

**(CCC) Horseheath Road**

1. The events between September 2020 (when construction work started) and February 2021 (when the temporary stop notice was served)
  - a. Please could we have an organisational structure chart which shows the relationship between your own office, development control and enforcement, including named reporting lines to Senior Officers?
  - b. Please could you provide copies of all relevant emails (internal and external) between these teams, the LLFA and Croudace?
  
2. The approval of the Construction Management Plan
  - a. We note that the CMP (Rev: B) was loaded onto the Portal in October 2020. What was the sequence of events which led to this being accepted on the 23rd March 2021?
  - b. We note that the CMP, as presented by Croudace and as accepted in your name, includes, in Appendix B, a site layout which shows the LEAP in the position required by the Thomas Consulting strategy. When a second Rev: B was circulated by email in August 2021, the site layout had been changed and the LEAP moved to the position in which it has been built. Please can you provide the substantive evidence trail which underpins this material change to the Construction Management Plan.
  
3. The meeting on Tuesday 23rd March 2021. Please could you provide answers to the following questions:
  - a. Who called the meeting?
  - b. Please can you confirm the attendees?
  - c. Who set the agenda? Please could we have a copy?
  - d. Were any materials circulated in advance? Please could we have a copy?
  - e. Were any presentations made? Please could we have a copy?
  - f. We have read the technical note provided by Croudace following the meeting, please could we have a copy of the Council's substantive record?
  - g. When Croudace tabled the Arcadis FRA (part of S/2553/16/OL which was rejected by the Planning Committee in March 2017 as it was based on a design for 50 dwellings), who challenged Croudace to use the Thomas Consulting strategy for 42 dwellings as required by Peter Rose?
  - h. On what basis did the Council decide to proceed with a surface drainage strategy which placed the LEAP in its built position on the same day that a controlled document was signed off which placed it in a different position?

**Response**

1. The events between September 2020 (when construction work started) and February 2021 (when the temporary stop notice was served)
  - a. Please could we have an organisational structure chart which shows the relationship between your own office, development control and enforcement,

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Response sent

**27 Oct 2021**

including named reporting lines to Senior Officers?

Please see attached organisational structure charts .

b. Please could you provide copies of all relevant emails (internal and external) between these teams, the LLFA and Croudace?

The information you have requested falls outside of Freedom of Information but is covered by the Environmental Information Regulations 2004 (EIR) (please see page 4 of ICO guidance "What is Environmental Information"), and as such we have processed your request under EIR

We can confirm that we do hold information relevant to your request. Please see attached responses to your queries.

Some of the information you have requested concerns current and ongoing planning enforcement investigations that are yet to be resolved, which the Council as the local planning authority has a duty to conduct. As such, we consider this information is exempt from disclosure under exception Regulation 12(5)(b) – the course of justice....

Regulation 12(5)(b) is subject to a public interest test, which means we must consider whether it is reasonable in the circumstances to disclose this material into the wider public domain.

There is a strong public interest in providing transparency to public body functions and decision making. However, there are investigations that the Council has a duty to undertake. Should information be disclosed that interferes with the normal investigation process prior to its conclusion such investigations could be jeopardised - as a live planning matter in this particular case, this includes consideration of any previous investigation, which may lead to decisions to take further legal action.

It would not be in the public interest to prevent or hinder the course of justice.

There is a strong public interest in allowing such investigations to reach their conclusion, via the normal investigation process. Therefore, we consider that in regard to information that concerns a current and ongoing investigation the exception is correctly applied and we decline to provide this material to you

## 2. The approval of the Construction Management Plan

a. We note that the CMP (Rev: B) was loaded onto the Portal in October 2020. What was the sequence of events which led to this being accepted on the 23rd March 2021?

- Consultation with the relevant consultees- Environmental Health Officer and Local Highways Authority. Sent to the Parish Council for information.
- Please see the website for copies of the consultation responses.
- Assessment by officers.

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- Please see the delegation report on the website.
- Consideration at the Scheme of Delegation meeting on 16 March 2021 to determine whether the proposal needs to be considered by the planning committee.
- Please find attached the agenda/minutes of the meeting.

b. We note that the CMP, as presented by Croudace and as accepted in your name, includes, in Appendix B, a site layout which shows the LEAP in the position required by the Thomas Consulting strategy. When a second Rev: B was circulated by email in August 2021, the site layout had been changed and the LEAP moved to the position in which it has been built. Please can you provide the substantive evidence trail which underpins this material change to the Construction Management Plan.

