Committee that the current limits of the school had been reached and a solution was required. The demography of the area had changed and it was now the case that young families were moving to the area in significant numbers which was an experience shared by all necklace villages surrounding Cambridge. Councillor Jenkins referred to the forthcoming Neighbourhood Plan and referred to page 89 that recognised the value of the school in providing opportunity for children to be close to nature and understand where food comes from. Councillor Jenkins drew attention to the Green Belt and emphasised that the circumstances were suitably exceptional for a small portion of the Green Belt to be utilised for the school.

In closing Councillor Jenkins, questioned the location of the proposed crossing and requested that it be reassessed. Officers advised that the final scheme had not yet been finalised and officers would contact Councillor Jenkins in order to discuss the design further as part of the Section 278 highway works.

During debate of the application:

- A Member commented that the fundamental issue of pupil numbers was intrinsically related to whether there were sufficiently compelling circumstances on which to agree the use of Green Belt. Officers had demonstrated that there was indeed a special need for the building of the school and the requirements of the NPPF had been satisfied. Attention was drawn to the demand for school places that required the Council to deliver 45 new schools over 15 years. If the school was not built then children's education and progress would not be as good as it should be and would therefore be supporting the application.
- In questioning whether Green Belt should be sacrificed for such a relatively small number of children, a Member commented that it was a very finely balanced decision and expressed reservations regarding potential over provision of school places.
- A Member expressed concern regarding over capacity of school places and questioned whether the circumstances were sufficiently exceptional or

compelling to justify building on the Green Belt. Attention was drawn to a recent motion at Council regarding clean air and questioned whether the location of the proposed school on an extremely busy road was appropriate. The member noted that Cambourne Village College was expanded when needed and questioned why the same approach could not be taken here.

- Councillor Kindersley declared a non-statutory disclosable interest under the Code of Conduct as a member of Cam Academy Trust.
- In response to the expansion of Cambourne Village College a Member, highlighted and expressed concern for the level of disruption to children's education that expansion of a school caused.
- A Member noted the comments of Members and those of the speakers and Local Member. Concern was expressed regarding traffic, parking and drainage. Having reflected on the arguments the balance did not appear to have been tipped either in favour or refusal of the application. There was further work that could be undertaken regarding demand in particular.

It was proposed by Councillor Hunt, seconded by Councillor Hudson to defer the planning application for the following reasons:

1. Information required to secure retention of amenity and safety of Garden Walk.
2. Further work required regarding the safety of the cycleway and pupils exiting the school.
3. Clarity to be provided regarding vehicles crossing at the north of the site.
4. Further information required to satisfy that the drainage to Garden Walk was protected; and
5. Further evidence that justified need for the school.

In debating the proposal:

- A Member questioned what could be achieved by deferring the decision on the application. The decision was subject to call in by the Secretary of State for the Ministry of Housing, Communities and Local Government (MHCLG) and therefore a decision should be reached by the Committee.
- Attention was drawn to the officers present that had provided professional advice during the meeting and within the officer report that had on balance recommended that planning permission be granted. There was work to be undertaken regarding highways but it would not affect the application.
- A Member confirmed they would have supported a deferral had such clear information regarding pupil numbers not been provided.

- It was highlighted that it was a very finely balanced decision and sought further information regarding the current infant school site, including whether it was able to be used as a 1FE all through primary school.

The Chairman invited Clare Buckingham, Strategic Policy and Place Planning Manager to return and answer further Member questions. She informed the Committee that the current infant school site was not appropriate for expansion to a 1 form entry. The building was very old and would require significant updating in order for successful delivery of modern education. The current pupil numbers are now at the point they were forecast to be in 2023 and there would be no space at the infant school. Ms Buckingham confirmed that if the junior school site was used as a 3FE all through school and the primary school site was used as a 1FE all through school whilst there would be a sufficient number of places for pupils, such an approach would not be appropriate as it would not be able to comply with the Key Stage 2 requirements relating to playing fields/outdoor space.

Following the clarification provided by Clare Buckingham and advice from the committee's legal adviser the proposal was amended Councillor Hunt, seconded by Councillor Hudson to defer the planning application for the following reasons:

1. Information required to secure retention of amenity and safety of Garden Walk.
2. Further work required regarding the safety of the cycle-way and pupils exiting the school.
3. Clarity to be provided regarding vehicles crossing at the north of the site.
4. Further information required to satisfy that the drainage to Garden Walk was protected;

On the being put to the vote, the proposal for a deferral was lost [3 votes in favour, 4 votes against and 0 abstentions]

It was proposed by Councillor Kindersley and seconded by Councillor Harford that planning permission be granted.

On being put to the vote it was resolved [6 votes in favour, 1 against and 0 abstentions] to grant planning permission subject to the conditions set out in Appendix A to these minutes.

Officers informed the Committee that the matter would now be referred to the Secretary of State for Housing, Communities and Local Government for a decision on whether they would exercise their right for a call-in, or whether the Council could issue its decision.

## **91. 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