



## Joint Development Control Committee

**Date:** Wednesday, 22 January 2025

**Time:** 10.00 am

**Venue:** Council Chamber, The Guildhall, Market Square, Cambridge, CB2 3QJ  
[access the building via Peashill entrance]

**Contact:** democratic.services@cambridge.gov.uk, tel 01223 457000

### Agenda

- 1 Apologies
- 2 Declarations of Interest
- 3 Minutes (PAGES 5 - 42)

### Miscellaneous Items

- 4 Scheme of delegation (PAGES 43 - 124)
- 5 Future JDCC meeting dates and proposed site visit dates - June 2025 to May 2026 (PAGES 125 - 126)

### Pre-application Developer Briefing

- 6 Land north and east of Cowley Road (Hartree), North East Cambridge  
Outline planning permission (all matters reserved save for "access" from Cowley Road) for the partial demolition of the existing buildings, structures and site apparatus, remediation and re-profiling of site levels, for the phased development of residential dwellings (Use Class C3); older persons' accommodation (Use Class C2); retail, financial & professional services, cafes & restaurants, indoor recreation & fitness, laboratory, offices and co working floorspace (Use Class E); bars and hot food takeaways (Sui Generis); two primary schools with play

space and community buildings with ancillary uses (Use Class E, F.1 & F.2); outdoor sports play areas; associated surface and decked car parking and landscaping including central play line and SUDS; highways works to Cowley Road including vehicular accesses, improved bus stops, cycle and pedestrian facilities; and, new electrical substations; associated infrastructure, enabling and other relevant works.

### **Joint Development Control Committee Members:**

**Cambridge City Council:** Cllrs S. Smith (Chair), Baigent, Flaubert, Porrer, Smart and Thornburrow, Alternates: Gilderdale, Lokhmotova, Nestor and Young

**South Cambridgeshire District Council:** Cllrs Bradnam (Vice-Chair), Cahn, Fane, Hawkins, Stobart and R.Williams, Alternates: Bygott, Garvie, J.Williams and H.Williams

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**JOINT DEVELOPMENT CONTROL COMMITTEE**

16 October 2024  
10.00 am - 3.20 pm

**Present:** Councillors S. Smith (Chair), Bradnam (Vice-Chair), Flaubert, Porrer, Smart, Thornburrow, Cahn, R.Williams and Garvie

**Officers Present:**

Strategic Sites Manager: Philippa Kelly  
Principal Planner: Mairead O’Sullivan  
Senior Planner: Charlotte Peet  
Senior Planner: James Truett  
Legal Adviser: Keith Barber  
Committee Manager: Sarah Steed  
Meeting Producer: Claire Tunncliffe

**FOR THE INFORMATION OF THE COUNCIL**

**24/39/JDCC      Apologies**

Apologies were received from Councillors Fane, Hawkins, Stobart and Baigent. Councillor Garvie attended as alternate for Councillor Stobart.

Councillor Smart provided apologies for lateness and joined the meeting from item 24/43/JDCC. Councillor Smart withdrew for items 24/44/JDCC and 24/45/JDCC.

Councillor R.Williams left the meeting before the consideration of item 24/45/JDCC and then joined the meeting online part way through item 24/46/JDCC.

**24/40/JDCC      Declarations of Interest**

Item	Councillor	Interest
All	Garvie	Member of Cambridge Cycling Campaign.
24/44/JDCC and 24/45/JDCC	Smart	Employed by Addenbrookes Hospital. Withdrew from the meeting for items 24/44/JDCC

		and 24/45/JDCC.
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## **24/41/JDCC Minutes**

The minutes of the meeting held on 21 August 2024 were approved as a correct record and signed by the Chair.

## **24/42/JDCC 21/02957/COND27 - West Anglia Main Line, Land Adjacent To Cambridge Biomedical Campus**

The Committee received an application for the submission of details required by condition 27 (Lighting Scheme) of the deemed planning consent associated with the Network Rail (Cambridge South Infrastructure Enhancements) Order 2022 (Local Planning Authority Reference 21/02957/TWA).

The Committee had deferred the application at the 17 July 2024 meeting to allow further consideration of pedestrian and cycle safety including anti-social behaviour and the impact on biodiversity.

The Committee noted a representation in support of the application from the Department for Transport which was included on the Amendment Sheet.

Elliot Stamp (Applicant's Representative) addressed the Committee in support of the application.

The Committee Manager read a statement in support of the application from the Trumpington Residents' Association.

In response to Members' questions the Principal Planner said the following:

- i. The City Council would manage the open space areas, not the County Council.
- ii. Officers would work with the Applicant and the Streets and Open Spaces Team to ensure that the concerns regarding wayfinding were addressed as details of signage was yet to be agreed.
- iii. Solar stud lighting was used widely elsewhere. The path was designed to meet LTN120 standard. The supplementary document which had been submitted by the Applicant provided evidence to address safety concerns.

- iv. Noted concerns raised regarding the angle of the path where it joined the guided busway; advised that this was approved as part of the landscape condition and could not be varied as part of the lighting condition application now to be determined.

The Committee:

**Resolved (unanimously) to:**

- i. Approve and discharge condition 21/02957/COND27.

**24/43/JDCC 24/01549/REM - B2 Land (Car Dealership development)  
Land North Of Newmarket Road (Marleigh)**

The Committee received a reserved matters application for the B2 land (car dealership development) including access, appearance, layout, scale, landscaping, associated infrastructure, incorporating an extension to the Ford store together with discharge of conditions 12,13,17,18,23,34,39,40,41,42,43,45,46, and 48 in respect of outline planning permission S/2682/13/OL.

In response to Members' questions the Senior Planner said the following:

- i. The impact of the multistorey car park had been thoroughly reviewed. An existing mature tree belt would provide sufficient screening throughout the year. The previous use of the site was similar to the use in this application. There were only a couple of points where the height of the proposed building was above the heights set out in the Parameter Plan so Officers believed there would be no significant adverse impact on residents.
- ii. Fire hydrants would be addressed under Building Regulations.
- iii. The Local Plan did not specify the number of cycle parking spaces which needed to be provided for this Use class. Officers reviewed the amount of cycling parking proposed and were satisfied this would be sufficient.
- iv. Car parking provision had been reviewed. Officers were content with the amount proposed and did not believe there would be overspill parking off-site into the Marleigh development.
- v. Conditions 2 and 3 would secure the vertical planting and ensure that it was maintained in the future.

- vi. Condition 11 required details to be submitted regarding water consumption (BREAAAM Wat 01 requirements). If the applicant failed to provide sufficient information then the condition would not be discharged.
- vii. Rainwater gardens could be considered as part of the drainage condition.
- viii. Officers had no concerns regarding the cladding and overheating. The proposals were similar to what was on site previously. No concerns had been raised by Environment Health Officers regarding overheating.
- ix. Signage (in terms of name / display lighting for the building) would be controlled by advertisement regulations.
- x. The trigger points for conditions 9 and 11 could be amended to be 'prior to commencement of development'.
- xi. Noted concerns raised about the potential for noise from transporter vehicles when reversing and advised that condition 9 could be amended to address concerns to protect residential amenity.

The Strategic Sites Manager offered the following summary of amendments to the Officer's recommendation contained in paragraph 24 (i) of the report reflecting Members' debate:

- i. Approve the reserved matters application subject to the conditions and informatives as detailed in this report, with delegated authority to Officers to carry through minor amendments to those conditions and informatives (and to include others considered appropriate and necessary) prior to the issuing of the planning permission with amendments to:
  - a. condition 2 to include reference to rainwater gardens and green roofs on cycle shelters;
  - b. conditions 9 and 11 to change each trigger point to 'prior to commencement of development';
  - c. condition 9 to include reference to noise impact from vehicle movements.
- ii. No amendments were proposed to the Officer recommendation contained in paragraph 24 (ii) of the report.

### The Committee:

#### **Resolved (by 8 votes to 0 with 1 abstention) to:**

- i. Approve the reserved matters application subject to the conditions and informatives as detailed in this report, with delegated authority to Officers to carry through minor amendments to those conditions and informatives

(and include others considered appropriate and necessary) prior to the issuing of the planning permission with amendments to:

- a. condition 2 to include reference to rainwater gardens and green roofs on cycle shelters.
- b. conditions 9 and 11 to change each trigger point to 'prior to commencement of development'
- c. condition 9 to include reference to noise impact from vehicle movements.

**Resolved (unanimously) to:**

- ii. Approve the part discharge of planning conditions on the outline consent reference S/2682/13/OL in relation to this reserved matters site only:
  - a. Condition 12 - Hard and Soft Landscaping details
  - b. Condition 13 - Tree retention/removal
  - c. Condition 17 - Ecological Mitigation
  - d. Condition 18 - Artificial Lighting
  - e. Condition 23 - Waste and Recycling
  - f. Condition 34 - Surface Water Drainage
  - g. Condition 39 - Noise Impact Assessment
  - h. Condition 40 - Bird Hazard Management
  - i. Condition 41 - Detailed Waste Management and Minimisation Plan
  - j. Condition 42 - Odour and Noise Management from the North Works
  - k. Condition 43 - Remediation Strategy
  - l. Condition 45 - Construction Method Statement
  - m. Condition 46 - Archaeological details
  - n. Condition 48 - Water Vole Protection

**24/44/JDCC      24/02478/S73 - RSC 56 Addenbrooke's Hospital Keith Day Road Cambridge**

Councillor Smart withdrew from the meeting for the consideration of this application.

The Committee received a Section 73 application to vary conditions 1 (Time), 2 (Restoration of Land) and 3 (Drawings) of ref: 21/02525/S73 (Retention and continued use of Regional Surge Centre 56 (RSC 56), ancillary buildings and infrastructure constructed pursuant to planning permission granted under Schedule 2, Part 12 A, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) without

compliance with conditions A.2. (b) (time period) and condition A.2(c) (use of land) of that planning permission).

Carin Charlton (Applicant's Representative) addressed the Committee in support of the application.

In response to a Member's question and with the permission of the Chair, Ms Charlton advised that she was not aware of any adverse comments from the public about the external cladding. Other occupants on the Biomedical Campus had commented that the design of the cladding was appropriate and welcomed it.

In response to Members' questions the Senior Planner said the following:

- i. Was not aware of any comments from the public regarding the external cladding.
- ii. Noted concerns raised regarding internal wayfinding within the hospital, however they could not be dealt with through this application. The Applicant's representatives were at the meeting and would have heard Member's concerns.
- iii. The application was exempt from the statutory requirement to provide biodiversity net gain; however, the Applicant had provided an additional landscaped courtyard area.

#### The Committee:

**Resolved (unanimously) to:**

- i. Approve the application subject to the conditions and informatives as detailed in the Officer's report, with delegated authority to Officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) prior to the issuing of the planning permission.

**24/45/JDCC      24/02479/S73 - RSC 20 Addenbrooke's Hospital Keith Day Road Cambridge**

Councillor Smart withdrew from the meeting for the consideration of this application.

Councillor R. Williams left the meeting before the consideration of this application.

The Committee received a Section 73 application to vary conditions 1 (Time), 2 (Restoration of Land) and 3 (Drawings) of ref: 21/02528/S73 (Retention and continued use of Regional Surge Centre 20 (RSC 20), ancillary buildings and infrastructure constructed pursuant to planning permission granted under Schedule 2, Part 12 A, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) without compliance with conditions A.2. (b) (time period) and condition A.2(c) (use of land) of that planning permission).

The Committee noted the correction to cycle parking numbers contained within the Amendment Sheet namely: '27 covered Sheffield spaces were installed when the building was installed, and Officers did not consider that any further spaces were required'.

The Committee:

**Resolved (unanimously) to:**

- i. Approve the application subject to the conditions and informatives as detailed in the Officer's report, with delegated authority to Officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) prior to the issuing of the planning permission.

**24/46/JDCC      Appeals Update**

Councillor R. Williams joined the meeting virtually part way through this agenda item.

The Committee received a report regarding determined/live appeals against planning decisions of the Committee up to the 1 October 2024.

The Strategic Sites Manager summarised the issues discussed by the Committee:

- i. How would water use through water efficiency measures be monitored and that information reported back to the Council.
- ii. What confidence can the public have in the water efficiency measures and water credits system working.
- iii. Asked that information discussed and meeting minutes from the Water Scarcity Group was made publicly available.

- iv. Noted the importance of innovative technology particularly in relation to applications which would use large amount of water (data centres).
- v. Wanted to encourage developers on residential sites to consider using innovative technology for water ahead of any planning policy changes.

**24/47/JDCC      191 Cambridge Science Park, Milton Road, Cambridge, Cambridgeshire CB4 0GW**

Members raised comments/questions as listed below. Answers were supplied, and comments from Officers but as this was a pre-application presentation, none of the answers or comments are binding on either the intended applicant or the local planning authority so consequently are not recorded in these minutes.

1. Queried noise levels as believed some of the plant (machinery) was proposed to be relocated.
2. Queried if there would be additional deliveries and whether there would be a travel management plan.
3. Queried water consumption.
4. Asked for more information about the design of the building.
5. Queried if more solar panels could be provided on the site.
6. Asked if there would be more employees on site and whether increased parking provision was proposed.
7. Queried the re-use of water.
8. Queried if solar panels could be provided on the existing buildings.
9. Queried sustainable travel and parking on site.

**24/48/JDCC      Land north and east of Cowley Road (Hartree), North East Cambridge**

Members raised comments/questions as listed below. Answers were supplied, and comments from Officers but as this was a pre-application presentation, none of the answers or comments are binding on either the intended applicant or the local planning authority so consequently are not recorded in these minutes.

1. Noted the proposed level of biodiversity net gain and asked if this could be increased.
2. Asked if the affordable housing provision would comply with planning policies.
3. Asked if tenants would have security of tenure.



4. Queried management of landscaped areas.
5. Asked if roads were proposed to be adopted by the Highway Authority.
6. Queried whether parking hubs would be used.
7. Queried future tree maintenance.
8. Asked if there would be nursery provision.
9. Queried whether displacement parking in surrounding areas had been considered and would be mitigated.
10. Asked if s106 contributions would be made towards residents parking schemes.
11. Queried whether measures would be put in place to ensure surface water drainage would not cause flow under the railway to the residential area within the flood plain at Fen Road, Chesterton.
12. Queried transport links from the development to the City centre.
13. Asked if a supermarket would be delivered on site.
14. Asked if a crossing over the railway would be delivered as part of the development.
15. Queried long term maintenance of shared facilities (such as laundry facilities).
16. Asked about cargo bike parking provision.
17. Asked about trip budgets.
18. Queried mobility hub locations.
19. Asked if there would be any single aspect residential properties.
20. Asked about co-working spaces and community space.