The layout plan in Appendix B of the Construction Management Plan submitted in relation to application S/2553/16/CONDE relates to the position of the site compound.

The approved position of the LEAP is shown on the site plan approved for application S/4418/19/RM.

3. The meeting on Tuesday 23rd March 2021. Please could you provide answers to the following questions:

a. Who called the meeting?

The applicants requested the meeting following the issue of the Temporary Stop Notice to discuss the foul and surface water conditions.

b. Please can you confirm the attendees?

The attendees were: -

Assistant Director of Delivery, Team Leader, Principal Planning Officer, Senior Planning Officer, Drainage Officer from SCDC

Lead Local Flood Authority Officers x 2

Croudace Homes Developer Team

c. Who set the agenda? Please could we have a copy?

There was no agenda.

d. Were any materials circulated in advance? Please could we have a copy?

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Response sent

**27 Oct 2021**

No materials were circulated in advance of the meeting.

e. Were any presentations made? Please could we have a copy?

No presentations were made at the meeting.

f. We have read the technical note provided by Croudace following the meeting, please could we have a copy of the Council's substantive record?

The Council's contemporary record of the meeting is set out in an email from the Assistant Director – Delivery to the Chief Executive on 23 March 16.03. No formal note was made of the meeting itself.

g. When Croudace tabled the Arcadis FRA (part of S/2553/16/OL which was rejected by the Planning Committee in March 2017 as it was based on a design for 50 dwellings), who challenged Croudace to use the Thomas Consulting strategy for 42 dwellings as required by Peter Rose?

The surface water drainage condition requires the scheme to reflect the Thomas Consulting Strategy for 42 dwellings. The Local Planning Authority advised that the scheme needed to address flood risk from the development itself and provide some protection for properties in the surrounding area.

h. On what basis did the Council decide to proceed with a surface drainage strategy which placed the LEAP in its built position on the same day that a controlled document was signed off which placed it in a different position?

