

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

Minutes of a meeting of the Planning Sub-Committee held on  
Tuesday, 17 March 2009 at 2.00pm

PRESENT: Councillor RJ Turner – Chairman  
Councillor CR Nightingale – Vice-Chairman

Councillors: Mrs PS Corney Mrs SA Hatton  
SGM Kindersley Mrs HM Smith

Officers: Debra Barrett Traveller Site Team Leader  
Debra Bell Assistant Enforcement Officer  
Jonathan Dixon Principal Planning Policy Officer (Transport)  
Gary Duthie Senior Lawyer  
Gareth Jones Corporate Manager, Planning & Sustainable  
Communities  
Ian Senior Democratic Services Officer  
Charles Swain Enforcement Officer

Councillors Dr DR Bard, MJ Mason and NIC Wright were in attendance, by invitation.

Apologies for absence were received from Councillor Mrs JM Guest.

### **25. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **26. MINUTES OF PREVIOUS MEETING**

The Sub-Committee agreed that the Minutes of the meeting held on 13 January 2009 were a true and accurate record.

Councillor Sebastian Kindersley stated that he had received some unpleasant e-mails relating to the previous meeting (including one from a Councillor from another Local Authority) as had the Planning Portfolio Holder.

### **27. PLOTS 1-11, VICTORIA VIEW, SMITHY FEN, COTTENHAM - FUTURE LAND OWNERSHIP**

Because of the lack of co-ordination between legal and committee timescales, the Chairman had previously agreed that this item should take the form of a verbal update from the Senior Lawyer.

Members noted the steps taken to date in seeking a cessation in the breach of planning control.

In reply to a question, the Senior Lawyer indicated that the occupiers of Plots 1-11 had now exhausted all avenues open to them, and that a conclusion was very close.

The Chairman instructed officers to prepare a formal report for the next meeting (so long as legal matters had been determined so as to allow this) detailing options for further action, timescales and cost implications.

**28. GYPSY AND TRAVELLER DEVELOPMENT PLAN DOCUMENT**

The Planning Sub-Committee **received and noted** a report detailing progress made to date in preparing the Gypsy and Traveller Development Plan Document (GTDPD). The Principal Planning Policy Officer referred to the Local Development Scheme agreed by the New Communities Portfolio Holder on 10 March 2009. This had included the timetable of events leading to the proposed adoption and publication of the GTDPD in September 2011.

Councillor Sebastian Kindersley recognised the challenges facing officers but stated that adoption as far ahead as 2011 was not acceptable. Opportunities to identify allocations in respect of Travellers were being missed because the necessary policy framework was still not in place.

Councillor Mike Mason highlighted the recent Appeal decision at Moor Drove, Histon, which had resulted in an unfavourable outcome that might have been avoided had the GTDPD been adopted.

Councillor Hazel Smith pointed out that the timing of public participation was critical. Many Travellers would be away during June and July and, while she accepted the argument that there were alternative methods of consultation available, she considered that face-to-face discussions were the most effective method of engaging members of the travelling community.

The Planning Portfolio Holder understood the concerns expressed, but stressed that the process could not be expedited because new sites could only be identified and delivered following proper consultation.

Members noted that a number of temporary planning consents had been granted to Travellers, and that the Local Planning Authority would have to consider how to deal with these as temporary periods came to an end. They concluded that the lack of a GTDPD would make such consideration more challenging.

The Sub-Committee was informed that, in the absence of Traveller-specific policies, the Council would endeavour to meet Travellers' requirements by virtue of allocations made in respect of affordable housing and as part of the ongoing development of growth sites.

**29. MOOR DROVE, HISTON - FURTHER ENFORCEMENT OPTIONS - UNAUTHORISED DAY ROOM**

The Planning Sub-Committee considered a report updating Members on the breach of planning control at Plot 4, Moor Drove, Histon

Councillor Mike Mason raised the following concerns:

- adequacy of consultation in relation to planning application S/1968/08/F (including notification of the local Members and Histon Parish Council)
- The Planning Committee as opposed to the Chairman's Delegation meeting should determine that planning application S/1968/08/F in due course.
- identity of the applicants
- the importance that officers visit the site to check on the specific siting of buildings.

Councillor Sebastian Kindersley proposed that consideration of enforcement action be deferred until after determination of the retrospective planning application. Councillor Sally Hatton seconded this proposal.

The Planning Sub-Committee **deferred** consideration of the enforcement issues involved at Moor Drove, Histon pending determination of planning application S/1968/08/F.