The meeting ended at 3.20 pm

**CHAIR**

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**JOINT DEVELOPMENT CONTROL COMMITTEE**

12 November 2024  
10.00 am - 12.44 pm

**Present:** Councillors S. Smith (Chair), Bradnam (Vice-Chair), Baigent, Porrer, Smart, Cahn, Fane, Stobart and R.Williams

Councillor R. Williams left the meeting for item 24/51/JDCC and returned for item 24/52/JDCC.

Councillor Smart left the meeting before item 24/52/JDCC.

**Officers Present:**

Strategic Sites Manager: Philippa Kelly  
Principal Planner: Rebecca Ward  
Committee Manager: Sarah Steed  
Meeting Producer: James Goddard

**Developer Representatives for item 24/51/JDCC**

Matthew Johnson – University of Cambridge  
Paul Milliner – University of Cambridge  
Darryl Chen – Hawkins Brown Architects  
Diego Grinberg - Hawkins Brown Architects  
Matthew Sherwood – Quod  
Rebecca Saunt – University of Cambridge

**Developer Representatives for item 24/52/JDCC**

David Fletcher - Planning Consultant Ceres Property  
Ulrich van Eck - Project Director Bellway Latimer  
Dan Storer - Technical Manager Bellway Latimer  
Alexis Butterfield- Architect Pollard Thomas Edwards

**FOR THE INFORMATION OF THE COUNCIL**

**24/49/JDCC Apologies**

Apologies were received from Councillors Flaubert, Thornburrow and Hawkins.

**24/50/JDCC Declarations of Interest**

Item	Councillor	Interest
24/51/JDCC	R. Williams	Disclosable

		Pecuniary Interest – employed by Cambridge University. Left the meeting during the consideration of this item.
All	Baigent	Personal: Member of Cambridge Cycling Campaign.
All	Stobart	Personal: Member of the St Johns Evangelist Church Waterbeach and sit on the Parochial Council.

**24/51/JDCC Address: Land between Huntingdon Road, Madingley Road, and the M11, Cambridge, Cambridgeshire**

Councillor R. Williams left the meeting for the duration of this item.

Members raised comments/questions as listed below. Answers were supplied, and comments from officers but as this was a pre-application presentation, none of the answers or comments are binding on either the intended applicant or the local planning authority so consequently are not recorded in these minutes.

1. Queried the proposed number of dwellings on the site compared to the number of dwellings approved under the previous planning consent.
2. Asked why it was proposed to increase the density of dwellings on the site and how this would be brought forward.
3. Asked if more facilities would be provided on the site such as sports facilities / gym / football fields / areas for outdoor games.
4. Welcomed the revised cycling infrastructure plan.
5. Requested information about grey water recycling and SUDs (sustainable urban drainage systems).
6. Queried if nursery provision was proposed.
7. Asked if cargo bike parking provision was proposed.
8. Asked for desire lines for movement across the site to be considered.
9. Asked if any single aspect homes were proposed.

10. Queried how the landscaping would be brought forward and if it could be delivered on site early.
11. Asked what consideration would be given to the relationship between the proposed development and existing / adjacent communities.
12. Queried the permeability of the site for pedestrians and cyclists.
13. Asked what consideration had been given to connectivity with the Cambourne to Cambridge (GCP) project.
14. Queried if the development proposed to use the District Heating Network.
15. Welcomed the University bus service.
16. Asked how the community centre was proposed to be managed.
17. Asked how public areas were to be managed.
18. Asked if a new Parish Council would be set up.
19. Asked what consideration had been given to co-housing space, for example a communal eating area).
20. Asked how e-scooters would be managed within the site.
21. Queried if any restrictions on car ownership was proposed.
22. Asked how many people had attended their consultation events so far.
23. Queried water provision / supply.
24. Queried impact of the development on sensitive views and noted that LVIA's (landscape visual impact assessments) would be important.
25. Queried height articulation.
26. Queried the surface finishings on buildings.

**24/52/JDCC      Address: Land North of Cherry Hinton, Cambridge.**

Councillor R. Williams returned to the meeting for the consideration of this item.

Councillor Smart left the meeting before the consideration of this item.

Members raised comments/questions as listed below. Answers were supplied, and comments from officers but as this was a pre-application presentation, none of the answers or comments are binding on either the intended applicant or the local planning authority so consequently are not recorded in these minutes.

1. Asked about the proposed water use of 100 litres per person per day.
2. Asked for information about rainwater use and grey water recycling.
3. Asked if the flats with balconies could have downpipes to run water into

water butts.

4. Asked how desire lines for movement across the site would be managed.
5. Asked for information about the allotments.
6. Queried cargo bike parking provision.
7. Expressed concern around the use of SUDS (sustainable urban drainage system) for play and how the two uses would be managed.
8. Asked how the affordable housing provision would be provided across the site.
9. Enquired how the community centre would be managed to ensure it was available for the whole community.
10. Asked for information about what businesses could use the proposed commercial / business space units.
11. Asked for information about the customisable housing.
12. Questioned if consideration had been given to shared living accommodation (Houses in Multiple Occupation).
13. Asked for information about the play equipment and what ages this would cater for.
14. Queried provision of open space areas for older children.
15. Asked if the site fell within the City Council or South Cambs District Council administrative boundary.

The meeting ended at 12.44 pm

**CHAIR**

**JOINT DEVELOPMENT CONTROL COMMITTEE**

20 November 2024  
10.00 am - 3.57 pm

**Present:** Councillors Bradnam (Vice-Chair), Flaubert, Porrer, Smart, Cahn, Fane, Hawkins, R.Williams, Gilderdale and Garvie

Councillors R.Williams and Flaubert left the meeting during item 24/59/JDCC and did not return.

**Officers Present:**

Strategic Sites Manager: Philippa Kelly  
Principal Planner: Kate Poyser  
Principal Urban Designer: Sarah Chubb  
Senior Planner: Laurence Moore  
Legal Adviser: Keith Barber  
Committee Manager: Sarah Steed  
Meeting Producer: Dan Kalley

**Other Members Present:**

Councillor Cone  
Councillor Hofman

**FOR THE INFORMATION OF THE COUNCIL**

**24/53/JDCC Apologies**

Apologies were received from Councillors Baigent, Thornburrow, S. Smith and Stobart. Councillors Gilderdale and Garvie attended as alternates.

As Councillor S. Smith sent apologies, Councillor Bradnam (Vice-Chair of JDCC) chaired the meeting.

Councillor Porrer proposed and Councillor Gilderdale seconded for City Councillor Smart to take the role of the City Councillor representative (as Vice-Chair for this meeting alone) for any procedural matters concerning decisions arising from this Joint Development Control Committee meeting.

Therefore, references through these minutes within decisions to Chair and Vice-Chair are to Councillor Bradnam and Councillor Smart.

## 24/54/JDCC      **Declarations of Interest**

<b>Item</b>	<b>Councillor</b>	<b>Interest</b>
24/58/JDCC	Smart	Is Executive Councillor for Open Spaces and City Services at the City Council.

## 24/55/JDCC      **Minutes**

The minutes of the meetings held on 18 September 2024 were approved as a correct record and signed by the Chair.

**Under paragraph 4.2.1 of the City Council Procedure Rules, the Chair used their discretion to alter the order of the agenda items. For ease of the reader, these minutes will follow the order that the applications were considered at the meeting.**

## 24/56/JDCC      **24/03837/S73 - The Plains, Phase 1B, Land North of Newmarket Road, Cambridge**

The Committee received a S73 application to vary conditions 1 (Approved drawings) and 28 (Visitor car parking) of planning permission 23/01939/S73 (S73 to vary condition 1 (Approved plans) of reserved matters application 20/02569/REM (Reserved matters application as part of Phase 1B pursuant to condition 5 (Reserved Matters) of outline planning permission S/2682/13/OL dated 30 November 2016 (EIA Development) for detailed access, appearance, landscaping, layout and scale for the creation of 308 new homes, non-residential floor space, laying out of playing fields, open space, allotments, associated infrastructure and internal roads) to replace six two-storey houses (C2 and C3) within phase 1b with three-storey houses and to replace five carports with garages (D4)) to increase the number of visitor car parking spaces that are available to the users of the Plains recreational field.

The Committee noted the following amendments presented in the Amendment Sheet namely:

- paragraph 1.8 of the Officer's report - the overall area allocated for parking has been increased to cater for the additional cars and retain two coach parking spaces.



- paragraph 5.7 of the Officer's report – the Applicant has resolved the objection received from the Highways Officer through the provision of further information and the objection has consequently been removed.
- paragraph 5.14 of the Officer's report – the Sustainability Officer provided no objection and no recommended conditions.
- paragraph 5.16 of the Officer's report – the Ecology Officer provided no objection and no recommended conditions.
- paragraphs 11.11 and 11.12 of the Officer's report - the proposed condition (pitch flexibility) has been removed from the proposal. Through discussions with the Applicant and Sports England, the condition was deemed too restrictive and given the laying of sports pitches is not considered development the type and size of playing pitch provided can be altered without the need for planning permission at any given time.

It is important to note the existing condition 8 (Playing Field Management and Maintenance Scheme) will be retained and applied to this or any subsequent permission, to ensure the playing pitches are effectively managed, whilst condition 7 restricts the use of the playing fields to outdoor sport only.

Will Cobley (Applicant's Agent) addressed the Committee in support of the application.

Councillor Hofman (Ward Councillor for Fen Ditton and Fulbourn) addressed the Committee about the application.

In response to Members' questions the Senior Planner, Strategic Sites Manager said the following:

- i. Confirmed that condition 31 could be amended to clarify that the ten cycle parking spaces were additional cycle parking spaces to those which already had planning permission
- ii. In response to a query about whether amendments could be made to the Landscape Management Condition advised that the only conditions which could be considered under this planning application were conditions 30, 31, 32 and 33.
- iii. In response to concerns raised by Councillor Hofman (Ward Councillor) around potential displacement parking, Members were advised that under the Marleigh Design Code the whole site was to be covered by a controlled parking zone. Double yellow lines and / or parking bays would be installed prior to completion of the development.

- iv. An informative could be added to encourage EV charging points for visitor parking spaces.
- v. Noted concerns raised by Members regarding car parking / hard standing areas and advised a hard and soft landscaping condition would secure details were submitted post decision.
- vi. Noted concerns raised around the amount of coach parking. Advice from the Sports and Recreation Teams at both Councils advised that at junior team level it was not likely that they would require coaches, and that transport was likely to be by car. An informative could be added pointing out that coaches could use car parking spaces (an area could be coned off for additional coach parking).
- vii. The relevant policy for car parking and cycle parking is TI3 of the South Cambridgeshire District Council Local Plan 2018. Thirty car parking spaces was considered acceptable which numerically the County Council Transport Team supported. An additional ten cycle parking spaces was considered acceptable; the cycle parking condition could be amended to include cargo bike parking provision.

The Strategic Sites Manager offered the following summary of amendments to the Officer's recommendation; reflecting Members' debate during the meeting to approve the s73 application subject to:

- i. the planning conditions and informatives as detailed in section 24 of the Officer's report, with delegated authority to Officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) with:
  - a. an amendment to condition 31 to include reference to the ten cycle parking spaces being additional cycle parking spaces and to include provision for larger bikes (cargo bikes); and
  - b. an informative for the Applicant to consider EV charging provision for visitor parking spaces; and
  - c. an informative to provide that where additional coach parking was required that car parking spaces could be used; and to
- ii. the prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL, to release those obligations no longer required as a consequence of the approval of this proposal, to the new planning obligations specified in this report, with delegated authority to Officers to include other relevant planning obligations necessary to

make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

The Committee:

**Resolved (unanimously)** to approve the s73 application 24/03837/S73 subject to:

- i. the planning conditions and informatives as detailed in section 24 of the Officer's report, with delegated authority to Officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) with:
  - a. an amendment to condition 31 to include reference to the ten cycle parking spaces being additional cycle parking spaces and to include provision for larger bikes (cargo bikes); and
  - b. an informative for the Applicant to consider EV charging provision for visitor parking spaces; and
  - c. an informative to provide that where additional coach parking was required that car parking spaces could be used; and to
- ii. the prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL, to release those obligations no longer required as a consequence of the approval of this proposal, to the new planning obligations specified in this report, with delegated authority to Officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

**24/57/JDCC 23/04931/REM - The Plains, Phase 3, Land North of Newmarket Road, (Marleigh) Cambridge**

The Committee received a reserved matters application detailing, appearance, landscaping, layout and scale for junior football pitches and tennis courts with associated infrastructure and drainage pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL dated 30 November 2016.

Will Cobley (Applicant's Agent) addressed the Committee in support of the application.

Councillor Hofman (Ward Councillor for Fen Ditton and Fulbourn) addressed the Committee about the application.

In response to Members' questions the Senior Planner and Strategic Sites Manager said the following:

- i. In response to comments from Councillor Hofman (Ward Councillor) about the lack of increase in sports pavilion space relative to the increase in sports facilities. Members were advised that the outline planning permission included a sports pavilion with a gross internal area of 200 square metres. This was increased to 260 square metres in accordance with Sports England guidance for pavilions and clubhouses at reserved matters stage phase 1b. Sports England were consulted on those applications and had raised no objections. The only point they requested was in relation to application 24/0387/S73 where they requested the removal of the proposed pitch flexibility condition as it was considered to be too restrictive.
- ii. The increased size of the pavilion allows for four changing rooms with toilets, an officials' office and changing room with toilet, wide corridors for wheelchair users, an accessible toilet, a public toilet, storage for sports equipment / table and chairs and a welcoming foyer with an adjacent kitchen.
- iii. In response to concerns raised regarding the proximity of adult outdoor space and children's outdoor space advised that the layout for the playing pitches was indicative and that condition 3 (Playing Field Management and Maintenance Strategy) required details for the management and maintenance of the playing fields to be submitted to the local planning authority. Condition 10 (Tennis Courts Management) also required details regarding the management and maintenance of the tennis courts to be submitted to the local planning authority prior to their construction.
- iv. Noted Member's concern regarding the Litter Bin condition and that this should include reference to recycling.
- v. An informative could be added to encourage the installation of a defibrillator and publicly accessible water sources for people / animals.

