

Planning Committee3 December 2008
9.30am to 11.40am**Present:** Councillors Baker (Chair), Al Bander, Blair, Blencowe, Dixon, Hipkin, Holness and Reid**Also Present:** Cllr Bick (Ward Councillor)**FOR THE INFORMATION OF THE COUNCIL****08/plan/57 Minutes**

The minutes of the special meeting on 15 October 2008 were confirmed subject to the amendments detailed on the amendment sheet circulated prior to the meeting. The minutes of the meeting on 5 November 2008 were confirmed as a correct record

08/plan/58 Apologies

Apologies were received from Councillor Dryden

08/plan/59 Declarations of Interest

Code of Conduct personal interests were declared as follows:

Councillor Application

Dixon	08/0485/FUL	As Trustee of Education Foundation, based at Parkside in the vicinity of the site
Bick	08/0485/FUL	Resident at Warkworth St, adjacent to the site

08/plan/60 Planning Application

The Planning application was determined as shown in the appendix to these minutes.

08/plan/61 Review of Development Control Forum

The purpose of the officer's report was to review the operation of the Development Control Forum process and to make recommendations for changes. It set out the background to the Development Control Forum (DCF) process and the current operational guidelines. It also reported some of the issues experienced in practice together with options for its future.

While the DCF process had been successful and was well received by residents there was also evidence to suggest that the DCF was not operating

as effectively as it could and that in many instances it was not achieving its original main purpose, which was to explore the scope for addressing peoples' planning concerns, before the application was determined. The reasons for this were shown in the report.

Members discussed a number of the issues raised by the review including the timing of the Forum, the number of petitioners required to raise a petition, the deadline for a petition's submission, the requirement on petitioners to supply valid reasons on planning grounds for seeking a petition, the need for the reasons to be aimed at compromise with an applicant and not an 'in principle' objection.

Cllr Holness' proposal that the deadline for the submission of a petition not be changed to 21 days as proposed was lost by 7 votes to 1 against.

Cllr Reid's proposal that the deadline for the submission in support of an application be 28 days was carried by 6 votes to 0.

Cllr Hipkin's proposal that the time allotted for applicants and petitions to present their cases be reduced to 10 minutes from 20 minutes was lost by 5 votes to 1.

Cllr Dixon's proposal that the time allotted for applicants and petitions to present their cases be reduced to 15 minutes from 20 minutes was carried by 4 votes to 0.

Some further detailed suggestions from members to make the text of the Guidelines and public information leaflet on the process more readily understood by potential petitioners were agreed.

Resolved that the Head of Development Services amend the proposed revised Operational Guidelines and the accompanying public information leaflet as indicated above and they be approved subject to consultation with the Chair and Spokespersons.

(The Operational Guidelines and the text of the public information leaflet as amended at the meeting and subsequently agreed with the Chair and Spokespersons is attached as appendix 2 to these minutes.)

08/plan/62 Review of Planning Enforcement

The purpose of the officers' report was to review the recommendations contained in an independent review of the Council's planning enforcement service and to agree an action plan for ongoing improvement.

In February 2008 the Council had commissioned Trevor Roberts Associates (TRA), a specialist planning and management consultancy, to carry out a review of the Council's planning enforcement service. The planning enforcement service was within the development control section of the Development Services Division within Environment and Planning. The service also dealt with the monitoring and management of the Council's Section 106 Planning Obligation system. The review was commissioned because of a concern about the work pressures on the service, work priorities and the scope for carrying out more proactive enforcement.

Officers had welcomed the TRA report as an independent review of the planning enforcement service. Many of its recommendations were accepted and formed the basis of a programme of continual improvement and development of the service set out in the action plan accompanying the officer's report.

Resolved (by 6 votes to 0) that the Action Plan appended to the officer's report be agreed.

CHAIR

**Planning Committee
3 December 2008****Appendix 1**

Full details of the decisions, conditions of permissions and reasons for refusal may be inspected in the Environment and Planning Department, including those which the committee delegated to the Head of Development Control to draw up. These minutes and the appendix should be read in conjunction with the reports on applications to the committee, where the conditions to the approved applications or reasons for refusal are set out in full and with the Amendment Sheet issued at the meeting. Any amendments to the recommendations are shown in the appendix.