### 30. **BLACKWELL TRAVELLERS SITE**

The Planning Sub-Committee considered a report on progress made in respect of noise attenuation and safety barriers alongside the A14 adjacent to the Blackwell Travellers site.

The Traveller Site Team Leader summarised her discussions with partner organisations. Members received, with disappointment, her explanation that the Highways Agency's policy was not to install safety barriers along stretches of road (like the one in question) not evidenced as being accident hotspots.

Members discussed the three options set out in paragraph 10 of the report. While the Planning Portfolio Holder considered that Option (c) made more sense in terms of the certainty of getting the safety barriers in place, he and the Sub-Committee agreed that, in the interests of practicality, Option (a) should be pursued.

Councillor Mike Mason referred to the noise attenuation barrier constructed on the opposite side of the A14 for the benefit of the Orchard Park development, and expressed caution over raising expectations as to the effectiveness of such a measure. The Sub-Committee reiterated the importance of treating both the traveller and settled communities equally and ensuring them both the best quality of life possible.

The Planning Sub-Committee **resolved** that funding from the Home and Communities Agency (HCA) be applied for by way of a site improvement grant, the Council demonstrating the feasibility of adding an additional plot to the site in order to receive 100% funding for the project.

### 31. **SPONG DROVE, WILLINGHAM - OUTCOME OF INJUNCTION APPLICATION**

The Planning Sub-Committee considered a report on the securing of a pre-emptive injunction affecting land at Spong Drove, Willingham, where the nature and character of the land and ongoing marketing activity relating to it had rendered this expedient given that unauthorised development was considered possible.

The Planning Portfolio Holder congratulated officers for taking such action.

The Planning Sub-Committee **noted** the report and authorised officers to commence immediate committal proceedings should any evidence of sufficient weight emerge indicating that the terms of the Order were being, or about to be, breached.

### 32. **LAND AT THRIPLow HEATH, ROYSTON: OUTCOME OF EMERGENCY INJUNCTION APPLICATION ARISING FROM APPREHENDED UNAUTHORISED DEVELOPMENT**

The Planning Sub-Committee considered a report seeking Members' ratification of the securing of a pre-emptive injunction affecting land adjacent to the A505 at Thriplow Heath, Thriplow near Royston, where the nature and character of the land, and information received indicating that an incursion was likely, had rendered this expedient in order to address anticipated unauthorised development.

The Planning Portfolio Holder congratulated officers for taking such action.

The Planning Sub-Committee

- a) **noted** the report and endorsed the actions taken by officers, and
- b) **authorised** officers to commence immediate committal proceedings in the event any evidence of sufficient weight emerges that the terms of the Order are being or are about to be breached.

**33. LAND AT PLOT 3 CADWIN LANE, WILLINGHAM: OUTCOME OF COMMITTAL PROCEEDINGS ARISING FROM BREACH OF INJUNCTION DATED 27 NOVEMBER 2006**

The Planning Sub-Committee considered a report seeking Members' ratification for committal proceedings commenced and pursued against individuals arising from the breach of an injunction restraining unauthorised development in the form of the stationing and occupation for residential purposes of any caravans, mobile homes or other structures on the affected land, and any engineering or spreading operations associated with the formation of hard-surfacing.

The Planning Sub-Committee

- a) **noted** the report and endorsed the actions taken by officers,
- b) **authorised** officers to defend any application to vary the extant Orders, and
- c) **authorised** officers to refer the matter back to Court in the event further contempts arise (for example, if the day room is not removed and / or if residential occupation resumes).

**34. WHADDON TRAVELLERS SITE - HEALTH AND SAFETY ISSUES**

The Planning Sub-Committee **received and noted** a report updating members on progress made to date in improving the health and safety concerns previously raised in connection with the Whaddon Travellers site.

The Chairman instructed officers to continue monitoring the situation, and to keep members informed about continuing improvements.

**35. DATE OF NEXT MEETINGS AND PROPOSED SCHEDULE OF MEETINGS FOR 2009-10**

The Planning Sub-Committee **noted** that its next scheduled meetings would be on 7 April 2009 and 19 May 2009.

The Sub-Committee **endorsed** the following schedule of meetings in 2009-10:

- 30 June 2009
- 11 August 2009
- 22 September 2009
- 3 November 2009
- 15 December 2009
- 26 January 2010
- 9 March 2010
- 20 April 2010

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**The Meeting ended at 3.28 p.m.**

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