The Strategic Sites Manager offered the following summary of amendments to the Officer's recommendation for the planning application reflecting Members'

debate during the meeting to approve the reserved matters application 23/04931/REM subject to:

- i. the planning conditions and informatives as detailed in Section 27 of this report, with delegated authority to Officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) with the addition of:
  - a. informatives to encourage the installation of a defibrillator and publicly accessible water sources for people / animals; and to
- ii. the prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL, to release those obligations no longer required as a consequence of the approval of this proposal, to the new planning obligations specified in this report, with delegated authority to Officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

The Committee:

**Resolved (unanimously)** to approve the reserved matters application 23/04931/REM subject to:

- i. the planning conditions and informatives as detailed in Section 27 of this report, with delegated authority to officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) with the addition of:
  - a. informatives to encourage the installation of a defibrillator and publicly accessible water source for people / animals; and to
- ii. the prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL, to release those obligations no longer required as a consequence of the approval of this proposal, to the new planning obligations specified in this report, with delegated authority to Officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

**24/58/JDCC 23/04935/FUL - Land North of Newmarket Road, Cambridge**

The Committee received an application for full planning permission for the construction of a community garden and storage building with associated landscape and boundary treatments including pedestrian and cycle connection between the Marleigh development and Jack Warren Green.

The Committee noted the following amendments presented in the Amendment Sheet:

- i. amendments to the Officer's report at:
  - a. paragraph 14.3 - an updated Arboricultural Impact Assessment has now been provided, evidencing the tree required to be removed to facilitate the proposed cycle/pedestrian route; and
  - b. paragraph 16.2 - the proposed biodiversity net gain is 157.6%;
- ii. amendment to condition 14 (Clerk of Works) to reword the condition and separate it into two conditions (condition 14 and condition 23):
  - a. Condition 14. Clerk of Works, as follows:

Prior to the commencement of any planting or soil related ground preparation, details of the proposed landscape phasing and evidence that a suitably qualified clerk of works has been appointed shall be submitted to and agreed in writing with the local planning authority. The clerk of works shall oversee the delivery of all landscaping within a particular phase to ensure that it accords with the approved landscaping details.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023.
  - b. Condition 23. Landscape monitoring and completion report, as follows  

Within three months of the final occupation of any building within a landscape phase a monitoring and completion report evidencing compliance (including a photographic record of delivery), with the approved landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme, in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023.
- iii. with an additional paragraph as (i) to the Officer's recommendation:

- a. There being no further consultee responses received by the local planning authority during the remainder of the outstanding statutory consultation period which would give rise to new/further material planning consideration/s which would change the officer recommendation of this report.

Will Cobley (Applicant's Agent) addressed the Committee in support of the application.

The Committee Manager read out a statement on behalf of Councillor Bennett (Abbey Ward Councillor).

Councillor Hofman (Ward Councillor for Fen Ditton and Fulbourn) and Councillor Cone (Ward Councillor for Fen Ditton and Fulbourn) addressed the Committee about the application.

In response to Members' questions the Senior Planner said the following:

- i. Noted concerns from Teversham Parish Council about the change to some of the allotment space to community gardens. Advised that one hectare of allotment space was consented (located by the sports provision to the north of the site) and 0.4 hectares of community garden space was proposed (to the west of the site).
- ii. Noted concerns raised regarding the loss of allotment space but advised that some of the allotment space was proposed to be divided up into smaller plots to ensure that as many people as possible could access allotment space. Officers and the Applicant were currently looking at appropriate ratio sizes for the allotment plots. There would be accessibly allotment plots with raised planters.
- iii. Condition 4 could be amended to require composting facilities at the community garden and water butts.
- iv. An informative could be added regarding fruit tree planting at the community garden.
- v. In response to comments made by a Ward Councillor requesting a timed gate at the point where the cycle/pedestrian path joins the site from Jack Warren Green to prevent anti-social behaviour. Members were informed the route was a shared pedestrian and a cycle route. Any gate would restrict the permeability of the site. The layout of the area allowed for its natural surveillance.
- vi. Noted that the public consultation period for the application was still running due to an administrative error. Advised that the additional

recommendation ensured that if any new material considerations were raised then the application would be brought back to the Committee for Members' judgement in respect of those material considerations.

- vii. Noted concerns raised regarding the location of scooter parking and advised that an informative could be added encouraging consultation with local Ward Councillors / Parish Councils regarding the location of scooter parking.

The Strategic Sites Manager offered the following summary of amendments to the Officer's recommendation for the planning application reflecting Members' debate during the meeting to approve planning application 23/04935/FUL subject to:

- i. there being no further consultee responses received by the local planning authority during the remainder of the outstanding statutory consultation period which would give rise to new/further material planning consideration/s which would change the Officer recommendation of this report; and
- ii. the planning conditions and informatives as detailed in Section 27 of the Officer's report, with delegated authority to Officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) with the addition of

- a. an amendment to condition 14. Clerk of Works

Prior to the commencement of any planting or soil related ground preparation, details of the proposed landscape phasing and evidence that a suitably qualified clerk of works has been appointed shall be submitted to and agreed in writing with the Local Planning Authority. The clerk of works shall oversee the delivery of all landscaping within a particular phase to ensure that it accords with the approved landscaping details.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023; and

- b. an additional condition 23. Landscape monitoring and completion report  
Within three months of the final occupation of any building within a landscape phase a monitoring and completion report evidencing compliance (including a photographic record of delivery), with the approved landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme, in accordance with Policies HQ/1 and



- NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023; and
- c. an amendment to condition 4 to rename the condition to 'Community Garden Layout and Details' and to include within the condition reference to composting facilities, water butts and troughs and waste bin facilities; and
  - d. an additional informative where the Applicant is encouraged to consider community food growing opportunities including fruit trees; and
  - e. an additional informative to encourage consultation with neighbouring communities, Ward Members and Parish Councils should the site be considered as an e-scooter hub; and
- iii. the prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL and 13/1837/OUT, to release those obligations no longer required as a consequence of the approval of this proposal, and to the new planning obligations specified in this report, with delegated authority to officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

The Committee:

**Resolved (unanimously)** to approve planning application 23/04935/FUL subject to:

- i. there being no further consultee responses received by the local planning authority during the remainder of the outstanding statutory consultation period which would give rise to new/further material planning consideration/s which would change the Officer recommendation of this report; and
- ii. the planning conditions and informatives as detailed in Section 27 of the Officer's report, with delegated authority to Officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) with the addition of
  - a. an amendment to condition 14. Clerk of Works  
Prior to the commencement of any planting or soil related ground preparation, details of the proposed landscape phasing and evidence that a suitably qualified clerk of works has been appointed shall be submitted to and agreed in writing with the Local Planning Authority. The clerk of works shall oversee the delivery of all landscaping within a

particular phase to ensure that it accords with the approved landscaping details.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023; and

- b. an additional condition 23. Landscape monitoring and completion report  
Within three months of the final occupation of any building within a landscape phase a monitoring and completion report evidencing compliance (including a photographic record of delivery), with the approved landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme, in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023; and
- c. an amendment to condition 4 to rename the condition to 'Community Garden Layout and Details' and to include within the condition reference to composting facilities, water butts and troughs and waste bin facilities; and
- d. an additional informative where the Applicant is encouraged to consider community food growing opportunities including fruit trees; and
- e. an additional informative to encourage consultation with neighbouring communities, Ward Members and Parish Councils should the site be considered as an e-scooter hub; and
- iii. the prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL and 13/1837/OUT, to release those obligations no longer required as a consequence of the approval of this proposal, and to the new planning obligations specified in this report, with delegated authority to officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

**24/59/JDCC 23/04930/REM - Marleigh Phase 3, Land North of Newmarket Road, Cambridge**

Councillor R.Williams and Councillor Flaubert left the meeting part way through the application and did not return.

The Committee received a reserved matters application detailing, appearance, landscaping, layout and scale for the construction of 332 new homes and commercial space with associated infrastructure, internal roads, open space as part of phase 3 pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL dated 30 November 2016. Part discharge of Conditions 13, 17, 18, 19, 20, 21, 23, 24, 25, 28, 30, 34, 40 of outline planning permission reference number S/2682/13/OL.

The Committee noted the following amendments presented in the Amendment Sheet:

- i. amendments to the Officer's report:
  - a. paragraph 4.4 should state 332 dwellings, not 32.
  - b. paragraph 4.9 the proposed biodiversity net gain is 157.6 not 155.
  - c. paragraph 14.3 the last sentence should be omitted as the 91 dwellings is not part of this reserved matters application.
  - d. paragraph 20.9 the 3 to 5 bedroom dwellings would not be 72 spaces over the standard, as amendments to the 5 bedroom dwellings have been reduced so the number achieves the standard.
  - e. paragraph 21.5 the homes do not face onto Marleigh Avenue, but the Western Road within Phase 2.
- ii. amendment to condition 6 (Clerk of Works) to reword the condition and separate it into two conditions (condition 6 and condition 44):
  - a. Condition 6. Clerk of Works  
Prior to the commencement of any planting or soil related ground preparation, details of the proposed landscape phasing and evidence that a suitably qualified clerk of works has been appointed shall be submitted to and agreed in writing with the Local Planning Authority. The clerk of works shall oversee the delivery of all landscaping within a particular phase to ensure that it accords with the approved landscaping details.  
Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023.
  - b. Condition 44. Landscape monitoring and completion report  
Within three months of the final occupation of any building within a landscape phase a monitoring and completion report evidencing

compliance (including a photographic record of delivery), with the approved landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme, in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023.

Will Cobley (Applicant's Agent) addressed the Committee in support of the application.

Councillor Hofman (Ward Councillor for Fen Ditton and Fulbourn) and Councillor Cone (Ward Councillor for Fen Ditton and Fulbourn) addressed the Committee about the application.

In response to Members' questions the Principal Planner, Principal Urban Designer said the following:

- i. Advised an extensive pre-application process had taken place and Officers had been involved in bringing forward enhancements and learning from previous development phases. A design-led approach had been applied to this final phase to make the best use of the site. The additional homes were integrated into the Masterplan without compromising the quality of streets, spaces and amenities. The Masterplan went beyond the Design Code framework put in place at outline consent stage. Car free areas had been incorporated within the development.
- ii. The outline planning permission for the Marleigh site (S/2682/13/OL) approved 30% affordable housing provision following a viability assessment; therefore, this reserved matters application provided 30% affordable housing in accordance with the outline permission. Of the 30% affordable housing provision this was broken down to 30% affordable rent and 70% shared ownership. This application proposed 28% affordable rent and 72% shared ownership. Whilst the percentages did not match the 30/70 split as set out in the outline planning permission when tenure is taken as a whole across the Marleigh development the correct percentages of affordable housing provision is provided and therefore the application was in accordance with the outline permission.

- iii. Advised that the last sentence of paragraph 14.7 of the Officer's report should read 'The application is therefore policy compliant with the outline planning consent'.
- iv. Confirmed that the table in paragraph 14.6 of the Officer's report should have '21' in the 2-bed houses row under the 91 Full (3B) column.
- v. Parking standards were set out in the Design Code and Cambridge East Area Action Plan. The parking ratio for apartments was increased following Quality Panel comments. The Applicant undertook a parking study to support the parking space provision. For apartments the amount of parking spaces allocated was policy compliant but did mean just under 1 parking space per apartment. When some of the apartments were sold, they would be sold with a parking space which would mean the remaining parking spaces available would reduce. Worst case scenario this could mean 13 car parking spaces for 24 affordable units. Officers noted that car club provision was also proposed.
- vi. Confirmed that two additional informatives could be added regarding letterbox accessibility and downpipes for apartments to encourage water butt installation.
- vii. The Applicant confirmed that they would meet WAT05 water credits for non-residential water use (condition 40).
- viii. Confirmed that condition 36 could be amended to include a Parking Management Strategy.
- ix. Confirmed that a condition could be added to restrict the use of dwelling houses to Use Class C3 which would mean that for a property to be able to be used as a House in Multiple Occupation (HMO) under Use Class 4, planning permission would be required.
- x. Advised that more trees were due to be planted under the application compared to the number of trees due to be removed.
- xi. The development density was 40 dwellings per hectare which Officers considered to be appropriate.
- xii. Advised that the affordable housing would be positioned on to adoptable roads so there wouldn't be any service charges relating to roads however there may be service charges related to landscaping etc.
- xiii. There was a condition requiring an electrical hook up so that food vans had access to electricity.
- xiv. All dwellings would meet national space standards.

- xv. Officers to investigate whether the provision of active EV charging provision was possible.

The Strategic Sites Manager offered the following summary of amendments to the Officer's recommendation for the planning application reflecting Members' debate during the meeting to approve the reserved matters application 23/04930/REM subject to:

- i. the planning conditions and informatives as detailed in section 29 of the Officer's report, with delegated authority to officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) with the addition of:

- a. a revised condition 6 Clerk of Works

Prior to the commencement of any planting or soil related ground preparation, details of the proposed landscape phasing and evidence that a suitably qualified clerk of works has been appointed shall be submitted to and agreed in writing with the Local Planning Authority. The clerk of works shall oversee the delivery of all landscaping within a particular phase to ensure that it accords with the approved landscaping details.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023; and

- b. the addition of condition 44. Landscape Monitoring and Completion report

Within three months of the final occupation of any building within a landscape phase a monitoring and completion report evidencing compliance (including a photographic record of delivery), with the approved landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme, in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023.