1	08/0485/FUL
Site	Old Maltings Prospect Row
Proposal	Erection of 14 residential units - 9 x studio apartments and 5 x one bed apartments
Applicant	Hill Residential Ltd The Mill Building Harston Mill Cambridge
Recommendation	Refuse for the reasons shown in the officers' report.
Public Speakers	Mr N Parkinson, Dr D Crowther, Cllr T Bick
Decision	REFUSED (by 8 votes to 0) for the reasons set out in the officers' report.

**Planning Committee
3 December 2008**

Appendix 2

DEVELOPMENT CONTROL FORUM

PUBLIC INFORMATION LEAFLET

What is a Development Control Forum?

It is a meeting where petitioners can present their views to Councillors, Planning Officers and the applicant some weeks before a planning application is finally determined. The aim of the Forum is to allow early discussion of the planning issues raised by petitioners and to explore the scope for building consensus and for resolving concerns.

It is an informal meeting. The Forum does not determine the application. A formal Committee ultimately determines the application.

Your petition

When we receive a planning application we send a letter to neighbours and other people likely to be affected by the development, allowing 21 days for comments. The letter states that a Development Control Forum may be held on the planning application for petitions that meet certain requirements. The petition must state that a Development Control Forum is being requested. A sample petition template that you can use is available on the Council's website at

Which petitions will the Development Control Forum consider?

- ***A petition that solely relates to comments on an eligible planning application that is under consideration. The petition must state clearly what the planning concerns are about the application and whether it is an outright in principle objection to the development or not. If it is not we encourage you in the petition to say briefly what changes might be made to the development to overcome your concerns. You will be expected to explain what changes you are seeking at the Development Control Forum meeting itself.***
- A petition containing at least 25 signatures and addresses of Cambridge City residents

- A petition of objection that is received within the initial 21 day consultation period
- A petition of support but only if there is also a qualifying petition of objection to be considered. A petition of support must be received within 7 days of the close of the initial 21 day consultation period.

We have to set these timescales for the receipt of petitions because we have to deal with applications within strict deadlines set by the Government..

Which petitions will the Development Control Forum not consider?

- Applications to alter, extend or carry out other works to a house and its surroundings ('householder applications')
- Applications to create a new single house or other single residential unit
- Applications for a change of use of an existing building(s)
- Applications for works or alterations to existing buildings or other structures creating no additional floorspace
- Applications for new commercial development of less than 200 square metres (gross) additional floorspace
- Applications for advertisements
- Applications to determine whether a use of land or buildings needs planning permission ('lawful development certificate')
- Applications for works or alterations to listed buildings (applications for Listed Building Consent)
- Applications to demolish a building(s) in a conservation area (applications for Conservation Area Consent)
- Applications by telecommunications code system operators asking whether the local authority's 'prior approval' is needed to the siting and appearance of works that would otherwise be 'permitted development' not requiring planning permission (Prior Approval notification)
- Petitions expressing an in principle outright objection to the application with no suggestions for a compromise solution

- Petitions not received within the above timescales

Normally a Forum will not be held for a petition relating to an amendment to a current application or where a Forum has already been held on the current application. Senior officers and the Chair and Spokesperson(s) of the relevant Committee that will determine the application Councillors have the final decision on such requests.

Petitions that fall outside the scope of the scheme will be reported directly to the relevant Committee through the officer's report on the application.

What to do if you want to submit a petition

If you have a petition that meets all of the above requirements and you wish to present it, please contact the Committee Manager (see contact details at the end of this leaflet) so that a meeting of the Forum can be arranged. We will give you at least 7 days notice about the meeting date and time.

Applicants and petitioners will be expected to meet the next available date, because of the tight deadlines the Council has in determining planning applications.

When and Where is the Forum held?

Meetings of the Development Control Forum are held monthly in the Guildhall beginning at 10.00.

Who can attend the Forum?

- Up to 3 representatives of the petitioners. The representatives need not be City residents. You can ask your Local Councillor to present your petition if you wish
- Up to 3 representatives of the applicant
- Members of the relevant Committee that will determine the application
- Ward Councillors
- The planning officer dealing with the application
- Other relevant officers, including a senior officer who chairs the meeting
- The press and public can attend as observers

What happens at the Forum?

