



Reference: 20/05101/FUL

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

29 Sep 2021

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

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

Background

1. As previously outlined, the applicant has submitted an appeal to the Planning Inspectorate on the grounds of non-determination. As a result, the Local Planning Authority (LPA) no longer has the authority to determine the application. 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 therefore brought the application to Planning Committee on the 8th September in order that Members could express the Committee's 'minded-to' decision that would form part of the SoC. The Council had been granted an extension by the Planning Inspectorate until the 10th September to submit its SoC.
2. The application was on the 8th September planning committee agenda. However, due to technical issues with the audio on the livestream, the committee had to be abandoned. Officers emailed the Planning Inspectorate on the 8th and 9th September requesting a further extension given the situation and the fact that the circumstances were beyond the Council's control. No response to the requested extension was received prior to the 10th September. Officers therefore submitted the committee reports and associated appendices/third party representations while making it clear that as committee was abandoned, no view of the Council was able to be reached.
3. Since the 10th September, Officers have continued to contact the Planning Inspectorate to seek a further extension to accommodate the rearranged planning committee. The Planning Inspectorate responded on the 17th September granting an extension for the SoC until the 1st October.

Additional representations received

4. On the afternoon on the 7th September, the day before the last planning committee, Few's Lane Consortium sent the Council a Highways Engineer's report by Create Consulting Engineering dated 2nd September 2021 (Appendix A) to the Council. This report concludes that 'any further development off Few's Lane should not be permitted due to significant concerns relating to the visibility and geometry of the Site's existing access arrangements'. The Local Highway Authority (LHA) provided a response late on the 7th September to Create's assessment. This response was amended on the 8th September to include the correct reference to a section of the Highways Act 1980 (Appendices B1, B2, B3, B4 and B5). The response from the LHA concludes that '...there are no substantive highway reasons to recommend that the development be refused'. The LHA also outlined that under S.154 of the Highway Act the LHA has powers to trim back vegetation which has encroached onto the adopted public highway to ensure adequate inter vehicle visibility splays can be achieved.

5. The Council received over 20 representations via email on the morning of the last planning committee on the 8th September, before and during planning committee. These representations raised concern about the potential for the removal and cutting back off hedges to enable inter vehicle visibility splays and the lack of consultation about this. These representations are available online.
6. Members are also reminded that further late representations were reported on the previous update report, including an additional representation from Longstanton Parish Council confirming they had changed their response from support to object. The Parish's comments were received after the main report had been published.
7. Officers have considered all representations made over the course of application. Officers do not consider that any of those representations alter the recommendation or the primary reasons for reaching this.
8. The remainder of the officer report is unedited from the report that was published on the Tuesday 31st August and the recommendation remains the same.
9. Officers recommend that the Planning Committee determines it would be **Minded to Approve** the application if it had the authority to do so subject to the conditions and informative as set out on page 24 of the 8 Sept 2021 officer report.

Appendix A: Create Consulting Engineering dated 2nd September 2021
Appendix B1: LHA response to Create's assessment 8th September 2021
Appendix B2: Inter Vehicle Visibility Splays
Appendix B3: Extent of public highway
Appendix B4: Pedestrian splays at Fews Lane
Appendix B5: Pedestrian splays fig 3.3