- c. amendment to condition 40 (Non-residential water efficiency condition) to secure the full 5 credits for water efficiency; and  
d. amendment to condition 36 (Management and Maintenance of Streets) to be updated to include reference to a Parking Management Strategy; and  
e. an additional condition to restrict the conversion of residential dwellings to Houses in Multiple Occupation; and

- f. an additional informative relating to letterbox accessibility and height; and
- g. and additional informative relating to downpipes of flats to encourage water butt installation; and
- h. a review of passive EV charging provision for apartments to see whether active charging provision could be secured; and
- ii. the prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL, to release those obligations no longer required as a consequence of the approval of this proposal, and to the new planning obligations specified in this report, with delegated authority to officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.
- iii. Approve the part discharge of the following planning conditions on the outline consent reference S/2682/13/OL in relation to this reserved matters only:
  - a. condition 13 – trees to be removed/retained
  - b. condition 17 – Ecology mitigation
  - c. condition 18 – Artificial lighting
  - d. condition 19 – Pedestrian & cycle routes
  - e. condition 20 – Car parking details
  - f. condition 21 – Noise statement
  - g. condition 23 – Waste storage facilities
  - h. condition 24 – Housing tenure
  - i. condition 25 – Housing mix
  - j. condition 28 – Compliance with sustainability strategy
  - k. condition 30 – Cycle parking
  - l. condition 34 – Details of surface water drainage
  - m. condition 40 – Bird hazard management plan

The Committee:

**Resolved (by 7 votes to 1)** to approve the reserved matters application 23/04930/REM subject to:

- i. the planning conditions and informatives as detailed in section 29 of the Officer's report, with delegated authority to officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) with the addition of:

a. a revised condition 6 Clerk of Works

Prior to the commencement of any planting or soil related ground preparation, details of the proposed landscape phasing and evidence that a suitably qualified clerk of works has been appointed shall be submitted to and agreed in writing with the Local Planning Authority. The clerk of works shall oversee the delivery of all landscaping within a particular phase to ensure that it accords with the approved landscaping details.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023; and

b. the addition of condition 44. Landscape Monitoring and Completion report

Within three months of the final occupation of any building within a landscape phase a monitoring and completion report evidencing compliance (including a photographic record of delivery), with the approved landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme, in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023.

c. amendment to condition 40 (Non-residential water efficiency condition) to secure the full 5 credits for water efficiency; and

d. amendment to condition 36 (Management and Maintenance of Streets) to be updated to include reference to a Parking Management Strategy; and

e. an additional condition to restrict the conversion of residential dwellings to Houses in Multiple Occupation; and

f. an additional informative relating to letterbox accessibility and height; and

g. an additional informative relating to downpipes of flats to encourage water butt installation; and

h. a review of passive EV charging provision for apartments to see whether active charging provision could be secured; and

ii. the prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL, to release those obligations no longer required as a consequence of the approval of this proposal, and



to the new planning obligations specified in this report, with delegated authority to officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

- iii. Approve the part discharge of the following planning conditions on the outline consent reference S/2682/13/OL in relation to this reserved matters only:
- a. condition 13 – trees to be removed/retained
  - b. condition 17 – Ecology mitigation
  - c. condition 18 – Artificial lighting
  - d. condition 19 – Pedestrian & cycle routes
  - e. condition 20 – Car parking details
  - f. condition 21 – Noise statement
  - g. condition 23 – Waste storage facilities
  - h. condition 24 – Housing tenure
  - i. condition 25 – Housing mix
  - j. condition 28 – Compliance with sustainability strategy
  - k. condition 30 – Cycle parking
  - l. condition 34 – Details of surface water drainage
  - m. condition 40 – Bird hazard management plan

**24/60/JDCC 23/04936/FUL - Marleigh Phase 3, Land North of Newmarket Road, Cambridge**

The Committee received an application for full planning permission for the construction of 91 new homes with associated infrastructure, internal roads, open space as part of Phase 3 within the Marleigh development as a modification to outline permission S/2682/13/OL to increase the overall unit numbers across the site to 1391 homes.

The Committee noted the following amendments presented in the Amendment Sheet:

- i. amendments to the Officers report at
  - a. paragraph 24.4 Heads of Terms – under Highways - Eastern Access; to clarify, the Newmarket Road cycle scheme relates to the GCP Eastern Access Project and the Chism Trails cycle bridge refers to the Stourbridge Common Cycle Bridge. The sums of money are unchanged.
  - b. paragraph 24.4 Proposed Variations to 2016 Agreement

- a. 3rd item – relating to tennis courts and additional sports pitches – omit reference to “Phase 3”, as phasing is subject to change, to say “Add tennis courts and additional sports pitched and update the Sports Pitches Phasing Plan; and
  - b. 4th item – relating to the trigger for Phase 3 recreation works – change to “additional triggers for proposed additional recreation works.” (no change to existing recreation works triggers proposed.); and
  - c. to clarify, FOG units are not subject to part M4(2) of the Building Regulations. The Nationally Described Space Standards relate only to the 91 up-lift dwellings; and
- ii. an amendment to condition 20 (Clerk of Works) to reword the condition and to separate it into two conditions (condition 20 and condition 49):
- a. condition 20. Clerk of Works  
Prior to the commencement of any planting or soil related ground preparation, details of the proposed landscape phasing and evidence that a suitably qualified clerk of works has been appointed shall be submitted to and agreed in writing with the Local Planning Authority. The clerk of works shall oversee the delivery of all landscaping within a particular phase to ensure that it accords with the approved landscaping details.  
Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023; and
  - b. condition 49. Landscape Monitoring and Completion Report  
Within three months of the final occupation of any building within a landscape phase a monitoring and completion report evidencing compliance (including a photographic record of delivery), with the approved landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme, in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023.

Will Cobley (Applicant’s Agent) addressed the Committee in support of the application.

Councillor Cone (Ward Councillor for Fen Ditton and Fulbourn) and Councillor Hofman (Ward Councillor for Fen Ditton and Fulbourn) addressed the Committee about the application.

In response to Members' questions the Strategic Sites Manager and the Principal Planner said the following:

- ii. In response to issues raised by Ward Councillors around the application not going far enough in terms of affordable housing and community facilities provision advised that the application had been assessed against the current South Cambridgeshire District Council Local Plan and the proposals complied with Local Plan requirements.
- iii. All the Heads of Terms for the Section 106 Agreement had been assessed and met the Community Infrastructure Regulations (CIL) test and were reasonable and appropriate.
- iv. The Local Plan advised that average housing density on new development sites should be 40 dwellings per hectare but that this figure could vary depending on the particular circumstances of the application. Officers considered the housing density for this application (42 dwellings per hectare) was acceptable and appropriate. The Cambridge East Area Action Plan noted that new development in this location could achieve a potential average housing density of 50 dwellings per hectare.
- v. The small meeting space requirement was 22 square metres. A lot of discussion had taken place about how and where this small meeting space could be provided. The allotment building had a room suitable for this space, which would meet the planning obligation requirement for meeting space. Noted representations made by Ward Councillors for a preference for the meeting space to be provided in the sports pavilion.
- vi. Advised that two community buildings were being proposed in the 'Plains'. One was the allotment building which would provide facilities for those using the allotments and the second was the sports pavilion which was a larger building and provided all the facilities needed for sporting activities.
- vii. Advised that this application was required to provide 40% affordable housing because the application was a full application and therefore had to comply with current requirements set out in the South Cambridgeshire District Council Local Plan 2018. This was different to the previous application (reference 23/04930/REM) where the affordable housing requirement was 30% as the affordable housing requirement was set by the original outline consent S/2682/13/OL.
- viii. Officers were striving to achieve better water efficiency measures than the 110 litres per person per day requirement within the Local Plan.

Officers were satisfied that the water efficiency measures proposed within the application (being 100 litres per person per day) were the best that could be achieved in these circumstances.

- ix. Burial and ambulance contributions could not be sought if they did not comply with the CIL tests.

With the permission of the Chair the Applicant advised that they had committed to providing additional community space (22 square metres) and that this could be provided in several ways; within the allotment building or within the foyer of the sports pavilion. The Communities Officer was satisfied that the additional community space was provided within the allotment building. Noted that there was commercial space on the ground floor of the Austin Building. Advised had given a commitment to Councillor Hofman outside of the planning application process to investigate whether the foyer of the sports pavilion could be utilised as extra community space above that required by the planning application requirements in the future.

The Strategic Sites Manager offered the following summary of amendments to the Officer's recommendation for the planning application reflecting Members' debate during the meeting to approve the full planning application 23/04936/FUL subject to:

- i. the planning conditions and informatives as detailed in section 29 of the Officer's report, with delegated authority to Officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) with the addition of:

- a. an amended condition 20 - Clerk of Works

Prior to the commencement of any planting or soil related ground preparation, details of the proposed landscape phasing and evidence that a suitably qualified clerk of works has been appointed shall be submitted to and agreed in writing with the Local Planning Authority. The clerk of works shall oversee the delivery of all landscaping within a particular phase to ensure that it accords with the approved landscaping details.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023; and

- b. an additional condition 49 - Landscape monitoring and completion report

Within three months of the final occupation of any building within a landscape phase a monitoring and completion report evidencing compliance (including a photographic record of delivery), with the approved landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme, in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023; and

- c. a review of passive EV charging provision for apartments to see whether active charging provision could be secured; and
- d. an additional condition to restrict the conversion of residential dwellings to Houses in Multiple Occupation; and
- e. an additional informative relating to letterbox accessibility and height; and
- f. an additional informative relating to downpipes of flats to encourage water butt installation; and
- ii. the prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL, to release those obligations no longer required as a consequence of the approval of this proposal, and to the new planning obligations specified in this report, with delegated authority to officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

### The Committee:

**Resolved (unanimously)** to approve the full planning application 23/04936/FUL subject to:

- i. the planning conditions and informatives as detailed in section 29 of the Officer's report, with delegated authority to Officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) with the addition of:
  - a. an amended condition 20 - Clerk of Works  
Prior to the commencement of any planting or soil related ground preparation, details of the proposed landscape phasing and evidence that a suitably qualified clerk of works has been appointed shall be submitted to and agreed in writing with the Local Planning Authority. The

clerk of works shall oversee the delivery of all landscaping within a particular phase to ensure that it accords with the approved landscaping details.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023; and

- b. an additional condition 49 - Landscape monitoring and completion report  
Within three months of the final occupation of any building within a landscape phase a monitoring and completion report evidencing compliance (including a photographic record of delivery), with the approved landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the successful and sustainable delivery of the approved landscaping scheme, in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 8 and 11 of the NPPF 2023;

- c. a review of passive EV charging provision for apartments to see whether active charging provision could be secured; and
- d. an additional condition to restrict the conversion of residential dwellings to Houses in Multiple Occupation; and
- e. an additional informative relating to letterbox accessibility and height; and
- f. an additional informative relating to downpipes of flats to encourage water butt installation; and
- ii. The prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL, to release those obligations no longer required as a consequence of the approval of this proposal, and to the new planning obligations specified in this report, with delegated authority to officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

The meeting ended at 3.57 pm

**CHAIR**



**GREATER CAMBRIDGE SHARED PLANNING SERVICE  
PLANNING COMMITTEE REVIEW  
SCHEME OF DELEGATION**

**Planning Committee Date**     January 2025

**Report to**                             Cambridge City Council Planning Committee  
   South Cambridgeshire District Council Planning  
   Committee  
   Joint Development Control Planning Committee

**Report By**                             Joint Director of Planning and Economic  
   Development

**Ward / Parishes affected**     All

## **1.0 Executive Summary**

1.1 The joint member and officer project to review the effectiveness of each of the Councils Planning Committees resulted in some 49 recommended changes. Each Planning Committee has already considered and agreed these recommendations at meetings in August 2024. The recommendations included changes to the schemes of delegation for each of the committees as follows:

- Creation of one Greater Cambridge Shared Planning Service Scheme of delegation.
- Reviewing the types of applications that can be brought to committee, allowing Members to focus upon the more complex, significant and controversial applications.
- Aligning the triggers for committee referral
- Introducing a Delegation Panel for Cambridge City Committee and Joint Development Management Committee.
- Review and align triggers for the existing Delegation Panel
- Name Change for JDCC to JDMC

1.2 The Committee Review Steering group also recommended changes to the Public Speaking arrangements at Planning Committee which has been reviewed and updated for all Planning Committees.

1.3 In addition, the Committee Review Steering group also recommended a Members Planning Good Practice Guide for Planning which has been produced for all members. This includes guidance and will sit within the broader range of guidance for councillors.

## **2.0 Recommendation**

2.1 It is recommended that the Cambridge City Council / South Cambridgeshire District Council / Joint Development Control Committee endorses the following for approval at Cambridge City Council Civic Affairs Committee and the South Cambridgeshire District Council Civic Affairs Committee before final approval at each authorities Full Council:



- (i) the Greater Cambridge Shared Planning Service Scheme of Delegation, December 2024
- (ii) the amended Public Speaking Rights at Planning Committee
- (iii) the amended Members Planning Good Practice Guide

with delegated authority for minor amendments to officers in consultation with the relevant Executive Councillors.

- 2.2 That Committee delegates authority for minor amendments to the drafting to assist in providing clarity only to officers in consultation with the relevant Executive Councillor.
- 2.3 That a review of the revised Scheme of Delegation be undertaken in 12 months and a report prepared to each Committee for consideration and action.

### **3.0 Introduction and background**

- 3.1 Currently the Greater Cambridge Shared Planning Service (GCSP) supports three Planning Committees - Cambridge City Council, South Cambridgeshire District Council and the Joint Development Control planning committees.
- 3.2 The GCSP has been undergoing a period of transformation and this has included a review of the planning committee processes, of both partner Councils.
- 3.3 In 2020, the Planning Advisory Service (PAS) carried out reviews of all three committees, as part of a commitment by the Councils and Shared Planning Service to improving the effectiveness and consistency of approaches to planning and embodying where possible best practice to support improved community participation and effective and transparent decision making. The purpose of the committee process review was to review those recommendations made as part of the PAS reviews and develop an action plan.

- 3.4 Since 2020, work has been undertaken to revisit the review and aligning the recommendations made by PAS into the review of the Planning Committee process. The recommendations included identifying inconsistencies between committee meetings and opportunities to improve transparency, improving the experience for all “users” of the Planning Committee process for decision making on planning and related applications and improving Compliance against statutory and service performance indicators (KPIs).
- 3.5 The scope of the committee review project included engaging with members of all planning committees to review their experiences and seek their insight into the future roles of the planning committee members, committee processes and to consider what makes a successful committee meeting. An officer working group and separate member working group were set up and have been working together to inform the committee review to align the 3 planning committees.
- 3.6 As set out in the update report in August 2024, the next stage was for smaller working groups to bring forward the necessary changes to implement the 49No. recommendations. This report seeks committee approval for the changes to the schemes of delegation from the 3 planning committees to the Joint Director of Planning and Economic Development. The recommended changes are set out in section 5 of this report.

#### **4.0 Reasons for Change**

- 4.1 The reasons for changing the scheme of delegation are in line with the 2020 PAS recommendation to make the most efficient use of officer and member time at Committees by focusing on the most sensitive / complex applications; and to ensure that there is consistency between the three planning committees to aid understanding by users and support transparency and efficiency of decision making. This approach pre-dates the Government’s intentions in the Planning Reform Working Paper: Planning Committees (December 2024), to bring a standardisation and certainty to applicants. Over 90% of decisions are currently delegated to Officers (from 1/1/24 to 1/11/14). Whilst this is broadly in line with the current national average according to PAS, there are wide

variances across the Country, and it is worthy of note that some councils delegate 95% of their applications to officers.