The Forum is informal but follows certain stages:

- Introduction by Chair and declaration of Councillor interests – **up to 5 minutes**
- Presentation of the application by the applicant/agent (up to 3 representatives) principally to address the issues raised by petitioners – **up to 15 minutes**
- Presentation of the views of the petitioners against the application (up to 3 representatives) – **up to 15 minutes**
- Presentation of the views of the petitioners in support of the application (where applicable) (up to 3 representatives) – **up to 15 minutes**
- Presentation by the planning officer – **up to 10 minutes**
- Member questions and issues arising – **up to 30 minutes**
- Summing up by the petitioners against the application – **up to 5 minutes**
- Summing up by the petitioners in support of the application – **up to 5 minutes**
- Final comments of the Chair

In exceptional circumstances the order of proceedings may be changed at the discretion of officers and the Chair and Spokesperson(s) of the relevant Committee.

What happens after the Forum?

The Committee Manager will prepare brief notes of the Forum and send them to all relevant parties who attended the meeting. The planning officer will take the outcome of the meeting into account in any further negotiations on the application and in the report to Committee. The notes of the Forum will also be attached to the Committee report as an appendix.

We will write to the lead petitioners a week before the application is to be reported to Committee. Public speaking is allowed at Committee (see details on the Council's website). If you wish to speak at the Committee you should contact the Committee Manager in accordance with the public speaking requirements.

Contact

Committee Section

The Guildhall

Cambridge

CB2 3QJ

Telephone: 01223 457013

E-mail: Democratic_Services@cambridge.gov.uk

DEVELOPMENT CONTROL FORUM**OPERATIONAL GUIDELINES**

The following guidelines have been drawn up for a Development Control Forum at which petitions relating to planning applications may be presented. This replaces the scheme originally approved by the Council on 24th October 1996, and subsequently revised by Planning Sub-Committee on 29th April 1998 (updated 2002). Please contact the Committee Section (457011) with queries about the guidelines.

Receipt of Petitions and Notification of Development Control Forum

1. Neighbour consultation letters on planning applications draw attention to the possibility of a Development Control Forum being held on an application. There is a further reference in a 'Your Chance to Comment' leaflet and there is also a separate 'Development Control Forum' leaflet. The information is also available on the Council's website.
2. Petitions requesting a Development Control Forum should be sent to the Committee Section, who should then send a copy to the development control support team in the Planning Department. In the event of petitions being sent directly to the Planning Department, the Planning Department should retain a copy and send the original to the Committee Section.
3. On receipt, the Committee section in liaison with the planning case officer, will check that the petition meets all the eligibility criteria for a Development Control Forum to be held. Senior officer advice will be taken where necessary. If the petition does not meet the eligibility criteria the Committee section will contact the lead petitioner(s) immediately to let them know that a Development Control Forum will not be held and that the petition will be reported direct to the relevant Committee through the officer's report on the application.
4. The eligibility criteria are:
 - ***A petition that solely relates to comments on an eligible planning application that is under consideration. The petition must state clearly what the planning concerns are about the application and whether it is an outright in principle objection to the development or not. If it is not the petitioners are encouraged in the petition to briefly say in their own words what changes might be made to the***

development to overcome their concerns. Petitioners will be expected to explain what changes they are seeking at the Development Control Forum meeting itself.

- A petition containing at least 25 signatures and addresses of Cambridge City residents
 - A petition of objection that is received within the initial 21 day consultation period
 - A petition of support but only if there is also a qualifying petition of objection to be considered. It must be received within 7 days of the close of the initial 21 day consultation period
5. Applications that are not eligible to be considered at a Development Control Forum are:
- Applications to alter, extend or carry out other works to a house and its surroundings ('householder applications')
 - Applications to create a new single house or other single residential unit
 - Applications for a change of use of an existing building(s)
 - Applications for works or alterations to existing buildings or other structures creating no additional floorspace
 - Applications for new commercial development of less than 200 square metres (gross) additional floorspace
 - Applications for advertisements
 - Applications to determine whether a use of land or buildings needs planning permission ('lawful development certificate')
 - Applications for works or alterations to listed buildings (applications for Listed Building Consent)
 - Applications to demolish a building(s) in a conservation area (applications for Conservation Area Consent)
 - Applications by telecommunications code system operators asking whether the local authority's 'prior approval' is needed to the siting and appearance of works that would otherwise be