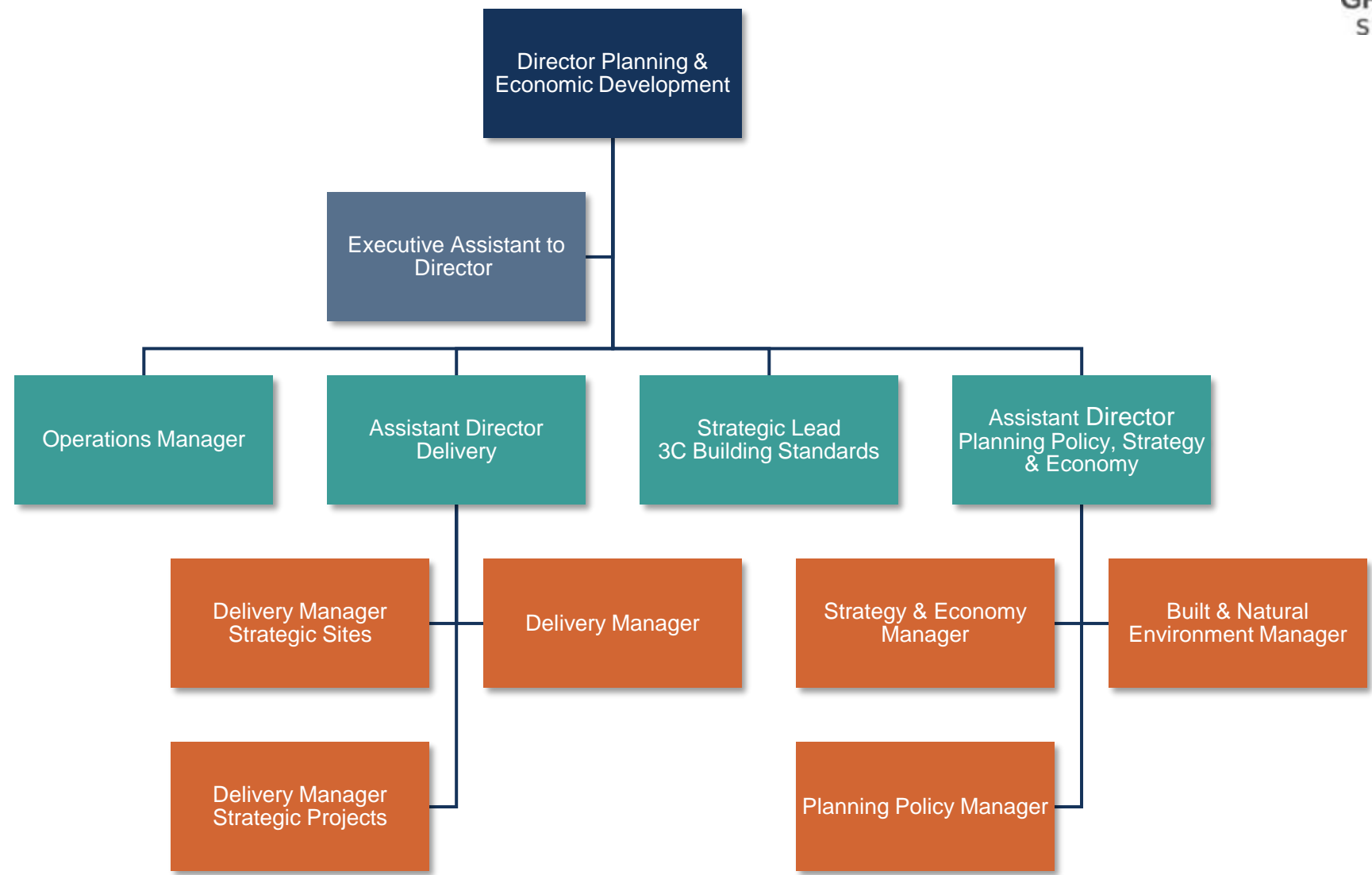
The layout plan in Appendix B of the Construction Management Plan submitted in relation to application S/2553/16/CONDE relates to the position of the site compound and does not amount to an approval of the detailed layout of the development itself.

The approved position of the LEAP is shown on the site plan approved for application S/4418/19/RM. The surface water drainage strategy is required to reflect the approved layout for the development contained in that application.