4.1 By way of background, in 2024 there have been 151 applications heard between the three planning committees, equating to over 156 hours (equivalent to nearly 4 and a half weeks) of Member and officers time spent in the committees, in a total of 37 meetings. This time can be multiplied by all of those attending and servicing planning committee including its members, planning and legal officers, democratic services and internal specialists. Additionally, significant officer and member preparation and administrative time is also spent (for example sending out letters, organising rooms and equipment), report checking and writing, site visits, briefings and update sheets, all prior to the meeting. Post committee time is also spent writing and checking minutes and providing advice and information after committees to Councillors, staff, applicants, agents and members of the public.

4.2 In summary, the committee process represents a very significant investment in scarce capacity and resources by each of the Councils and it is therefore critical, given the opportunity cost of that time, that this investment is targeted to have the greatest benefit for the Communities that both Councils serve. This reflects the need identified by PAS and agreed by Members of making the most efficient use of officer and member time at Committees by focusing on the most sensitive / complex applications.

## **5.0 Recommended Changes**

5.1 The recommendations that are being made are to:

- align the three Planning Committees approach through a clear set of common criteria which help filter and more clearly define those applications that are to be brought before committee.
- refine the types of applications that are reported to committee for determination - ensuring the Planning Committee is able to focus on the more complex, significant and controversial applications to be determined.

- 5.2 It is recommended that the detail of how planning decisions are delegated to the relevant Planning committee and then to Officers is to be removed from both City and South Cambridgeshire District Council constitutions, as this is more operational detail that is better placed in one document. This singular GCSP document will then be referenced in the constitutions.
- 5.3 The two constitutions do not currently align nor are they up to date in terms of reflecting the most recent Government Guidance and legislation in relation to planning. Having all of the detail in one document, which does not require an amendment to the constitution to update, will in turn allow for any subsequent changes or updates, including those required in response to the planning reform agenda of the new Government to be within the control of the relevant Planning Committees themselves. This allows each Committee the flexibility to review and readily adapt its Scheme of Delegation in a timely manner to reflect changes in legislation and / or policy without the need for constitutional change.
- 5.4 One of the central recommendations from the committee review steering group was to review the threshold and application types in schemes of delegation for committee decisions; and align the scheme of delegation for the 3 Planning Committees. The recommended changes to the scheme of delegation does that and aligns the triggers for committee determination to a common format, as well as review the existing delegation panel arrangements and introduce a new delegation panel for both City Planning Committee and the renamed JDMC.
- 5.5 Appendix 1 of this report is the recommended Greater Cambridge Shared Planning Service Scheme of Delegation in respect of planning and related functions December 2024. This document includes the details of the scheme of delegation and sets out which applications can be called-in, how call-ins are to be considered by the Delegation Panel and which applications are more generally delegated only to officers.
- 5.6 All of the current schemes of delegation are appended to this document, Cambridge City Council is in Appendix 2 and South Cambridgeshire District

Council is in Appendix 3, the Joint Development Control Committee is in Appendix 4.

### **Summary of recommended changes**

5.7 Recommended changes for Cambridge City and South Cambridgeshire District Council Planning committees, these should be read alongside the proposed Scheme of delegation attached in Appendix 1 of this report.

- The terms and definitions have been updated and aligned within the scheme of delegation
- Triggers have been aligned for planning committee determination as follows:
  - If there is a request from a Ward Member (or in the case of SCDC area a Parish Council) within the 21 days consultation, or 14 days if an amendment, for the planning application to be reviewed by a Delegation Panel to determine if a planning committee decision is required.
  - Where there are 5 or more Third-party Representations on material planning grounds (that cannot be resolved by way of a condition) within the 21 days consultation, or 14 days if an amendment, for the planning application to be reviewed by a Delegation Panel to determine if a planning committee decision is required.
  - Where there are 5 or more Third-party Representations on material grounds to a Tree Preservation Order application which are contrary to the Officer recommendation and which cannot be resolved by way of a condition, made within the 21 days consultation, or 14 days if an amendment, for the application to be considered by Planning Committee.
  - If the application is a significant departure from the Local Plan and it is recommended for approval.
  - If the applicant is an elected Member or an Officer of the relevant Council, or close relative or family member of either of such persons or where an Application is made on their behalf.

- The application is for the substantial demolition of a Listed Building or Building of Local Interest.
- Regulation 3 application (application made by the Local Authority)
- If, in the opinion of Officers, it should be determined by the Planning Committee, subject to special planning policy considerations or the complexity of the application or it is of significant and / or of strategic importance.

5.8 The Scheme of Delegation for the Joint Development Control Committee has also been reviewed and amended, including being updated with a new name, the Joint Development Management Committee (JDMC). Throughout the remainder of the report this committee will be referenced by the new name.

- Triggers for JDMC planning committee determination
  - If the application is for one hundred (100) or more residential units, or 1,000m<sup>2</sup> or more non-residential development on a site that is one hectare or more.
  - The application includes primary roads, open space, or strategic infrastructure.
  - Regulation 3 applications by the Local Authority
  - If the application is a significant departure from the Local Plan and it is recommended for approval.
  - If the applicant is an elected Member or an Officer of the relevant Council, or close relative or family member of either of such persons or where an Application is made on their behalf.
  - If, in the opinion of Officers there are special planning policy considerations, complex, significant or of strategic importance.
  - If there is a request from a Parish Council or Ward Member within the 21 days consultation, or 14 days if an amendment, for the planning application to be considered by a Delegation Panel to determine if a planning committee decision is required.
  - Where there are 5 or more Third-party Representations on material planning grounds (that cannot be resolved by way of a condition)

within the 21 days consultation, or 14 days if an amendment, for the planning application to be reviewed by a Delegation Panel to determine if a planning committee decision is required.

- 5.9 In order to make the most efficient use of officer and member time at Committees by focusing on the most sensitive / complex applications Schedule A within the scheme of delegation lists those application types which are recommended to be delegated to the Joint Director for Planning and Economic Development and not subject to a call-in process into Planning Committee. Subject to the exception provided which allows officers to refer any application to Committee in specific circumstances, such applications would thus generally be delegated.
- 5.10 The types of applications listed in Schedule A include for example prior approval applications, lawful development certificates and householder applications, thereby ensuring that Planning Committee's time is used wisely and focuses on the types of planning applications which require wider debate and which are complex, controversial and / or significant in nature.
- 5.11 The recommended scheme of delegation also includes a Schedule B which sets out the different current legislation that relates to operating the Planning Service, as well as determining the plethora of different types of planning applications. By including this within the scheme of delegation and not within the constitution this ensures it can be easily updated and amended as necessary, to ensure we constantly have an up-to-date scheme for determining planning, and other, related applications.
- 5.12 Figures 1, 2 and 3 below set out examples to illustrate the journey for different types of planning applications and how they would proceed to determination under the recommended scheme of delegation. Figure 1 sets out the journey of a Full Planning application for 10 dwellings showing how such an application would be processed as per the recommended scheme of delegation.

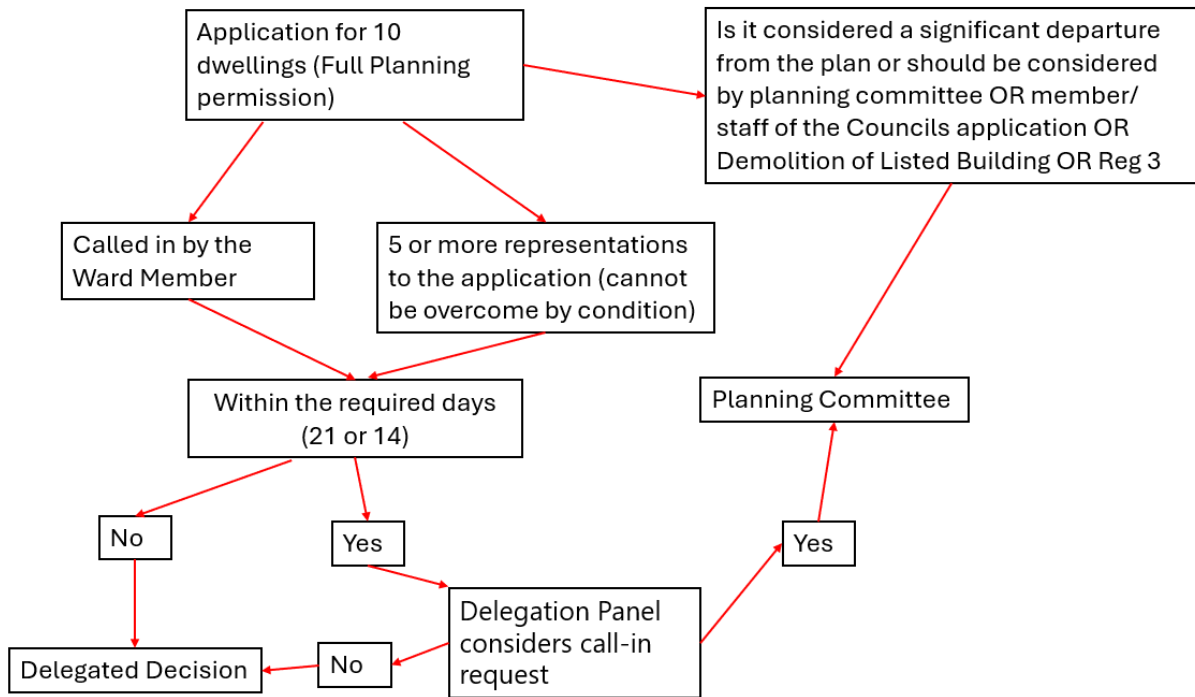


Figure 1: Full Planning Application example

5.13 Figure 2 sets out the journey of a householder planning application and how it would proceed to determination under the recommended scheme of delegation.

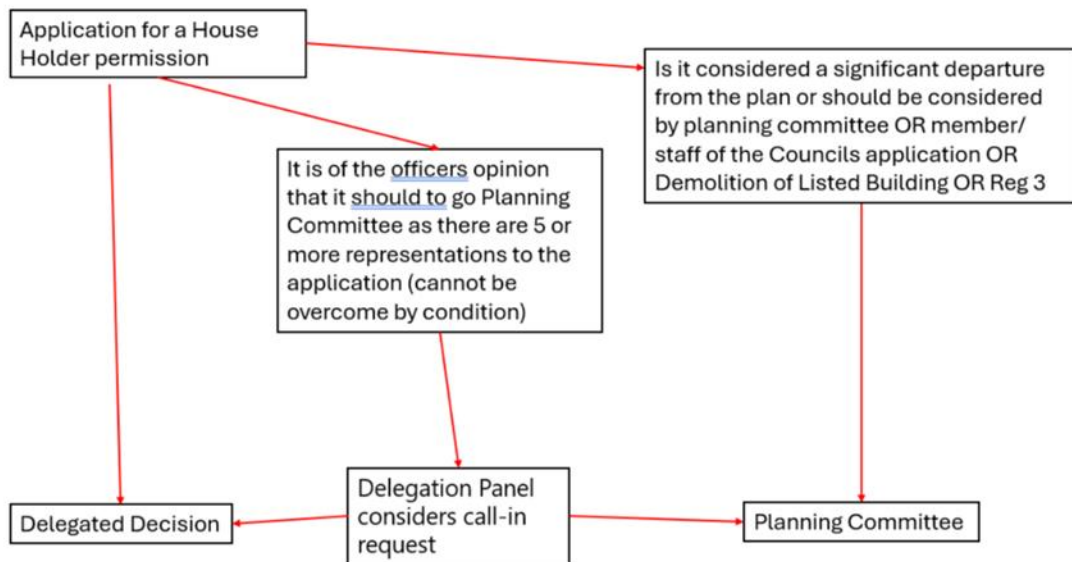


Figure 2: Householder Planning Application

5.14 Figure 3 sets out the journey of a planning application within a strategic site and how it would proceed to determination under the recommended scheme of delegation.



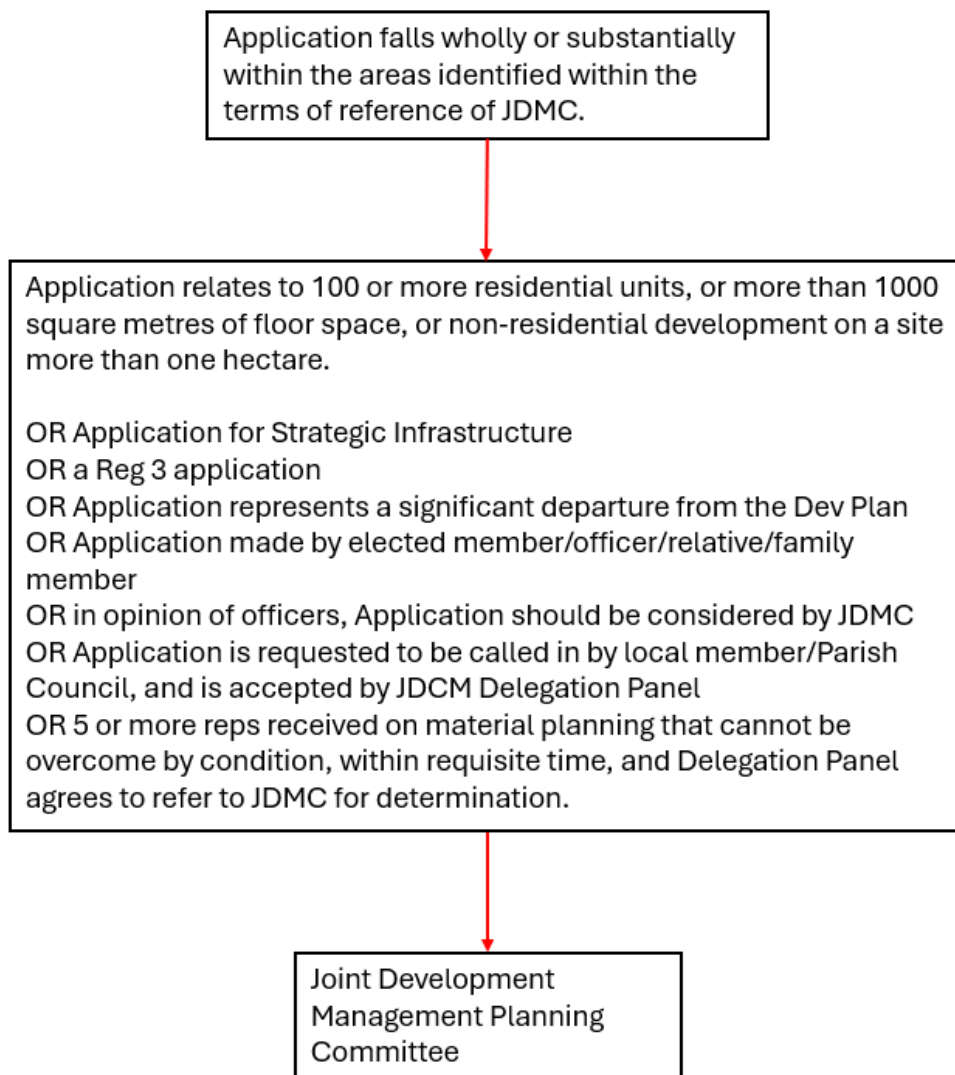


Figure 3: Strategic Site planning application

5.16 There are a number of other documents which are recommended to be removed from either the Cambridge City Council Constitution or the South Cambridgeshire District Council Constitution to ensure that there is capacity to allow for any changes or updates to be within the control of the relevant Planning Committees without the need to make changes to the relevant constitution if changes are needed to update the documents. The documents recommended to be removed and incorporated within the GCSP Scheme of Delegation are:

