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27 May 2016

To: Chairman – Councillor David Bard  
Vice-Chairman – Councillor Kevin Cuffley  
All Members of the Planning Committee - Councillors Anna Bradnam,  
John Batchelor, Brian Burling, Pippa Corney, Sebastian Kindersley, Des O'Brien,  
David McCraith, Deborah Roberts, Tim Scott and Robert Turner

Quorum: 3

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 1 JUNE 2016 at 10.30 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution ***in advance of*** the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully  
**JEAN HUNTER**  
Chief Executive

**The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.**

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#### AGENDA SUPPLEMENT

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>PAGES</b>  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>3. Minutes of Previous Meeting</b><br>To authorise the Chairman to sign the Minutes of the meeting held on 11 May 2016 as a correct record.<br><br>Late amendments to Minute 4 (Toft) are shown as tracked changes: additions are underlined and deletions are struck through.                                                                                                                                                                                                                                                                                                                  | <b>1 - 6</b>  |
| <b>4. S/2510/15/OL - Caldecote, (Land East of Highfields Road)</b><br>Outline planning permission for up to 140 residential dwellings, (including up to 40% affordable housing), removal of existing temporary agricultural structures and debris, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation and attenuation, vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access. | <b>7 - 12</b> |

- |           |                                                                                                                                                                                                                 |                |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>5.</b> | <b>S/3190/15/OL - Orwell (Land at Hurdleditch Road)<br/>Outline planning application for up to 49 dwellings, community car park and coach drop-off facility, pumping station and associated infrastructure.</b> | <b>13 - 14</b> |
| <b>8.</b> | <b>Enforcement Report</b>                                                                                                                                                                                       | <b>15 - 16</b> |

### **EXCLUSION OF PRESS AND PUBLIC**

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) ..... in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) ..... of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

#### **Notes**

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

# Agenda Item 3

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on  
Wednesday, 11 May 2016 at 10.30 a.m.

PRESENT: Councillor Lynda Harford – Chairman  
Councillor David Bard – Vice-Chairman

Councillors: Anna Bradnam Pippa Corney  
Kevin Cuffley Sebastian Kindersley  
David McCraith (substitute) Charles Nightingale (substitute)  
Deborah Roberts Tim Scott  
Robert Turner

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), Julie Baird (Head of Development Management), Andrew Fillmore (Principal Planning Officer), John Koch (Planning Team Leader (West)), Karen Pell-Coggins (Principal Planning Officer), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer), Paul Sexton (Principal Planning Officer (West)), David Thompson (Principal Planning Officer) and Alison Twyford (Senior Planning Officer)

Councillors Henry Batchelor and John Batchelor were in attendance, by invitation.

### 1. APOLOGIES

Councillors Brian Burling, Des O'Brien and Ben Shelton sent Apologies. Councillors Charles Nightingale and David McCraith substituted respectively for Councillors O'Brien and Shelton. No further substitute was available.

### 2. DECLARATIONS OF INTEREST

Interests were declared as follows:

Councillor Lynda Harford

Non- Pecuniary Interest in respect of Minutes 6 and 7 in Cottenham (S/1952/15/OL and S/1818/15/OL) as having been present at meetings of Cottenham Parish Council where these applications had been discussed. She was considering the matters afresh.

Councillor Sebastian Kindersley

Non-pecuniary interest as a Cambridgeshire County Councillor, particularly in relation to Minute 9 in Over (S/2870/15/OL) as County Councillor for the Electoral Division of Bar Hill, which includes the Parish of Over. She was considering the matter afresh.

Non-pecuniary interest as a Cambridgeshire County Councillor, particularly in relation to Minute 11 in Gamlingay (S/0078/16/FL) as County Councillor for the Electoral Division of Gamlingay. He had been present at Gamlingay Parish Council meetings at which this application had been discussed, but was

Councillor Deborah Roberts	considering the matter afresh. Non-pecuniary interest in respect of Minute 12 in Fowlmere (S/2403/15/FL) as a member of Fowlmere Parish Council having attended the meeting at which the application had been discussed. Councillor Roberts was considering the matter afresh.
Councillor Tim Scott	Non-pecuniary interest in respect of Minute 5 in Toft (S/2294/15/OL) as a member of the Parish Council in the adjacent parish of Comberton. Councillor Scott was consider in the matter afresh.

