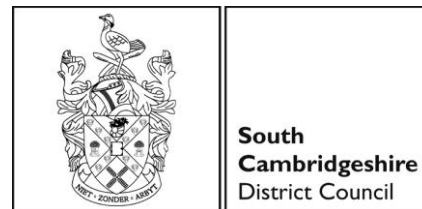


South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

t: 03450 450 500

f: 01954 713149

[www.scambs.gov.uk](http://www.scambs.gov.uk)



6 September 2021

To: Chair – Councillor Henry Batchelor  
Vice-Chair in the chair

All Members of the Planning Committee - Councillors Dr. Martin Cahn, Dr. Claire Daunton (substitute for Pippa Heylings), Peter Fane, Geoff Harvey, Dr. Tumi Hawkins, Judith Rippeth, Deborah Roberts, Heather Williams, Dr. Richard Williams and Eileen Wilson

Quorum: 3

Substitutes Councillors Dr. Claire Daunton (As substitute for Pippa Heylings),  
if needed: Nick Wright, Sue Ellington, Grenville Chamberlain, Mark Howell,  
Dr. Shrobona Bhattacharya, Graham Cone, Anna Bradnam, Brian Milnes  
and Jose Hales

Dear Councillor

Attached is an update to the next meeting of **Planning Committee**, which will be held in the **Council Chamber - South Cambs Hall** on **Wednesday, 8 September 2021** at **10.00 a.m.**. **A weblink to enable members of the press and public to listen to the proceedings will be published on the relevant page of the Council's website , normally, at least 24 hours before the meeting.**

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  
**Liz Watts**  
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

5. 20/05101/FUL - Longstanton (Land at The Retreat, Fewes Lane)

Pages  
1 - 4

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# Agenda Item 5



South  
Cambridgeshire  
District Council

Reference: 20/05101/FUL

Site Address: The Retreat, Fews Lane, Longstanton CB24 3DP

8 Sep 2021

**Report to:** South Cambridgeshire District  
Council Planning Committee

**Lead Officer:** Joint Director of Planning and Economic Development

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## 20/05101/FUL– Land at the Retreat, Fews Lane, Longstanton, CB24 3DP

Proposal: Erection of a chalet bungalow with garage and associated infrastructure

Applicant: Mr Gerry Caddoo, Landbrook Homes Ltd

Key material considerations:

- Principle of development
- Impact on the character of the area
- Impact on residential amenity
- Highways matters
- Other matters

Date of Member site visit: None

Is it a Departure Application?: No

Decision due by: 05.02.2021

Application brought to Committee because: The proposal raises significant concerns locally and it is considered to be in the public interest for the application to be referred to the Planning Committee.

Presenting officer: Lewis Tomlinson

## UPDATE REPORT

### Longstanton Parish Council revised comments

1. Longstanton Parish Council submitted comments on the application on the 10<sup>th</sup> February this year stating concerns over highway safety but supporting the application. These comments are recorded in the committee report in paragraph 12.
2. The committee report was published last Tuesday, 31<sup>st</sup> August 2021. Longstanton Parish Council emailed the case officer late Tuesday stating that the Parish Council has agreed at a recent meeting to change its response from support to object. These comments were therefore received after the report had been published.
3. Longstanton Parish Council emailed members outlining the above on Friday 3<sup>rd</sup> September. They also included a complaint they had sent to Stephen Kelly, Joint Director of Planning and Economic Development in relation to a previous application on the neighbouring site under planning application reference 20/02453/S73. As this was not submitted under this current application, officers did not include the complaint in the committee report. Members should note that a response to that complaint has been provided to Longstanton Parish Council from Stephen Kelly.

### Additional representations received from Fews Lane Consortium

4. 4 further representations have been received from Fews Lane Consortium on 2<sup>nd</sup> September and one further representation received on the 5<sup>th</sup> September. Officers have responded to these. The emails and related responses are available on the website. The following concerns have been raised (as summarised):
  - Request the Council to provide reasoning why this application and 2 other relate applications (S/4471/19/DC & S/0277/19/COND9) were not determined within the statutory period and were not determined in the time frame before the non-determination appeal was lodged.
  - Request evidence of the agreement from PINS to an extension for the submission of the Statement of Case.
  - Clarification on several issues:
    - Has the District Council assessed the highway safety issues surrounding the current access? If so, could you please explain the scope of any such assessment, the findings of any such assessment, and explain how these findings have been applied in relation to the District Council's view on the safety of the proposed access arrangements for this application?
    - In answering the questions above, are your answers based upon your own professional judgment as a planning officer, or do your answers rely on the views and advice of others?
    - Has the District Council considered what is the extent of the adopted public highway in regards to this application? Has the District Council considered what part or parts of Fews Lane (if any) are part of a highway maintainable at public expense? If these issues have been considered, could the District Council please explain what evidence it has used as the basis of its assessment?
  - The Council has taken an opposite and contradictory approach to the interpretation of approved plans in the context of the retention and protection

of trees, vegetation, and hedges in regard to planning application 20/05101/FUL in comparison to S/3215/19/DC.

- Concerns that the Parish Council's comments on highway safety have not been reported accurately in the report and none of the Parish Council's safety concerns, recently submitted in writing to the District Council were summarised for the Committee in any substantive way.

### **Officer Response**

5. The non-determination of these applications relates primarily to the complexity and extent of legal planning challenges to development proposals along Fews Lane made by Fews Lane Consortium.
6. Agreement from PINS to an extension for the submission of the Statement of Case until the 10<sup>th</sup> September is available on the website.
7. Planning officers are not experts in highway safety matters and have exercised their judgement on this with reference to the planning history, advice received from the Local Highway Authority at Cambridgeshire County Council and officers' knowledge of the site, the access and its constraints (noting the concerns raised by third parties and the Parish Council). Officers are entitled to use their professional judgement in their consideration of planning applications, as well as weighing material planning considerations, representations made and consultee responses. This professional judgement is exercised in the officer report before members. Officers are aware and so is the Local Highway Authority of the extent of the adopted public highway. The scope of evidence informing a view on the merits of the application is set out in the committee report.
8. The Parish Council revised comments of 31<sup>st</sup> August have been dealt with in paragraphs 1 – 3 of this Update Report. Officers note the concerns raised by Fews Lane Consortium and have provided a response to this.
9. Officers have considered all other representations made by Fews Lane Consortium and third parties over the course of application. Officers do not consider that any of those representations alter the recommendation or the primary reasons for reaching this recommendation.
10. The remainder of the officer report is unedited from the report that was published on the Tuesday 31<sup>st</sup> August and the recommendation remains the same.
11. Members are reminded that the LPA no longer has the authority to determine this application, which has been appealed against its non-determination. The LPA is required, however, to prepare a Statement of Case (SoC), as part of the appeals process, setting out its evaluation of the planning merits of the proposal. Given the history of the site, the application would have been referred to the Planning Committee for its determination had the appeal against non-determination not been made. Officers are therefore bringing the application to Planning Committee in order that Members can express the Committee's '**minded-to**' decision that will form part of the SoC.

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