- The Terms of reference for the Joint Development Management Committee (JDMC), Standing Orders and plans (updated)

- Development Control Forum details
- The JDMC Cost Sharing Protocols

## **6.0 The Public Speaking Rights for Planning Committee**

6.1 Every Planning Committee broadly follows a similar order of business as recommended though LGA Probity in Planning document. Public speaking at Planning Committees is a normal practice. Recommended changes from the Committee Review Steering Group were to update the public speaking at planning committee guidance to ensure it encompasses:

- Review public speaking guidelines of the 3 planning committees to align.
- Registration deadlines – 12 noon 2 days in advance
- 3 mins speaking - per category – objector, petitioner, applicant / agent / supporter, parish council, ward member.
- There is no need to have made a written representation to register to speak at committee
- Speakers can attend in person or virtually
- Written representations can be accepted if person can't attend to speak (12 noon 2 days before the meeting deadline); circulated to members by committee services, update as part of additional late representations in officer presentation (summarise text on screen) and case officers redact and upload on public access.
- If speakers wish to submit photos without captions/ text in advance of the meeting this should be done so by 12 noon 2 days in advance of the meeting for officer verification.
- Install mechanisms within the council chamber to alert public speakers, to assist with speaking time limits – eg Timing, clocks, lights, bells
- Chairs discretion to allow more than 3 mins for larger, more complex major applications
- Advice to speakers on what 3 minutes looks like – guidance e.g. how much text on an A4 page, encourage them to time themselves, and reiterate that they will be cut off when their 3 minutes is up.

- If speakers are attending virtually, ensure phone numbers are collected to access speakers if there is a problem.

6.2 Similarly to the scheme of delegation, having all of the detail in one aligned guide, which does not require an amendment to the constitution to update, will in turn allow for any subsequent changes or updates to be within the control of the relevant Planning Committees themselves. A singular document also ensures that all three of the Planning Committees are operated consistently, assisting Members, Officers, Applicants, Agents and members of the public in being able to understand and participate in Committee across the Shared Planning Service area, as there is a consistent approach between the three committees and the stakeholders that use them.

6.3 The updated public speaking guidance has incorporated all of the changes recommended by the committee review steering group and is attached in appendix 5.

## **7.0 The Members Planning Good Practice Guide 2024**

7.1 The Committee review steering group acknowledged that an issue that councillors often find confusing is how to differentiate between someone who is pre-determined, pre-disposed. It was also noted that lobbying of Members of planning committees regularly takes place prior to a meeting as applicants and other interested parties look to persuade the Committee of their point of view. Planning Committee Members may be unclear what to do with the lobbying material that they receive.

7.2 As a result, it was recommended that a Members Good Practice Guide for planning was produced for all members. This is attached in appendix 6 and includes guidance for all members not just planning committee members, this will sit within the broader range of guidance for councillors.

## **8.0 Implications**

### Financial Implications

8.1 The cost of the Planning Committee meetings, reflecting the amount of Member time, but also the significant officer input to prepare, attend and administer a meeting are significant. The Councils existing staff and resources budgets cover these costs. The changes recommended are not anticipated to increase the frequency of Planning Committee meetings but are designed to make the investment of time and resources effective. These proposals do not introduce additional costs but will indirectly support ongoing work to increase impact and effectiveness the Council and the Shared Planning Service. The introduction of a delegation panel and changes to the scheme of delegation may reduce the caseload at the committee meetings.

#### Staffing Implications

8.2 There are no negative staffing implications arising from this report.

#### Equality and Poverty Implications

8.3 An Equality Impact Assessment (EQIA) has not been undertaken in respect of this report, because no material changes are proposed to the fundamental operation of the Committee meetings.

#### Environmental Implications

8.4 None.

#### Procurement Implications

8.5 None.

#### Community Safety Implications

8.6 None.

#### Legal Implications

8.7 The recommended changes do include amendments to the schemes of delegation, and constitution; these recommendations once agreed will need to be embedded into the governance process for each authority, by next step reporting and approval by the relevant Civic Affair committees.

## **9.0 Consultation and Communication Considerations**

9.1 No formal consultation has been undertaken in the preparation of this report. The review of the committee processes has been carried out in conjunction with a member working party comprising of chairs, vice chairs and spokes of all 3 planning committees operating within GCSP.

## **10.0 Background Papers**

10.1 Background papers used in the preparation of this report:

- PAS report 2020 – Planning Committee Peer Review, Cambridge City Council
- PAS report 2021 – Planning Committee Peer Review, South Cambridgeshire District Council
- South Cambridgeshire District Council Ethical Handbook (May 2020) Ethical Handbook.pdf (modern.gov.co.uk) and Constitution. Agenda for Constitution on Thursday, 9 June 2022 (modern.gov.co.uk)
- Cambridge City Council Planning Code of Good Practice 2015
- PAS Planning Committee Protocols: [Planning Committee Protocols | Local Government Association](#)
- Cambridge City Council Scheme of Delegation for Planning Committee
- South Cambridgeshire District Council Scheme of Delegation for Planning Committee
- Joint Development Control Committee Scheme of Delegation for Planning Committee
- Planning Committee Review Report to Planning Committees, August 2024
- South Cambridgeshire District Council's Constitution
- Cambridge City Council Constitution

## **11.0 Report Author**

Jane Rodens

Area Planning Manager

Jane.Rodens@greatercambridgeplanning.org

## **12.0 Appendixes**

Appendix 1 - Greater Cambridge Shared Planning Service Officer Scheme of Delegation in respect of planning and related functions December 2024

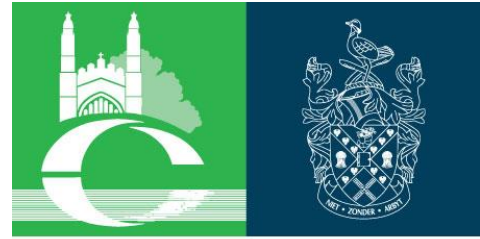
Appendix 2 - Cambridge City Council Scheme of Delegation for Planning Committee

Appendix 3 - South Cambridgeshire District Council Scheme of Delegation for Planning Committee

Appendix 4 - Joint Development Control Committee Scheme of Delegation for Planning Committee

Appendix 5 - Public speaking Rights for Planning Committee

Appendix 6 – Members Planning Good Practice Guidance



**GREATER CAMBRIDGE**  
SHARED PLANNING

## **Greater Cambridge Shared Planning Service Officer Scheme of Delegation in respect of planning and related functions December 2024**

This Scheme of Delegation relates to all those matters delegated to the Joint Director of Planning and Economic Development by Part 3 and Part 4 of South Cambridgeshire District Council Constitution dated 8 March 2024 (as amended) and Para 5.7 of Section 9 of Part 3 of Cambridge City Council Constitution dated 06 December 2023 (as amended)

**Delegated authority given by South Cambridgeshire District Council and Cambridge City Council Planning Committees to the Joint Director of Planning and Economic Development.**

### **Defined terms**

**“Application”** means any application received by the Council under the Town and Country Planning Act (1990) as amended, The Listed Building and Conservation Areas Act (1990) as amended including any application for the making of a tree preservation order, application for the approval or the modification, variation, revocation of an existing tree preservation order, including any application to undertake any tree works to trees whether or not the trees are within a conservation area, or any other legislation affording the Council a right to exercise its duties and functions as set out under Schedule B.

**“Council”** means either South Cambridgeshire District Council or Cambridge City Council as the context requires, and “Council” and “Councils” shall be construed accordingly.

**“Delegation Panel”** means the panel comprising of the Joint Director of Planning and Economic Development in consultation with the Chair and / or Vice Chair of the relevant Council’s Planning Committee, set up specifically for the purposes of deciding whether a Planning Application is to be determined by the relevant Planning Committee.

Any member in relation to an application within their ward is permitted to make a written representation to the Delegation Panel concerning whether the application should be heard by Planning Committee.

Upon request and with the Chair or Vice Chair’s agreement, any member (or a member on their behalf) in relation to an application within their ward can attend the Delegation Panel to explain the reasoning for calling-in a proposal.

**“Director”** means the Joint Director of Planning and Economic Development, or such other Director as shall perform the functions of the Joint Director of Planning and Economic Development.

**“JDMC”** means the Joint Development Management Committee

**“JDMC ToR”** means the JDMC terms of reference dated July 2020 as amended from time to time (Appendix 1).

**“Major Development”** means any Application which falls within the definition of major development as set out in the Town and Country Planning (Development Management Procedure (England) Order 2015) (As amended) involving any one or more of the following:

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;



- (c) the provision of dwellinghouses where:
- (i) the number of dwellinghouses to be provided is 10 or more; or
  - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the GIA floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more;

**“Minor Development”** means any Application which falls outside of the definition of Major Development.

**“Planning Committee”** means the Planning Committee of either South Cambridgeshire District Council or Cambridge City Council or the Joint Development Management Committee as the case may be.

**“Representation”** means a written communication(s) received by the Council from a Third-party in response to a public consultation to an Application and which raises material planning considerations. Multiple written communications from a Third-party are to be construed as a singular Representation relative to any referral to the Delegation Panel unless made in the form of a petition.

**“Scheme”** means this Scheme of Officer Delegation.

**“Third-party”** means anyone who has made a Representation who is not the applicant or their representative, a parish council or statutory consultee.

### **Scheme of Delegation**

The schedules referred to in this Scheme are Part 3 Table 3 (Responsibility for Council functions (Committee) (As amended) of the South Cambridgeshire District Council’s constitution and Part 3, 5.5 (As amended) of the Cambridge City Council’s constitution.

## **Scheme of Officer Delegation in relation to South Cambridgeshire District Council and Cambridge City Council Planning Committees**

**The Scheme of Delegation:** the Planning Committee delegates authority to the Director to exercise at their discretion, the duties, functions and responsibilities of the Council in relation to paragraphs 1-15 below. The Director may authorise any other Officers within the Greater Cambridge Shared Planning Service to exercise these powers on their behalf. Any Officer so authorised by the Director may in turn delegate further. Such delegations must be evidenced in writing:

1. The identification and Designation of Local Heritage Assets
2. The investigation and determination of responses in accordance with the Local Land Charges Act 1975 (as amended)
3. The implementation and operation of provisions under Part VIII of the Town and Country Planning Act 1990
4. The investigation and discharge of all enforcement functions and capabilities contained within the Town and Country Planning Act, Planning (Listed Building and Conservation Areas) Act and The Hedgerows Regulations 1997 Act and The Hedgerows Regulations 1997.
5. The discharge of functions of Local Government (Miscellaneous Provisions) Act 1976, Section 16.
6. The determination of complaints received pursuant to Part 8 of the Anti-social Behaviour Act 2003.
7. The determination of applications for the registration of land or buildings as Assets of Community Value.
8. To determine, make a decision, respond, investigate, or notify on behalf of the Council in the exercise of its responsibilities, duties and functions any Application **as set out in Schedule A**, and made in relation to any of the Acts (as amended) as set out in Schedule B, subject to any Application made under paragraphs 11 – 15 always being required to be reported to Planning Committee.
9. To determine, make a decision, respond, investigate, or notify on behalf of the Council in the exercise of its responsibilities, duties and

functions any Application **not set out in Schedule A**, and made in relation to any of the Acts (as amended) as set out in Schedule B, **except in any of the circumstances set out in paragraphs 10.1 – 15 below:**

- 10.1. Where a Ward Member or Parish / Town Council writes, or emails, a request for a particular Application<sup>1</sup> to be considered by Planning Committee, sound material planning reasons are given for why this is considered necessary, and the request is accepted by the Joint Director of Planning and Economic Development at Delegation Panel, after consultation with the Chair and / or Vice Chair of Planning Committee subject to: the request having been made within twenty-one days of the date of validation of the Application, or within fourteen days of receipt by the relevant Council of any subsequent significant amendment to the Application. Any call-in request must be accompanied by a written statement giving the relevant material planning considerations and why in the opinion of the Parish/ Town Council or Ward Member it is appropriate for the Application to be determined by the Planning Committee; or
- 10.2 Where five or more Third-party Representations on material planning grounds to an Application<sup>1</sup> (that cannot be resolved by way of a condition(s)) are received and following consideration by the Joint Director of Planning and Economic Development at Delegation Panel, having consulted with the Chair and / or Vice Chair of Planning Committee, the Application is decided to be referred to Planning Committee for its determination, subject to: the Third-party Representations having been made within twenty-one days of the date of validation of the Application, or within fourteen days of receipt by the relevant Council of any subsequent significant amendment to the Application; or
- 10.3 Where five or more Third-party Representations on material grounds (that cannot be resolved by way of a condition(s)) to an Application related to the making of a tree preservation order are received which are contrary to the officer recommendation, subject to: the Third-party Representations having been made within twenty-one days of the date of validation of the Application,

or within fourteen days of receipt by the Council of any subsequent significant amendment to the Application; or

11. Where the Officer recommendation is one of approval, but the Application represents a significant departure from the adopted development plan. Significant departures shall include, but are not limited to, development which requires referral to the Secretary of State; or
12. Where the applicant is an elected Member or an Officer of the relevant Council, or close relative or family member of either of such persons or where an Application is made on their behalf; or
13. Where an Application is for the substantial demolition of either a listed building (within the meaning of the Town & Country Planning Act (Listed Buildings & Conservation Areas Act 1990) or a building of local interest; or
14. Where a Regulation 3 Application is made pursuant to the Town and Country Planning General Regulations 1992 (as amended from time to time or replaced); or
15. Where an Application is one which in the opinion of Officers' should be determined by the Planning Committee because of special planning policy considerations or the complexity of the application or it is of significant and / or of strategic importance.