### 3. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the minutes of the meeting held on 22 April 2016.

### 4. S/2833/15/OL - WILLINGHAM, (LAND OFF ROCKMILL END & MEADOW ROAD)

Iain Hill (applicant's agent) addressed the meeting. He presented what he described as a viable and deliverable proposal, which was compliant with policy. The Case Officer read out a statement from Willingham Parish Council. The statement said that the Parish Council strongly opposed the application, pointing out that Willingham was a Minor Rural Centre, suitable only for developments up to a maximum of 30 dwellings.

The Committee unanimously gave officers **delegated powers to approve** the application, subject to

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 requiring
  - (a) A financial contribution of £9,896.10 towards the improvement of library services
  - (b) The financial contributions listed in an appendix to the report
2. Safeguarding Conditions and Informatives including those referred to in the report from the Planning and New Communities Director.

### 5. S/2204/15/OL - TOFT (BENNEL FARM, WEST STREET)

Julie Horne (objector), Nicky Parsons (applicant's agent), Councillor Nick Taylor (Comberton Parish Council), and Councillor Martin Yeadon (Toft Parish Council) addressed the meeting. Julie Horne described the application as premature. The proposal was inappropriate and even the affordable housing, which would be welcome, was in the wrong location. Nicky Parsons presented the outline application in the context of the Green Belt, and describe the measures taken to mitigate the effects of flooding. Councillor Taylor consider the siting of the proposal to be poor, and highlighted the danger to vehicular and pedestrian traffic. Drainage was also a concern. Councillor Yeadon argued that there were no special circumstances that might otherwise allow such development to take place in the Green Belt. Healthcare and cycling provision were other factors.

One concern for Members was the loss of village identity should the proposal be granted planning permission. Another was overdevelopment. The applicant's agent had argued that there were many small factors which, when added together, constituted very special

circumstances for permitting development in the Green Belt. ~~The Some Committee members~~ did not find this argument persuasive.

Members accepted that there could be some flexibility in locating the football pitch.

However, the application was very finely balanced, and the Committee gave officers **delegated powers to approve** the application subject to

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 requiring
  - (a) A contribution of £8,718.84 towards the improvement of library services
  - ~~(b) a contribution of £30,300 to provide an additional 15.15 square metres of floorspace to accommodate the additional 221 anticipated population increase~~
  - ~~(e)~~(b) the financial contributions listed in an appendix to the report
  - ~~(d)~~(c) the affordable housing thereby secured being for those with a connection to Toft and Comberton only, subject to statutory exceptions and “staircasing” provisions
2. The Conditions and Informatives referred to in the report; and
3. It being referred to the Secretary of State in advance of the decision being issued as the proposal represents a significant departure from the Local Plan and a major development on Green Belt land.

#### 6. **S/1952/15/OL - COTTENHAM (36 OAKINGTON ROAD)**

David Henry and John Hopkins (for the applicant) and Councillor Frank Morris (Cottenham Parish Council) addressed the meeting. Parish Councillor Tony Nicholas read out a statement from Mr Stableford, who had registered to speak as objector but was now unable to attend the meeting. The statement highlighted concerns relating to the rapid expansion of the village, an increase in the volume of traffic and number of accidents, vehicle speeds, and the dangerous nature of the access road. Mr Henry and Mr Hopkins commended the application in the context of five-year housing supply, deliverability, the lack of objections from the Local Highways Authority, and benefits of the scheme. Councillor Morris said that the site was located in an inappropriate part of Cottenham, and expressed concern about the safety of the access road. He also doubted the robustness of a Travel Plan relying on the Citi 8 bus service, and sustainability of the proposal in general. The Chairman read out a statement from Councillor Simon Edwards (a local Member). Councillor Edwards made the following points

- Impact outweighs the benefit
- Traffic concerns
- The cumulative effect of this application and application S/1818/15/OL

The Chairman, speaking as a local Member, highlighted traffic issues as a major concern.

Tam Parry (Cambridgeshire County Council) explained how the traffic assessment was carried out.

A number of Members expressed their misgivings about this application.

It was requested that affordable housing should be distributed throughout the development rather than grouped together, and should be for Cottenham residents in perpetuity.