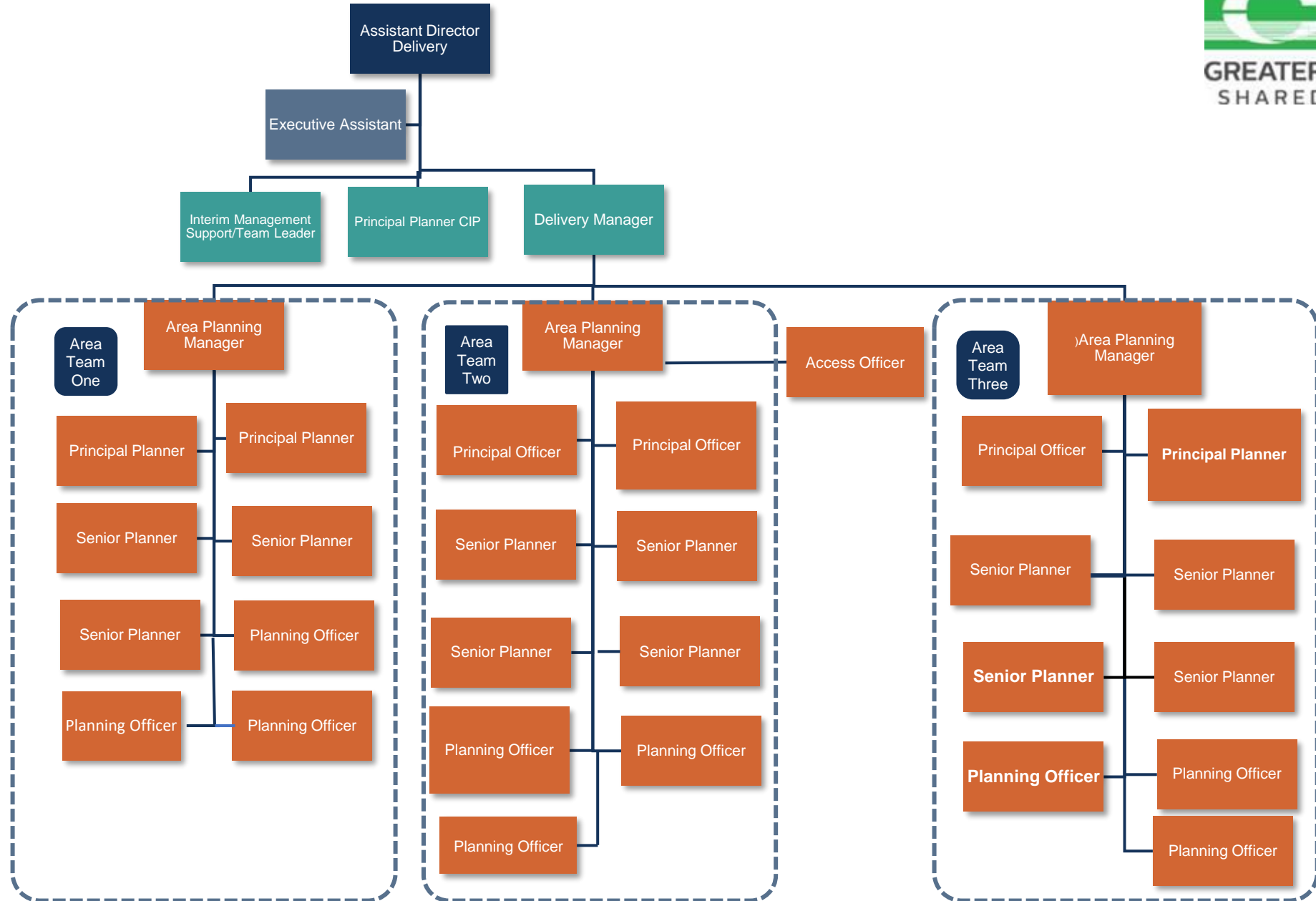
Further queries on this matter should be directed to [foi@cambridge.gov.uk](mailto:foi@cambridge.gov.uk)