<sup>1</sup>: Excluding Applications for Tree Preservation Orders or Tree Works

**Note:**

For the purposes of considering circumstances described in paras.10.1 and 10.2, the Director in consultation with the Chair and / or Vice Chair of Planning Committee, shall have regard to the following criteria:

1. Relevant material planning considerations raising significant planning concerns.

2. Significant implications for adopted policy.
3. The nature, scale and complexity of the proposed development.
4. Planning history.
5. Degree of public involvement.

### **Scheme of Officer delegation in relation to the JDMC**

The following powers are delegated to the Director in respect of planning and development management matters. The Director may authorise any other Officers within the Greater Cambridge Shared Planning Service to exercise these powers on their behalf. Any Officer so authorised by the Director may in turn delegate further. Such delegations must be evidenced in writing:

- A. To determine and make decisions in connection with the Applications (as set out in the attached Schedule A submitted under the legislation specified in Schedule B) and which falls wholly or substantially within the areas identified within the terms of reference of JDMC as included in Appendix 1 *except* in any of the following circumstances:
  1. where the Application is in respect of:
    - 1.1. the provision of residential units where the number to be provided is one hundred or more;
    - 1.2. the provision of a non-residential building or buildings where the GIA floor space to be created by the Application is 1,000m<sup>2</sup> or more *or* is for non-residential development to be carried out on a site that is of one hectare or more; or
  2. the Application includes the provision of primary roads, open space or other site-wide infrastructure that fulfils a strategic purpose; or
  3. a Regulation 3 Application made pursuant to the Town and Country Planning General Regulations 1992 (as amended from time to time or replaced); or

4. where the Officer recommendation is one of approval, but the Application represents a significant departure from the adopted development plan. Significant departures shall include, but are not limited to, development which requires referral to the Secretary of State; or
5. where the applicant is an elected Member or an Officer of the relevant Council, or close relative or family member of either of such persons or where an Application is made on their behalf; or
6. the Application is one which in the opinion of Officers should be determined by JDMC because of special planning policy considerations or the complexity of the application or it is significant and / or of strategic importance; or
7. Where a Ward Member or Parish / Town Council writes, or emails, a request for a particular Application<sup>1</sup> to be considered by Planning Committee, sound material planning reasons are given for why this is considered necessary, and the request is accepted by the Joint Director of Planning and Economic Development at Delegation Panel, after consultation with the Chair and / or Vice Chair of Planning Committee subject to: the request having been made within twenty-one days of the date of validation of the Application, or within fourteen days of receipt by the relevant Council of any subsequent significant amendment to the Application. Any call-in request must be accompanied by a written statement giving the relevant material planning considerations and why in the opinion of the Parish/ Town Council or Ward Member it is appropriate for the Application to be determined by the Planning Committee; or
8. Where five or more Third-party Representations on material planning grounds to an Application<sup>1</sup> (that cannot be resolved by way of a condition(s)) are received and following consideration by the Joint Director of Planning and Economic Development at Delegation Panel, having consulted with the Chair and / or Vice Chair of Planning Committee, the Application is decided to be referred to Planning Committee for its determination, subject to: the Third-party Representations having been made within twenty-one days of the date of

validation of the Application, or within fourteen days of receipt by the relevant Council of any subsequent significant amendment to the Application.

<sup>1</sup>: Excluding Applications for Tree Preservation Orders or Tree Works

**Note:**

For the purposes of considering circumstances described in paras 7 and 8 the Director in consultation with the Chair and / or Vice Chair of the Planning Committee shall have regard to the following criteria:

1. Relevant material planning considerations raising significant planning concerns.
2. Significant implications for adopted policy.
3. The nature, scale and complexity of the proposed development.
4. Planning history.
5. Degree of public involvement.

**Schedule A: Applications delegated to the Director (not subject to consideration for Committee)**

- a) any Application for prior approval, telecommunications, advertisement consent, lawful development certificates, householder development, discharge of conditions, S96 non-material amendment, permission in principle, tree works, or S19 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- b) to determine the reasons for which any Application would have been refused where this is relevant to appeals against non-determination and, on a without prejudice basis, to suggest appropriate conditions and approve / comment on the terms of Section 106 agreements or Unilateral Undertakings.
- c) negotiating and settling (i) the terms of any planning obligations and/or the discharge of planning obligation/s pursuant to sections 106 and 106A of the Town and Country Planning Act 1990 (as amended) in accordance with the terms of any resolution or decision to grant planning approval by the relevant Planning Committee: and (ii) the authority to enter into any planning obligation for the purposes of acting as the enforcement authority for any planning

obligation imposed on the other Council in the circumstances where it has a legal estate in the Application site.

- d) screening and scoping opinions pursuant to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended from time to time or replaced)
- e) to carry out and adopt Appropriate Assessment under the Habitats Regulations.
- f) negotiating and completing applications for planning performance agreements.
- g) any operational matters and decisions, including its enforcement, relating to the implementation of a Community Infrastructure Levy.
- h) consent for drainage works.
- i) prior notifications and approvals under a Development Order
- j) goods vehicles operating licences

**Schedule B: The following legislation as amended from time to time or any replacement legislation:**

- Local Government Act 1972.
- Local Land Charges Act 1975
- Local Government (Miscellaneous Provisions) Act 1976
- Town and Country Planning Act 1990
- Planning (Listed Buildings and Conservation areas) Act 1990
- Planning and Compensation Act 1991
- Transport and Works Act 1992
- Environment Act 1995 (including Hedgerow Regulations 1997)
- Anti-social Behaviour Act 2003
- Planning and Compulsory Purchase Act 2004
- Planning Act 2008
- Localism Act 2011
- Growth and Infrastructure Act 2013
- Infrastructure Act 2015
- Housing and Planning Act 2016
- Neighbourhood Planning Act 2017
- Levelling up and Regeneration Act 2023



- The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019
- Any new legislation that is relevant to the Councils' Planning functions.

### **Appendices**

The Terms of reference for the Joint Development Management Committee (JDMC), Standing Orders and plans are in Appendix 1.

Development Control Forum details are in Appendix 2

The Cost Sharing Protocols for JDMC are in Appendix 3

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## **Appendix 1 – Terms of reference for the Joint Development Management Committee**

### **1. Parties:**

Cambridge City Council  
South Cambridgeshire District Council  
(‘the Councils’)

### **2. Status:**

The Joint Development Management Committee (‘the Committee’) is a joint committee formed by resolutions of the Councils pursuant to section 101(5), Local Government Act, 1972.

### **3. Membership:**

6 Members appointed by Cambridge City Council  
6 Members appointed by South Cambridgeshire District Council

### **4. Terms of reference:**

4.1. The Committee’s remit is to discharge the functions (‘the functions’) set out in Annex 1, the exercise of which have been delegated to the Committee by the parties, subject to the limitation in paragraph 4.2.

4.2. The Committee shall discharge the functions in respect of Major Developments and related matters pursuant to such applications on land that is positively identified in the adopted Local Plans of the two Councils for any purpose and which falls wholly or substantially within the area as shown edged in [blue] on the plans forming Annex 3.

4.3. The Committee may exercise the subsidiary powers authorised pursuant to section 111, Local Government Act 1972 in connection with the discharge of the functions.

4.4. The Committee may exercise the powers of delegation contained in sections 101(2), 101(5) and 102 Local Government Act 1972.

## **5. Standing Orders**

5.1. The Committee shall be governed by the Standing Orders set out in Annex 2, as amended from time to time.

## **6. Administration**

6.1. The Party which is the local planning authority shall receive applications in the usual way and shall be responsible for all consequential administration.

6.2. Cambridge City Council's staff shall be responsible for all matters connected with the administration of the Committee, including the preparation and dispatch of agendas and securing premises at which the committee may meet or providing facilities to enable remote meetings to take place. Decision notices shall be signed by the Joint Director of Planning.

6.3. Costs shall be shared in accordance with the Cost Sharing Protocol set out in Appendix 3 to the Standing Orders.

### Notes:

- 1) A major development is defined by reference to Article 1 of the Town and Country Planning (General Development Procedure) Order 1995 or as subsequently amended or replaced and means development including any one or more of the following:
  - a) the mining and working of minerals
  - b) waste development;
  - c) the provision of dwelling-houses where
    - i) the number of dwelling-houses to be provided is 10 or more; or
    - ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within paragraph (c)(i);
  - d) the provision of a building or buildings where the GIA floor space to be created by the development is 1,000m<sup>2</sup> square metres or more; or

- e) development carried out on a site having an area of 1 hectare or more

### **Annex 1 – Functions of the Committee**

1. The exercise of each of the Councils' powers and duties in relation to Part III (Control Over Development) of the Town and Country Planning Act 1990 as amended and Chapter II and VI (as appropriate) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of "Major Development" and related applications for approval of details and S106 requests to that permission plus associated Reserved Matters applications including but not limited to:
  - i) the determination of planning applications by virtue of Regulation 3 of the Town and Country Planning General Regulations 1992.
  - ii) the power to approve authorise and direct the respective Councils to negotiate and enter into agreements regulating the development or use of land pursuant to S106 of the Town and Country Planning Act 1990.
2. The review, change, amendment or modification of the scheme of delegation to Officers.
3. The review, change, amendment or modification of the Standing Orders of the Committee.
4. Any matter related to an application previously determined by the Joint Development Control Committee for Cambridge Fringes and which would continue to form a part of this Committees functions.
5. Such other functions as may be delegated to the Committee by the Councils from time to time.

### **Annex 2 - JDMC Standing Orders**

Joint Development Management Committee Standing Orders

Approved on 21 October 2020.

## **1. Appointment of Chair and Vice-Chair**

- 1.1. The Committee shall, at its first meeting, and as a minimum annually thereafter, elect a Chair and Vice-Chair. The Chair and Vice Chair shall be drawn alternately from each of the two Councils comprising the Committee.
- 1.2. In the absence from any meeting of the Chair and Vice-Chair, a Chair for that meeting shall be appointed by the meeting, but shall relinquish the chair if the Chair or Vice Chair subsequently arrives at the meeting.

## **2. Notice of and Summons to Meetings**

- 2.1. The Administrator will give notice to the public of the time and place of any meeting in accordance with the access to information rules applicable to local authorities. At least five clear days before a meeting, the Administrator will send an agenda by post and/or electronically to every member of the Committee. The agenda will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such details as are available.
- 2.2. The Administrator will take reasonable steps to ensure that a copy of the agenda and accompanying papers are placed on deposit at the offices of each of the councils for public inspection at least five clear days before the meeting. The Administrator will ensure that arrangements are put in place for the inspection of background papers in accordance with section 100D, Local Government Act, 1972 and to ensure compliance with all other provisions of Part VA, of that Act.
- 2.3. Dates, times and venues for meetings shall be determined by the committee. In the absence of agreement or in cases of urgency, meetings may be called by the Administrator following consultation with the Chair and Vice Chair.

## **3. Membership**

- 3.1. Committee members shall be appointed by the councils from time to time in accordance with the terms of reference. A council may at any time replace one or more of its nominated members by notice given to the Administrator.

#### **4. Alternate Members**

- 4.1. Each council will, by resolution, appoint two alternate members in respect of each political group which represents their council on the committee, but shall not appoint an alternate member for a political group which declines to nominate an alternate member. Each council will notify the Administrator of alternate members appointed.
- 4.2. Alternate members will have all the powers and duties of any ordinary member of the committee. For the purposes of briefing meetings and circulation of papers, alternate members shall be treated in the same manner as ordinary members.
- 4.3. Alternate members may attend meetings in that capacity only to take the place of a member of the same political group who is an ordinary member of the relevant committee or sub-committee. The alternate member should withdraw from participation as a member of that committee or sub-committee in the business at that meeting during any period during which the principal member is in fact in attendance.

#### **5. Quorum**

- 5.1. The quorum of a meeting will be six with no less than: -  
3 Member from South Cambridgeshire District Council and  
3 Member from Cambridge City Council

#### **6. Public speaking rights**

- 6.1. Members of the public have the public speaking rights set out in The Public Speaking Rights at Planning Committee.

#### **7. Voting**

- 7.1. Every question shall be decided by a show of hands or by way of a roll call when the meeting is taking place using arrangements for virtual committee meetings, and subject to Rule 7.2
- 7.2. If any member demands a vote by roll-call and is supported by two other members, the question shall be determined by a vote by roll-call and the Administrator shall record and enter in the minutes the names of each member present and whether they voted for or against or abstained.
- 7.3. Any member may, immediately after any vote is taken, require a record to be made in the minutes of whether they voted for or against or abstained.
- 7.4. If there are equal numbers of votes for and against, the Chair will have a second or casting vote.

## **8. Minutes**

- 8.1. The Chair will sign the minutes of the committee at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record.

## **9. Exclusion of Public**

- 9.1. Members of the public and press may only be excluded either in accordance with the Access to Information provisions of the Local Government Act 1972 (consideration of 'exempt information') or Rule 12 (Disturbance by Public).

## **10. Disorderly Conduct: Misconduct of A Member**

- 10.1. If at any meeting of the committee any member, in the opinion of the Chair, misconducts him/herself by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the committee, the Chair or any other member may move "That the member named be not further heard", and the motion if seconded shall be put and determined without discussion.

- 10.2. If the member named continues his/her misconduct after a motion under the foregoing Rule has been carried, the Chair shall either move "that the member named must leave the meeting" (in which case the motion shall be put and determined without seconding or discussion); or adjourn the meeting of the Council or committee for such period as s/he is in his/her discretion shall consider expedient.
- 10.3. In the event of a general disturbance which in the opinion of the Chair renders the due and orderly despatch of business impossible, the Chair, in addition to any other power vested in him/her, may adjourn the meeting of the committee for such period as s/he is in his/her discretion shall consider expedient.

#### **11. Disorderly Conduct: Disturbance by members of the public**

- 11.1. If a member of the public interrupts the proceedings at any meeting the Chair shall warn him/her. If s/he continues the interruption the Chair shall order his/her removal from the meeting.
- 11.2. In case of a general disturbance in any part of the Room open to the public the Chair shall order that part to be cleared.