The Committee gave officers **delegated powers to approve** the application subject to

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990
  - (a) Securing affordable housing
  - (b) Requiring the construction of a footpath along the northern side of OPakington Road to connect with an existing footpath
  - (c) Requiring the widening of the existing footpath between the site and Rampton Road junction
  - (d) Requiring the widening of the existing footpath along the southern side of Rampton Road between its junction with Oakington Road and the B1049
  - (e) Securing the upgrade of bus stops
  - (f) Securing an education contribution
  - (g) Securing public open space
  - (h) Requiring a financial contribution towards the provision or improvement of community facilities
2. The Conditions set out in the report from the Planning and New Communities Director
3. The application being advertised as a Departure from the Development Plan and not being called in for determination by the Secretary of State.

**7. S/1818/15/OL - COTTENHAM (LAND OFF RAMPTON ROAD)**

Councillor Frank Morris (Cottenham Parish Council) addressed the meeting. He raised concerns relating to traffic congestion, the lack of sustainability, and inadequacy of the Section 106 Agreement. The Chairman read out a statement from Councillor Simon Edwards (a local Member). Councillor Edwards made the following points

- Impact outweighs the benefit
- Traffic concerns
- The cumulative effect of this application and application S/1952/15/OL

The Chairman, as a local Member, supported the Parish Council.

The Committee **refused** the application unanimously for the reason specified in the report from the Planning and New Communities Director, and for reasons of demonstrable and significant harm, the lack of sustainability, and conflict with Policies DP/3 and NE/4 of the South Cambridgeshire Local Development Framework 2007.

**8. S/1969/15/OL - LINTON (HORSEHEATH ROAD)**

Monica Poulter (objector), Robert Wickham and Francis Burkitt (for the applicant), Councillor Enid Bald (Linton Parish Council) and Councillors Henry Batchelor and John Batchelor (local Members) addressed the meeting. There ensued discussion as to whether it was appropriate for Francis Burkitt, a Member of South Cambridgeshire District Council) to address the meeting on behalf of the applicant. While there was some concern, it was pointed out that Francis Burkitt was not a Planning Committee member and did not have a vote. He explained that his motive in addressing the Committee in person was to make sure that everything was in the public domain. It was agreed that Francis Burkitt should address the meeting in his personal capacity, and that it be clearly understood that statements made by him were made as a representative of the applicant,

not as a district Councillor.

Monica Poulter's concerns related to the alleged lack of consultation and the reliance on out-of-date traffic data. The bus service was under threat and there were issues about drainage, flooding, schools and play areas. Mr Wickham said that the development had been designed so that the archaeology known to be present would be underneath the proposed allotments. Other issues could be overcome. Mr Burkitt agreed, highlighting the 40% affordable housing element and the outline-only nature of the current application. Councillor Bald said that the emerging Local Plan had rejected this site, which was outside the village framework. The proposal would cause traffic congestion. It would neither enhance nor preserve this site of historic significance. Councillor Bald described the proposal as undeliverable and said the housing was of an inappropriate design. Other concerns related to an infrastructure deficit, flooding, the pressure on local schools, and the fact that allotments did not make the application acceptable. In conclusion, Councillor Bald described the proposal as an unsympathetic neighbour. Councillor Henry Batchelor's main concern related to cumulative effect, given a development proposal in the adjacent field. Councillor John Batchelor fully supported the recommendation of refusal and urged the Committee to consider the weight to be given to various policies.

Members clarified the impact of "out of catchment area" children on local school capacity.

The Committee unanimously gave officers **delegated powers to refuse** the application for the reasons set out in the report from the Planning and New Communities Director, subject to it being referred to the Secretary of State in advance of the decision being issued as the proposal represents a departure from the Local Plan.

**9. S/2870/15/OL - OVER (LAND TO THE WEST OF MILL ROAD)**

Councillor Geoff Twiss (Overpc) addressed the meeting. He reminded Members that the Appeal Inspector had said that Over was not sustainable. The current application was still inappropriate.

Had the Committee still had powers formally to determine the application, it would have **refused** it unanimously for the reasons set out in the report from the Planning and New Communities Director.

**10. S/2689/15/FL - HASLINGFIELD (115 NEW ROAD)**

Members noted that this application had been **withdrawn** from the agenda.

**11. S/0078/16/FL - GAMLINGAY, (FOUNTAIN FARM, PARK LANE)**

Kirstin Rayner (Clerk to Gamlingay Parish Council, acting as its agent) read a statement to the meeting. An approval could set a precedent, and would be harmful to the open countryside.

In another statement, Councillor Bridget Smith (a local Member) agreed with the Parish Council.

Councillor Sebastian Kindersley (speaking as the other local Member) urged the Committee to protect the character of the area.