# Management Structure

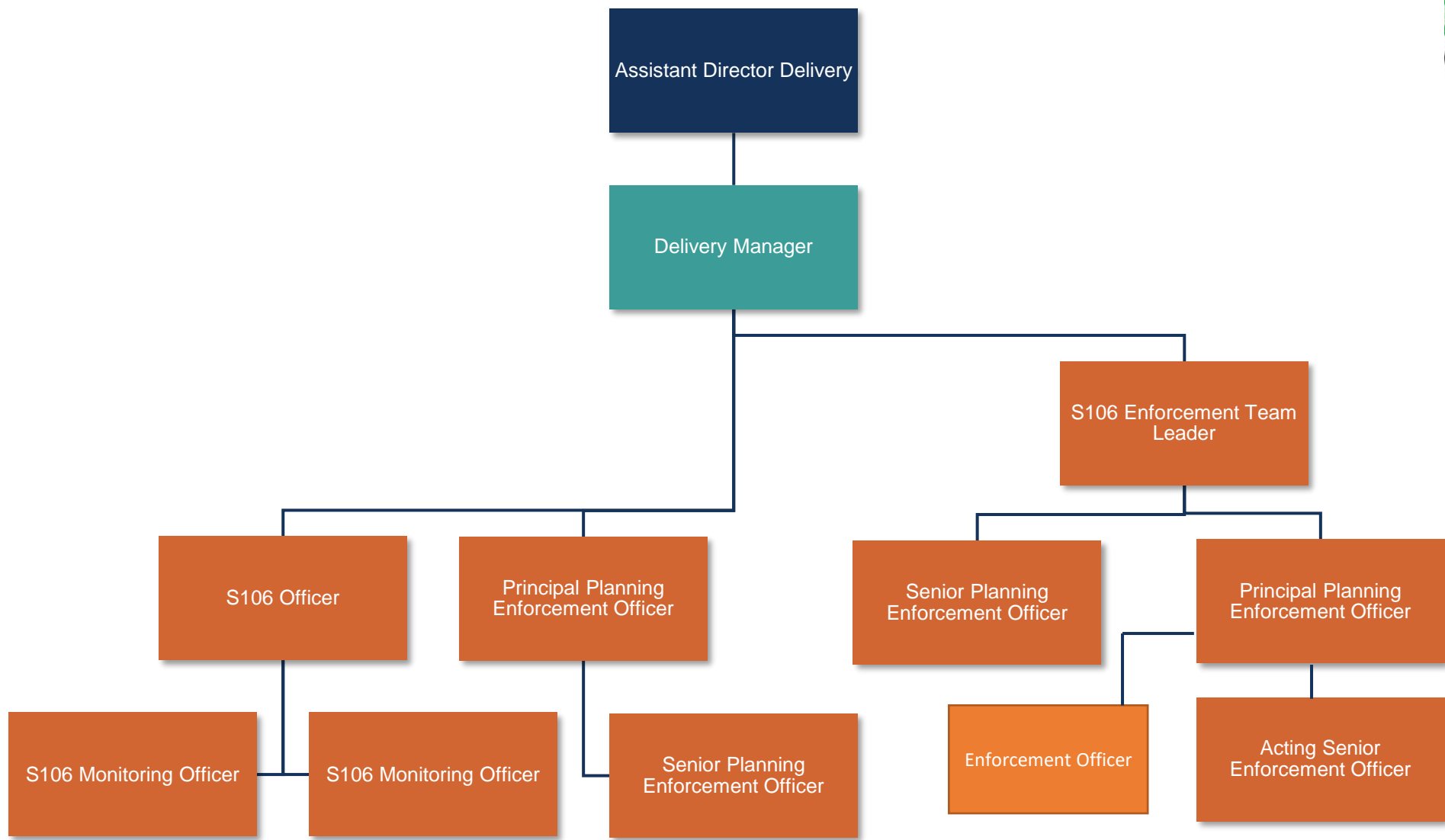


# Delivery Management





## Delivery Management (continued)



## Delegation meeting - Minutes

- **Date:** 16 March 2021
- **Time:** 11am to 12:30pm
- **Meeting held:** via Teams
- **Attendees:** Chris Carter (CC), Cllr John Batchelor (JB), Luke Waddington (LW), Karen Pell-Coggins (KPC), Julie Ayre (JA)
- **Notes and actions:** Jemma Smith

**Minutes approved by:** Cllr John Batchelor (Chair of Planning Committee – Consultee) on 22 March 2021, Chris Carter (Delivery Manager – Strategic Sites) on 22 March 2021

### **20/04124/FUL Waggon & Horses Public House, 39 High St, Milton - Creation of 3 No. detached en-suite letting rooms in rear garden of public house**

#### **Reason for call-in request**

Called in by Cllr Bradnam (Ward member) citing parking issues raised by residents

Milton PC and 15 residents object; inadequate parking & highways safety, increased noise impact on residents.

#### **Key considerations**

The Case officer presented the details of the proposal to the group and the comments of the Parish Council and ward member were noted.

The key issues raised around car parking, highway safety and noise impacts were considered to be material considerations but, in the context of the small scale nature of the proposal, were not considered to be of such significance that would warrant referral to planning committee for decision.

The proposal was not found to raise significant issues for adopted policy, nor to be of a nature, scale or complexity to warrant committee referral. Finally, whilst there is relevant planning history at the site, this did not indicate that a committee decision was required.

#### **Decision**

Delegated decision. See above



## **20/04660/FUL 44c North Road, Great Abington - Erection of new detached dwelling to replace existing barn (has class Q prior approval-S/0843/19/PA)**

### **Reason for call-in request**

Recommendation: The Parish Council recommend REFUSAL of this planning application.

Comments: Based upon an email the Parish Council received from Karen Pell-Coggins on 04/01/2021, the Council understands that Planning Officer, Nigel Blazeby, has advised that the Part Q approval under application S/0843/19/PA does not stand. The Council has been advised that this is because there are concerns that the site was not used as an agricultural business and does not therefore meet the permitted development criteria in Part 1, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The Council considered the planning application for a new dwelling against the policies of the Neighbourhood Plan for the former Land Settlement Association's Estate at Great Abington that covers the application site. The policy states that 'The development of one additional dwelling on, or adjacent to, the site of each original piggery will be supported ...' As the application site was originally part of a parcel of land that was used for football/recreation and was not associated with an original dwelling, it does not fulfil the principal requirement of policy GAL/2.