‘permitted development’ not requiring planning permission (Prior Approval notification)

- Petitions expressing an outright in principle objection to the application with no suggestions for a compromise solution
- Petitions not received within the above timescales

Normally a Forum will not be held for a petition relating to an amendment to a current application or where a Forum has already been held on the current application. Senior officers and Chair and Spokesperson(s) of the relevant Committee that will determine the application have the final decision on such requests.

6. If the request is eligible, the Committee section will liaise with the planning case officer about the date of the Development Control Forum. It will normally be on the next available reserved Wednesday in the week after a Planning Committee meeting provided that:

- The 21 days consultation period has elapsed
- At least 7 days (not working days) notice is given to all those who are entitled to attend and take part in the Forum

7. The Committee section will contact the lead petitioner(s) and the applicant (or the agent where there is one) to confirm the date of the Forum meeting. Petitioners and applicants will be expected to meet the next available date, because of the tight deadlines the Council has in determining planning applications.

8. If two or more petitions are received for the same application the petitioners will be encouraged to make a joint presentation. If this is not possible they will normally share the overall time allocation set out in the meeting procedure.

9. The Committee section will send written invitations to:

- The lead petitioner(s)
- The applicant and agent
- Members of the Committee that will be responsible for determining the application
- Ward Councillors
- Planning Officers

All other City Councillors will also be informed that the meeting is taking place. The press too will be informed.

The invitations to the meeting should include:

- Application details
- Planning case officer and Committee section contact details for further information and advice
- Brief summary of purpose of the Forum and meeting details

1 The Development Control Forum Meeting

10. The Press and Public are entitled to attend meetings as observers.
11. A senior officer in the Planning Department will chair the meeting. Normally this will be the Head of Development Services or his deputy.
12. The style of the Forum will be informal, but the authority of the Chair must be recognised. The decision of the Chair on any question of procedure will be final. No votes will be taken.
13. The format of the Forum will be as follows:
 - Introduction by Chair and declaration of Councillor interests – **up to 5 minutes**
 - Presentation of the application by the applicant/agent (up to 3 representatives) – **up to 15 minutes**
 - Presentation of the views of the petitioners against the application (up to 3 representatives) – **up to 15 minutes**
 - Presentation of the views of the petitioners in support of the application (where applicable) (up to 3 representatives) – **up to 15 minutes**
 - Presentation by the planning officer – **up to 10 minutes**
 - Member questions and issues arising – **up to 30 minutes**
 - Summing up by the petitioners against the application – **up to 5 minutes**
 - Summing up by the petitioners in support of the application – **up to 5 minutes**
 - Final comments of the Chair

In exceptional circumstances the order of proceedings may be changed at the discretion of officers and the Chair and Spokesperson(s) of the relevant Committee.

After the Meeting of the Forum

14. The Committee Section representative will take notes of the meeting. The notes will be a summary of the proceedings. Nothing said by Councillors at the meeting will in any way be binding on the Committee that subsequently determines the application. The draft notes will be circulated to the Chair and the planning case officer for agreement. The finalised notes will be sent to the following, normally within 7 working days of the Forum meeting:
 - The petitioners' representatives
 - The applicant's representatives
 - All Councillors of the relevant decision making Committee
 - Ward Councillors
 - Any other Councillor who attended

The notes of the meeting will be appended to the Committee report.

15. The planning case officer should contact the applicants/agent after the meeting to discuss the outcome of the meeting and to follow up any further action that is necessary. The applicant will be encouraged to keep in direct contact with the petitioners and to seek their views on any proposed amendment/s.
16. The Council will follow its normal neighbour notification procedures on any amendments to the application.
17. Along with other individuals who may have made representations on the application, the petitioners' representatives will be informed of the date of the meeting at which the application is to be considered by Committee and of their public speaking rights. The Committee report will be publicly available a week before the Committee meeting.