The Committee **approved** the application subject to the Conditions and Informatives referred to in the report from the Planning and New Communities Director.

**12. S/2403/15/FL - FOWLMERE, (DEANS FARM, LONG LANE)**

Councillor Lawrence Wragg (Fowlmere Parish Council) addressed the meeting. His concern related to the increase in traffic: the site was accessible only by car as there was no footpath.

Councillor Deborah Roberts (local Member) agreed with the Parish Council.

Councillor Kevin Cuffley questioned the application's viability.

A proposal to grant consent subject to a personal Condition was defeated.

The Committee **approved** the application subject to the Conditions referred to in the report from the Planning and New Communities Director.

**13. ENFORCEMENT REPORT**

The Committee **received and noted** an Update on enforcement action.

**14. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

The Committee **received and noted** a report on Appeals against planning decisions and enforcement action. There had been a 20% increase in the number of appeals in 2015-16 compared with 2014-15.

The Chairman noted that only one of the applications allowed on appeal and listed in the report related to a Committee decision.

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**The Meeting ended at 3.55 p.m.**

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# Agenda Item 4

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

1 June 2016

**AUTHOR/S:** Planning and New Communities Director

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**Application Number:** S/2510/15/OL

**Parish(es):** Caldecote

**Proposal:** Outline planning permission for up to 140 residential dwellings (including 40% affordable housing), removal of existing temporary agricultural structures, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation and attenuation, vehicular access points from Highfields Road, and associated ancillary works. All matters to be reserved with the exception of the main site access.

**Site address:** Land East of Highfields Road, Highfields, Caldecote

**Applicant(s):** Gladman Developments Ltd

**Recommendation:** Minded to Refuse

**Key material considerations:** The main issues are whether the proposed development would provide a suitable site for housing, having regard to the principles of sustainable development and housing land supply, scale of development and impact on character and landscape, residential amenity, drainage issues, services and facilities, access and transport, heritage assets and ecology.

**Committee Site Visit:** Tuesday 31 May

**Departure Application:** Yes

**Presenting Officer:** Paul Sexton, Principal Planning Officer

**Application brought to Committee because:** The application is a significant departure to planning policy.

**Date by which decision due:** 28 December 2015

### **Update to Report –**

#### **Consultations - Paragraphs 163-166**

##### *NHS England*

1. A further response has been received from NHS England, which replaces the

comments in the main report. A full copy of the response is attached as Appendix 1

2. It concludes that the proposed development is likely to have an impact on the services of Comberton Surgery, which does not have capacity for the additional growth resulting from this development, which is expected to generate 343 residents.
3. A developer contribution of £47,040 is therefore sought towards mitigation of the impacts of the proposal, which would be by way of extension, refurbishment or reconfiguration at Comberton practice.

### **Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004
- Planning File Ref: S/2510/15/0L

**Report Author:**

Paul Sexton  
Telephone Number:

Principal Planning Officer  
01954 713255

# Appendix 1 to the update report



Midlands and East (East)  
Swift House  
Hedgerows Business Park  
Colchester Road  
Chelmsford  
Essex CM2 5PF  
Tel: 0113 824 9111  
Email: kerryharding@nhs.net

Our Ref: NHSE/CAMBS/15/2510/KH

Your Ref: S/2510/15/OL

Planning Department  
South Cambridgeshire District Council  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambridge, CB23 6EA.

24 May 2016

Dear Sir / Madam

## **Outline planning permission for up to 140 residential dwellings, (including up to 40% affordable housing).....**

### **Land East of Highfields Road, Highfields Caldecote**

#### **1.0 Introduction**

1.1 Thank you for consulting NHS England on the above planning application.

1.2 I refer to the above planning application and advise that, further to a review of the applicants' submission the following comments are with regard to the primary healthcare provision on behalf of NHS England Midlands and East (East) (NHS England), incorporating Cambridgeshire and Peterborough Clinical Commissioning Group (CCG).

#### **2.0 Existing Healthcare Position Proximate to the Planning Application Site**

2.1 The proposed development is likely to have an impact on the services of 1 GP practice operating within the vicinity of the application site. The GP practice does not have capacity for the additional growth resulting from this development.

2.2 The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. NHS England would therefore expect these impacts to be fully assessed and mitigated.