The Council noted that the size of the proposed building had been reduced but that, at over 300m<sup>2</sup>, it still did not comply with the Neighbourhood Plan as the floor area exceeded the 175m<sup>2</sup> maximum requirement.

The siting of the plot did not comply with the Neighbourhood plan, as it there was no piggery on the site for the dwelling to be built on or adjacent to and its proximity to neighbouring dwellings did not comply with the Neighbourhood Plan.

### **Key considerations**

Following the request from the Parish Council for an opportunity to consider the proposal again, a decision was deferred.

### **Decision**

Deferred. See above.

## **S/2553/16/CONDB Land Off Horseheath Road, Linton - Submission of details required by condition 17 (ecological enhancement) of planning permission S/2553/16/OL**

### **Reason for call-in request**

Linton Parish Council - Development has already commenced despite condition 17 specifying that conditions are to be discharged before this happens. The hedge along Horseheath Road is marked on the plans as 1.2m hedge. However, there is a specific condition that the protected rural mixed hedge should be retained, except for minimal removal to meet highway sightlines requirements. It is noted that more hedge appears to have been removed. Likewise, the hedge along the eastern edge is to be retained, but is not marked as such on the site plan Ref: DES/035/105/B. The comments of the Ecology Officer appear to be in contradiction to the protection of the hedges and the conditioning. Protection of hedgerow act to be consulted.

Trees should be additional to the protected native hedge on the northern edge, not a replacement. The boundaries at the southern edge are sensitive and treatment here impacts on current housing, so hedging must be retained and enhanced. We note that the buffer zone is significantly smaller than previously (it should be 6m width) and contrary to RM plans. Dwellings are closer to current bungalows (a considerable drop below the site surface)

The Landscape Strategy Plan shows trees on the eastern/north eastern boundary of housing. This is an area intended for a drainage ditch to protect the housing to the south from surface water flooding. Trees and ditches cannot occupy the same space and the ditch is a required feature of the drainage plan. Please see our previous comments on the drainage proposals and objections to the DoC. The required season-long amphibian survey has not been done. We request that the additional bat/bird boxes should include Swift boxes. Sparrow boxes are preferable rather than Starling boxes. There should be holes at the base of close board and chain fences to provide Hedgehog Highways.

Object and do refer this to the District Council Full Planning Committee

### **Key considerations**

The comments of the Parish Council were noted, and whilst technical comments have been provided, it was considered that due to the technical nature of the issue, this matter should be resolved under delegated authority with the advice of specialist officers. The proposed discharge of condition was not considered to present significant issues for adopted policy, to be of a nature, scale or complexity or have a history that would indicate that the matter should be referred to the planning committee for decision.

## **Decision**

Delegated decision. See above.

## **S/2553/16/CONDE Land Off Horseheath Road, Linton - Submission of details required by condition 9 (construction method statement) of planning permission S/2553/16/OL**

### **Reason for call-in request**

Linton Parish Council - This appears to be a retrospective application, as work has started without permission, If all the recommendations are followed, the effect of construction on neighbours and the village should be minimised.

However: 3.4 All plant and materials will be expected to access the development via A1307 onto Horseheath Road Plant and materials must not access the site via the Conservation Area or the village centre. Also they must not use the access to houses opposite the site to park or turn, in order to protect the houses from poorly manoeuvred vehicles.

4.1 Enabling works - "the offsite service and drainage works (subject to approvals) followed by access into site. This will be followed by on-site infrastructure, services and then the construction of the dwellings in a phased manner.

To note - construction above slab level has already commenced, prior to several DoC applications being approved, i.e., the conditions have not been approved prior to the work starting.

Object and do refer this to the District Council Full Planning Committee

### **Key considerations**

The comments of the Parish Council were noted, and whilst technical comments have been provided, it was considered that due to the technical nature of the issue, this matter should be resolved under delegated authority with the advice of specialist officers. The proposed discharge of condition was not considered to present significant issues for adopted policy, to be of a nature, scale or complexity or have a history that would indicate that the matter should be referred to the planning committee for decision

## **Decision**

Delegated decision. See above.

