

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee
AUTHOR/S: Planning and New Communities Director

5 June 2013

S/2545/12/FL – HARSTON

Erection of detached dwelling following demolition of existing buildings and removal of caravans at Land r/o 8 Sheepshead Lane for Garden House Homes Limited

Recommendation: Delegated Approval

Date for Determination: 8 February 2013

Notes:

Departure Application

This application has been referred back to the Planning Committee for determination as the Parish Council has concerns that the Committee may have been led to believe its objection no longer applied.

Members of the Planning Committee will visit the site on Tuesday 4 June 2013.

To be presented to the Committee by Kate Wood

Background

1. At the Planning Committee meeting on 6 March 2013, members resolved to grant planning permission for the above development. The S106 Agreement has subsequently been completed but the decision has not been issued. The relevant Minute of the Committee Meeting reads:

“Louise Newbery (applicant’s agent) addressed the meeting.

The Committee gave officers **delegated powers to approve** the application, subject to the prior completion of a Section 106 Legal Agreement securing financial contributions towards the provision and maintenance of public open space, provision of indoor community facilities and household waste receptacles, and payment of Section 106 monitoring and legal fees, and subject also to the Conditions set out in the report from the Planning and New Communities Director.”

2. At that committee meeting, officers reported a late representation by the agent, which requested that Members be made aware of a meeting that had taken place between the County’s Highways Officer and representatives of the Parish Council, following which the Highways Officer had stated her understanding that the Parish Council no longer wanted any junction improvements. That meeting had taken place in 2012, before the Parish

Council had sent its objection in January 2013 on grounds which included the proviso that the safety of the junction should be improved. As the relative dates were not made sufficiently clear to Members, they may have had the impression that the Parish Council no longer objected on this ground, and this may have materially influenced their decision to approve.

3. It is important that regulatory decisions are both made, and seen to made, on the basis of relevant material considerations. Consequently, any confusion as to how the views of the Parish Council were weighed does potentially undermine the robustness of the resolution made by the committee in March. Members are therefore requested to re-consider the application in light of the above. The original report to Committee and the written update report are attached as appendices. The S106 has since been completed but this does not compel the planning authority to grant consent.
4. Members will be aware that the original report to Committee noted at paragraphs 29-30 that the proposed dwelling would result in less conflict at the junction of Sheepshead Lane with the High Street than could continue with the authorised use and would therefore be to the benefit of highway safety. Accordingly, the recommendation remains one of approval of the application. However, noting the Parish Council's remaining concerns for the safety of the junction as a matter separate from the application proposal; officers are addressing this as a separate matter. The County Council's Safety Audit Team have offered to report on the matter, which will be followed by a site meeting between SCDC planning, County highways and the Parish Council, to consider what measures could appropriately be taken to improve general safety at the junction.

Recommendation

5. Approve the application subject to the conditions noted in paragraph 38 of the report to Committee on 6 March 2013 and to the S106 Agreement dated 15 April 2013.

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