#### **3.0 Review of Planning Application**

3.1 NHS England acknowledge that the planning application does include a Health Impact Assessment (HIA) and this recognises that a capital contribution may be required to mitigate the primary healthcare impacts arising from the proposed development.

3.2 A Healthcare Impact Assessment (HIA) has been prepared by NHS England to provide the basis for a developer contribution towards capital funding to increase capacity within the GP Catchment Area.

#### 4.0 **Assessment of Development Impact on Existing Healthcare Provision**

- 4.1 The existing GP practice does not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 343 residents and subsequently increase demand upon existing constrained services.
- 4.2 The primary healthcare service directly impacted by the proposed development and the current capacity position is shown in Table 1.

**Table 1: Summary position for primary healthcare services within 2km catchment (or closest to) the proposed development**

Premises	Weighted List Size <sup>1</sup>	NIA (m <sup>2</sup> ) <sup>2</sup>	Capacity <sup>3</sup>	Spare Capacity (NIA m <sup>2</sup> ) <sup>4</sup>
Comberton Surgery (including its branch surgery)	9,327	389.70	5,683	-249.87
<b>Total</b>	<b>9,327</b>	<b>389.70</b>	<b>5,683</b>	<b>-249.87</b>

**Notes:**

1. The weighted list size of the GP Practice based on the Carr-Hill formula, this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.
  2. Current Net Internal Area occupied by the Practice
  3. Patient Capacity based on the Existing NIA of the Practice
  4. Based on existing weighted list size
- 4.3 The development would have an impact on primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. The proposed development must therefore, in order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.

#### 5.0 **Healthcare Needs Arising From the Proposed Development**

- 5.1 The intention of NHS England is to promote Primary Healthcare Hubs with co-ordinated mixed professionals. This is encapsulated in the strategy document: The NHS Five Year Forward View.
- 5.2 The development would give rise to a need for improvements to capacity by way of extension, refurbishment or reconfiguration at Comberton practice; a proportion of the cost of which would need to be met by the developer.
- 5.3 Table 2 provides the Capital Cost Calculation of additional primary healthcare services arising from the development proposal.

**Table 2: Capital Cost calculation of additional primary healthcare services arising from the development proposal**

Premises	Additional Population Growth (140 dwellings) <sup>5</sup>	Additional floorspace required to meet growth (m <sup>2</sup> ) <sup>□</sup>	Spare Capacity (NIA) <sup>□</sup>	Capital required to create additional floor space (£) <sup>□</sup>
Comberton Surgery (including its branch surgery)	343	23.52	-249.87	47,040
<b>Total</b>	<b>343</b>	<b>23.52</b>	<b>-249.87</b>	<b>£47,040</b>

**Notes:**

5. Calculated using the South Cambridgeshire District average household size of 2.45 taken from the 2011 Census: Rooms, bedrooms and central heating, local authorities in England and Wales (rounded to the nearest whole number).
  6. Based on 120m<sup>2</sup> per GP (with an optimal list size of 1750 patients) as set out in the NHSE approved business case incorporating DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
  7. Existing capacity within premises as shown in Table 1
  8. Based on standard m<sup>2</sup> cost multiplier for primary healthcare in the East Anglia Region from the BCIS Q1 2014 price Index, adjusted for professional fees, fit out and contingencies budget (£2,000/m<sup>2</sup>), rounded to nearest £.
- 5.4 A developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be **£47,040**. Payment should be made before the development commences.
- 5.5 NHS England therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

**6.0 Conclusions**

- 6.1 In its capacity as the primary healthcare commissioner, NHS England has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.
- 6.2 The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development.
- 6.3 Assuming the above is considered in conjunction with the current application process, NHS England would not wish to raise an objection to the proposed development. Otherwise the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.
- 6.4 The terms set out above are those that NHS England deem appropriate having regard to the formulated needs arising from the development.
- 6.5 NHS England is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.
- 6.6 NHS England and the CCG look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

Yours faithfully

**Kerry Harding**  
Estates Advisor

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# Agenda Item 5

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

1 June 2016

**AUTHOR/S:** Planning and New Communities Director

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**Application Number:** S/3190/15/OL

**Parish(es):** Orwell

**Proposal:** Outline planning application for up to 49 dwellings, community car park and coach drop-off facility, pumping station and associated infrastructure.