## **S/2553/16/CONDF Land Off Horseheath Road, Linton - Submission of details required by condition 16 (badger and reptile surveys) of planning permission S/2553/16/OL**

### **Reason for call-in request**

Linton Parish Council - Again, site works have started prior to this condition being signed off. Also, the required season long amphibian survey has not been done (although we appreciate the number of mats laid, they were only there a few weeks).

Please see previous LPC comments regarding the length of time between survey and commencement of work. Another survey is required, which does not appear on the website. The site was an arable field but will now have damp areas and we hope to retain the native hedges. So, we expect to see reptiles and amphibians colonising these parts of the site, especially the south west corner. Although amphibians and reptiles were not seen on site, they do occur in neighbouring gardens, so mitigation and protection are welcomed. As an agricultural area with cattle, we do not want to encourage badgers.

Object and do refer this to the District Council Full Planning Committee.

### **Previous comments**

The site has now been stripped of soil to allow Archaeological work to be completed, so there are Badger Setts on site. However, the grassy edges, hedges and boundaries might now harbour reptiles. An up-to-date review is needed, as reptiles may have migrated to the site following disturbance of other habitats in the area. Cllr K Kell referred to the Ecology report, where the Badger Survey states that if no works commence within 6 months of the report then a further walkover survey would be required. The first survey was in October 2019 therefore the walkover report would need to be carried out again if no works commenced by April 2020.

In light of the information given by Cllr K Kell, Linton Parish Council propose that a further Walkover survey is required.

### **Key considerations**

The comments of the Parish Council were noted, and whilst detailed technical comments have been provided, it was considered that due to the technical nature of the issue, this matter should be resolved under delegated authority with the advice of specialist officers. The proposed discharge of condition was not considered to present significant issues for adopted policy, to be of a nature, scale or complexity or have a history that would indicate that the matter should be referred to the planning committee for decision.

## Decision

Delegated decision. See above.

## **S/2553/16/CONDG Land Off Horseheath Road, Linton - Submission of details required by condition 8 (proposed allotments) of planning permission S/2553/16/OL**

### Reason for call-in request

Linton Parish Council - Site works have started prior to this condition being signed off. Again, proposed removal of the hedge to the east of the allotments is noted; we object to this. Also, the hedge at the northern boundary appears to be replaced by trees; this hedge is protected and specifically conditioned to be retained. Submitted plans are contradictory. The allotments along the southern edge might result in loss of privacy to residents of Harefield Rise, so care must be taken to provide sufficient buffer zone (a 6m buffer zone is mentioned in the planning permission, but this appears considerably narrower) and screening planting and that this should not develop into a path. The RM application specified that a yew hedge would be planted to the eastern end of the southern boundary. This does not appear on these plans. We are very concerned regarding the apparent loss of hedging, which fall under the protection of the Hedgerow Act. Insufficient native planting, types to encourage local wildlife (in particular a few black poplar, oak and field maple needed) and very few food species (in an area where walnut, cob, filbert, and native fruit trees grow well)

The range of plants includes unwelcome and invasive species, too many urban species in a rural area and should be changed to suit the area and conditions. These include: Shrub ragwort - just as well the vet lives opposite to deal with animal poisoning. Laurel, Portuguese Laurel and Bay Laurel - not typical of the area and too urban, offering little benefit to wildlife

Sycamore - a weed

Turkish Hazel - This will develop into a large tree, if it survives the damp and frosts. A native filbert would be better and provide food.

Persian Ironwood - native species preferred

Mexican feather grass - meant for dry areas and prairie planting...sigh

Euphorbia - toxic sap, skin lesions and photo-hypersensitivity

Heavenly Bamboo and Japanese sedge, ragwort - invasive species in an agricultural and allotment area.

Box - we are losing plants to box blight so will not survive. This is an urban scheme in a rural area - not acceptable.

Object and do refer this to the District Council Full Planning Committee

## **Key considerations**

The comments of the Parish Council were noted, and whilst detailed comments have been provided, it was considered that due to the technical nature of the issue, this matter should be resolved under delegated authority with the advice of specialist officers. The proposed discharge of condition was not considered to present significant issues for adopted policy, to be of a nature, scale or complexity or have a history that would indicate that the matter should be referred to the planning committee for decision.

## **Decision**

Delegated decision. See above.