**Site address:** Land at Hurdleditch Road, Orwell

**Applicant(s):** K B Tebbit and Davidsons Development

**Recommendation:** Refusal

**Key material considerations:** The main issues are whether the proposed development would provide a suitable site for housing, having regard to housing land supply, the principles of sustainable development, scale of development and impact on townscape and landscape character, drainage issues, services and facilities, access and transport, heritage assets and ecology.

**Committee Site Visit:** 31 May 2016

**Departure Application:** Yes

**Presenting Officer:** Rebecca Ward, Senior Planning Officer

**Application brought to Committee because:** The application proposal raises considerations of wider than local interest.

**Date by which decision due:** 27 June 2016

**Update following correspondence from James Fisher (S106 Officer) on the Little Eversden Doctors Surgery :**

1. In order to accommodate more growth the Surgeries (Comberton and Eversden) would require the renovation of Eversden to create additional consulting rooms. The Surgery cannot afford to commission an architect to undertake these works therefore there are no firm details as to how this might be achieved or the exact cost.
2. We have not had a formal response from NHS England at the point of drafting the committee report and it is standard NHS England practice not to respond to planning consultations on developments smaller than 50 dwellings. That said there is evidence of need to increase GP capacity in the area therefore the Council will continue to explore this with the relevant bodies.

3. SCDC are in the process of pooling 5 primary healthcare contributions towards Comberton therefore should only make reference to Eversden Surgery and not Comberton.

*Other Matters*

4. The report makes reference on a number of occasions to the school title 'St Peters Primary School'. This reference should be amended to 'Petersfield Primary School'.

Report Author:	Rebecca Ward	Senior Planning Officer
	Telephone Number:	01954 713236



# Agenda Item 8



**REPORT TO:** Planning Committee  
**LEAD OFFICER:** Planning and New Communities Director

1 June 2016

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## Enforcement Report

### Update to the report- for information only

#### **Agenda report paragraph number 5 (f) – Cottenham (The Maltings, Millfield)**

1. It remains the intention to report the matter to the Planning Committee meeting on 6 July 2016 (“the July meeting”) for the purposes of seeking authority from the Committee for the Council itself to take direct action (pursuant to Section 178 of the Town and Country Planning Act 1990) to commission the carrying out of demolition if the Owners of the site have not themselves commenced substantive demolition at the time when the July report needs to be written.
2. The interim period will be used to obtain cost estimates to carry out and complete the demolition works if the Council were itself (ie. rather than the Owners) to commission such works. The July meeting will then have the financial figures to inform any decision whether to authorise direct action and not least because the funding of the works (if authorised) would need to be financed initially from the Council’s own funds but with the intention that such costs are then sought to be recovered by the Council from the Owners of the site.
3. It is thought however that there are two matters which can be brought to the present meeting in June for information and without the need for cost estimates. Accordingly, Planning Committee members are asked to note for information two points, as set out below.

#### *Point 1*

4. Officers intend to pursue steps pursuant to Section 179 of the Town and Country Planning Act 1990 for the issue of criminal proceedings against the Owners for breach of the relevant Enforcement Notice. Criminal proceedings for breach of a planning enforcement notice are triable either in the Magistrates Court or in the Crown Court and if successful will result in the Owners of the site being guilty of a criminal offence and liable for payment of such fine as ordered by the Court.

*Point 2*

5. Officers intend to pursue steps (alongside the criminal prosecution under Point 1 above) to seek a “Confiscation Order” under Part 2 of the Proceeds of Crime Act 2002. Such an order if successful will allow for recovery of monies that have passed through the hands of the relevant business or individual(s) (i.e the Owners) during the period of breach.
6. A further consideration is set out below and depending on what progress is made between now and the writing of the July Planning Committee Report it may be that this third point will be brought to the July Committee for information as one of the potential next steps alongside seeking authority for direct action by the Council in terms of the Council rather than the Owners commissioning the demolition works if not substantively commenced at that time.

*Consideration*

7. Application under Section 41 (1) of the Proceeds of Crime Act 2002 for the Crown Court to make a restraint order prohibiting any specified person(s) (i.e the Owners) from dealing with any realisable property held by the specified person(s). A restraint order could for example restrict the Owners having access (or only limited access) to Bank accounts and such that there was an increased prospect of the Council recovering all relevant costs where it is forced to take direct action to commission the demolition works.
8. The points under paras 4 and 5 as set out above are fully supported by Planning, Enforcement and Legal officers.

**Additional Background Papers:** the following background papers (additional to those referred to in the agenda report) were used in the preparation of this update:

None

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