#### **12. Suspension of Standing Orders**

- 12.1. Any of these Standing Orders may, so far as is lawful, be suspended by motion passed unanimously by those entitled to vote on the application in question. Any motion to suspend any part of these rules shall specify the purpose of their suspension. Any suspension shall only be to the extent and for the length of time necessary to achieve the stated purpose.

#### **13. Attendance at the Committee by other members of the Councils and County Council**

- 13.1. A member of Cambridge City Council, South Cambridgeshire District Council or Cambridgeshire County Council who is not a member of the



committee or a member of a parish council (in respect of applications relating to sites in their own parish) may speak at a meeting of the committee at the request or with the permission of that committee or of its Chair made or obtained before the meeting. Such request or permission shall specify the matters in respect of which the member shall be permitted to speak;

[Explanatory note: There might be circumstances in which the Committee may wish to permit a city, district or county councillor to speak on applications even if the application does not relate to her/his ward or division. For instance an executive councillor with relevant strategic responsibility may want to address the committee.]

#### **14. Development Control Forums**

- 14.1. The Committee will operate a scheme for development control forums in accordance with Appendix 2.

#### **15. Statements of Community Involvement**

- 15.1. Public consultation in relation to pre application matters shall be dealt with in accordance with the SCI or other appropriate procedures of the Council responsible for issuing the consent.

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## **Appendix 2 – Development Control Forum**

**Development Control Forums are triggered by receipt of a qualifying petition**

### **Receipt of Petitions and Notification of Development Control Forum**

1. Neighbour consultation letters on planning applications within the remit of the committee shall include information about the scheme for development control forums and the relevant consultation period.
2. A Petition should be sent to the Administrator and should identify the matter to which it relates and the grounds of concern.
3. The Administrator will:
  - (a) Liaise with the Planning case officer to obtain the following information:
    - The expiry date of the relevant consultation period;
    - The addresses of the applicant and agent.
  - (b) Check whether the petition meets the criteria established in the scheme – i.e.:
    - It contains at least 25 signatures of residents and/or business owners in the County;
    - It includes the addresses of those who have signed it;
    - It has been received within 7 working days following the end of the relevant consultation period (in the case of petitions of objection) and no later than 6 working days before a Forum meeting (in the case of petitions of support);
    - The application is not: a householder application; an application for a certificate of lawful use; or an application for advertisement consent.

**[Note:**

- (i) *If any of these criteria are not met, the petitioners should be informed in writing that their petition will be reported to the committee, and that a Development Control Forum will not be held.*

- (ii) *Normally, a Forum will not be convened in the case of petitions relating to amendments to applications, or to applications which have already been the subject of a Forum. However, the Administrator, following consultation with the Chair and Vice Chair, is authorised to decide whether significant new issues are raised, making a Forum appropriate.*
- (iii) *A Forum will not be held to hear a petition of support alone, except where an application, which has not already been subject to a Forum meeting, is resubmitted following an earlier refusal of planning permission.*
- (iv) *Petitions may be submitted by email subject to the following:*
- *An e-mail petition must consist of individual e-mails, showing the sender's e-mail address.*
  - *An e-mail petition must include the sender's postal address.*
  - *The e-mails must be addressed to the organiser (rather than a council or the committee or its members) who must then let the [administrator to be appointed] have print-outs of the requisite number of supporting e-mails. [Random checks will be carried out on petitioners that have used the e-mail procedure.]*
- (c) Liaise with the Planning case officer and Chair and spokespersons about the date of the Development Control Forum and fix a date, time and venue. So far as practical at least 10 days (including weekends) notice should be given to all those attending under (d). For the avoidance of doubt dates for possible Development Control Forum meetings may be programmed in advance of receipt of petitions.
- (d) Send written invitations to:
- The lead petitioners;
  - The applicants and agents;
  - Committee members;
  - Ward councillors;
  - Planning officers;

### **The press will also be informed.**

The invitations to the meeting should include:

- A short summary of the application details (to be provided by the planning case officer);
- The case officer as a contact point for planning enquiries and the Administrator for queries about the petition process;
- An explanation of the fact that up to three representatives of the petitioners and up to three representatives of the applicants may attend and speak;
- Petitioners to be invited to contact the officers for a briefing on the procedures at the Forum.

(e) Inform all other councillors of both councils that the meeting is taking place.

4. If two or more petitions are received relating to the same planning application, the following procedure should be applied:

- In the case of two or more petitions opposed to the application, or two or more petitions in support of the application, the petitioners will be encouraged to make a joint presentation. If agreement on this is not possible between the petitioners, they would share the time allocations given in paragraph 9.

### **Development Control Forum Meetings**

5. The Press and Public are entitled to attend meetings as observers.

6. The Development Control Advisor or other A senior planning officer (other than one of the case officers involved in dealing with the application) will chair the meeting.

7. 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.

8. The main purpose of Forum meetings is to enable petitioners and applicants to give their views and to provide the means by which consensus can be built between the parties.
9. The format of the Forum will be as follows for each application:

Presentation of the application by the applicant/agent (up to three representatives) - up to 20 minutes;

- Presentation of the views of the petitioners against the application (up to three representatives) - up to 20 minutes;
- Presentation of the views of the petitioners in support of the application (where applicable) (up to three representatives) - up to 20 minutes;
- Presentation by the case officer - up to 10 minutes;
- Member questions and issues arising - up to 30 minutes;
- Summing up by the applicants/agents - up to 5 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.

#### **After the Meeting of the Forum**

10. The Administrator will take minutes of the meeting. The minutes will be a summary of the issues raised and should not be taken to express a view or decision which is in any way binding on the committee. The minutes will be circulated in draft to the Chair of the Forum, the Chair and Vice Chair of the committee and the case officer and finalised within 5 working days of the Forum.

Copies of the finalised minutes will be sent, for information, to:

- The petitioners' representatives at the meeting;
- The applicants' representatives at the meeting;
- Ward councillors;
- Committee members
- the Parish Councils of the areas to which the application relates.

The minutes, and the text of the petition, will also be appended to the report to the committee which invites it to determine the application.

11. The case officer should contact the applicants/agent after the meeting to discuss whether a meeting would be helpful to discuss the issues raised at the Forum and to discuss any changes that may be necessary to the application. The applicant will be encouraged to keep in direct contact with the petitioners and to seek their views on any amendment/s.
12. The case officer will inform the petitioners' representatives of any amendments to the application. Normally, no further Development Control Forum will be held if the planning application is amended - see paragraph 3 (b) (ii).
13. The petitioners' representatives will be informed of the date of the meeting at which the application is to be considered by the committee and will be sent copies of the committee report. The petitioners and applicants will be asked to send any further comments they may have on the report to the planning case officer as soon as possible, so that they can be circulated in good time to members of the committee.

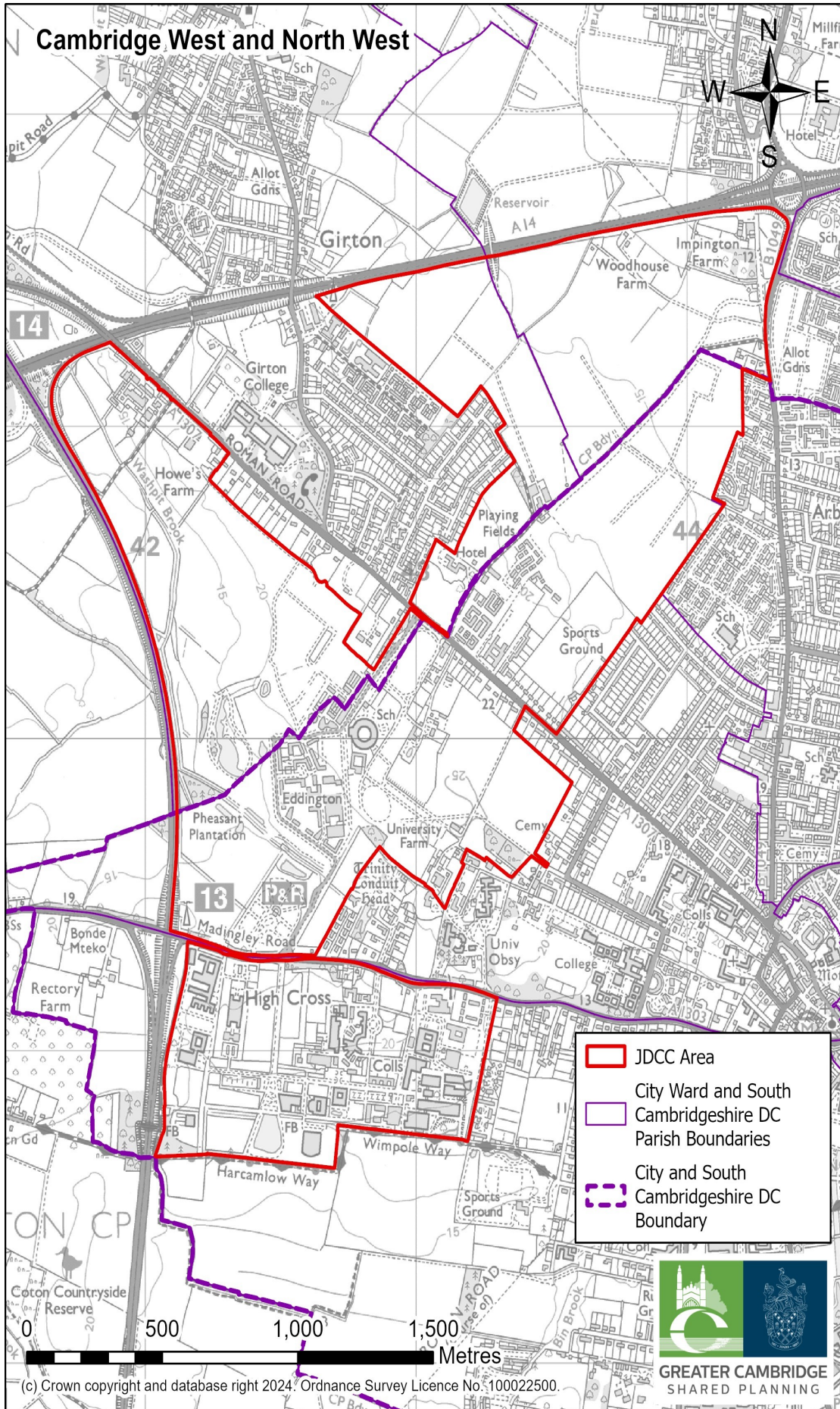
### **Appendix 3 – Cost Sharing Protocols for JDMC**

The ongoing costs incurred in relation to the administration of the Committee, legal support and planning service costs shall be borne by the administering authority and recharged in accordance with the shared service agreement between the two Councils.

Exceptional costs that arise in relation to, for example, appeals and legal proceedings will be borne:

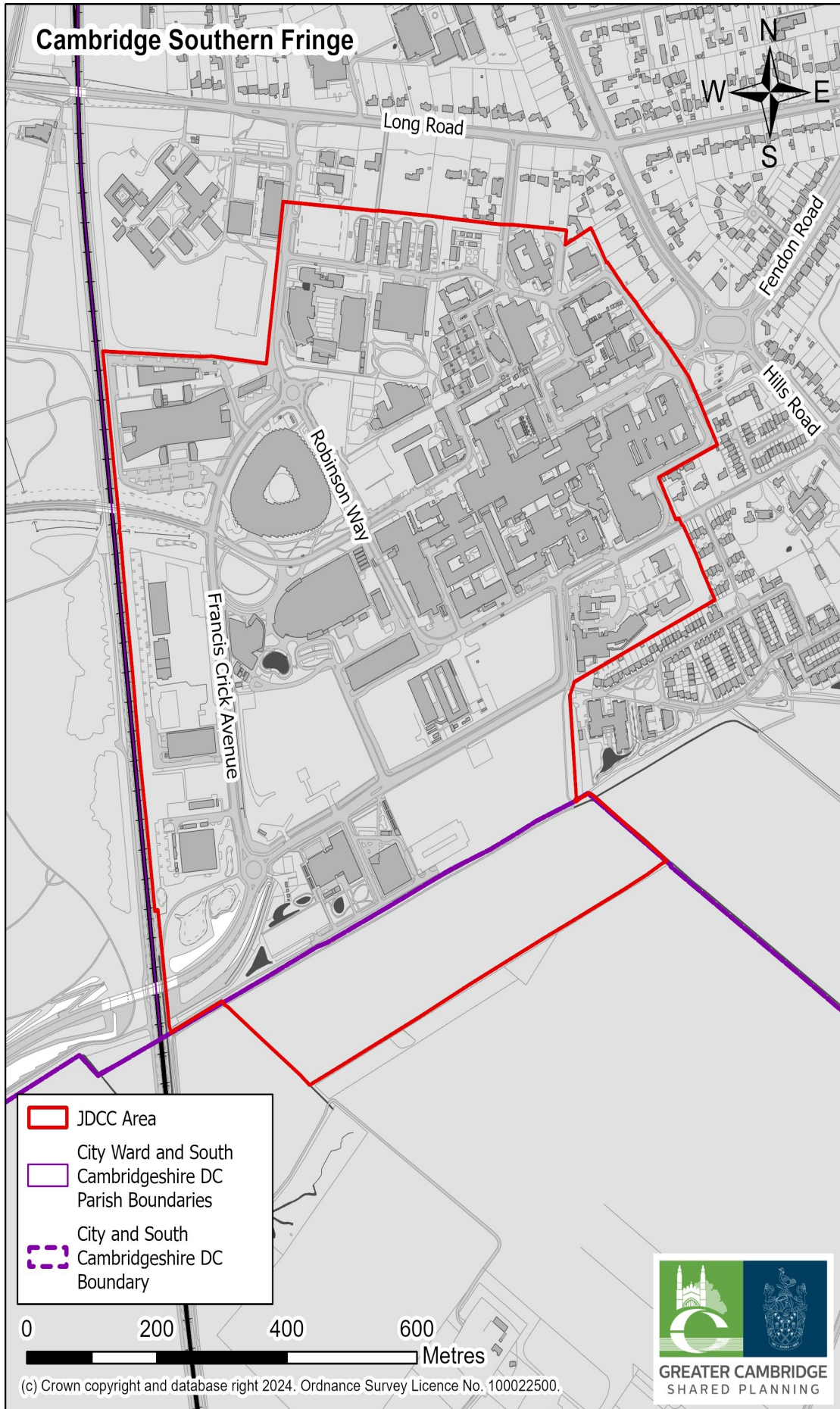
- i) from the joint planning budget,
- ii) ii) where there are insufficient funds within the joint planning budget, then the costs shall be shared proportionally by the Councils.



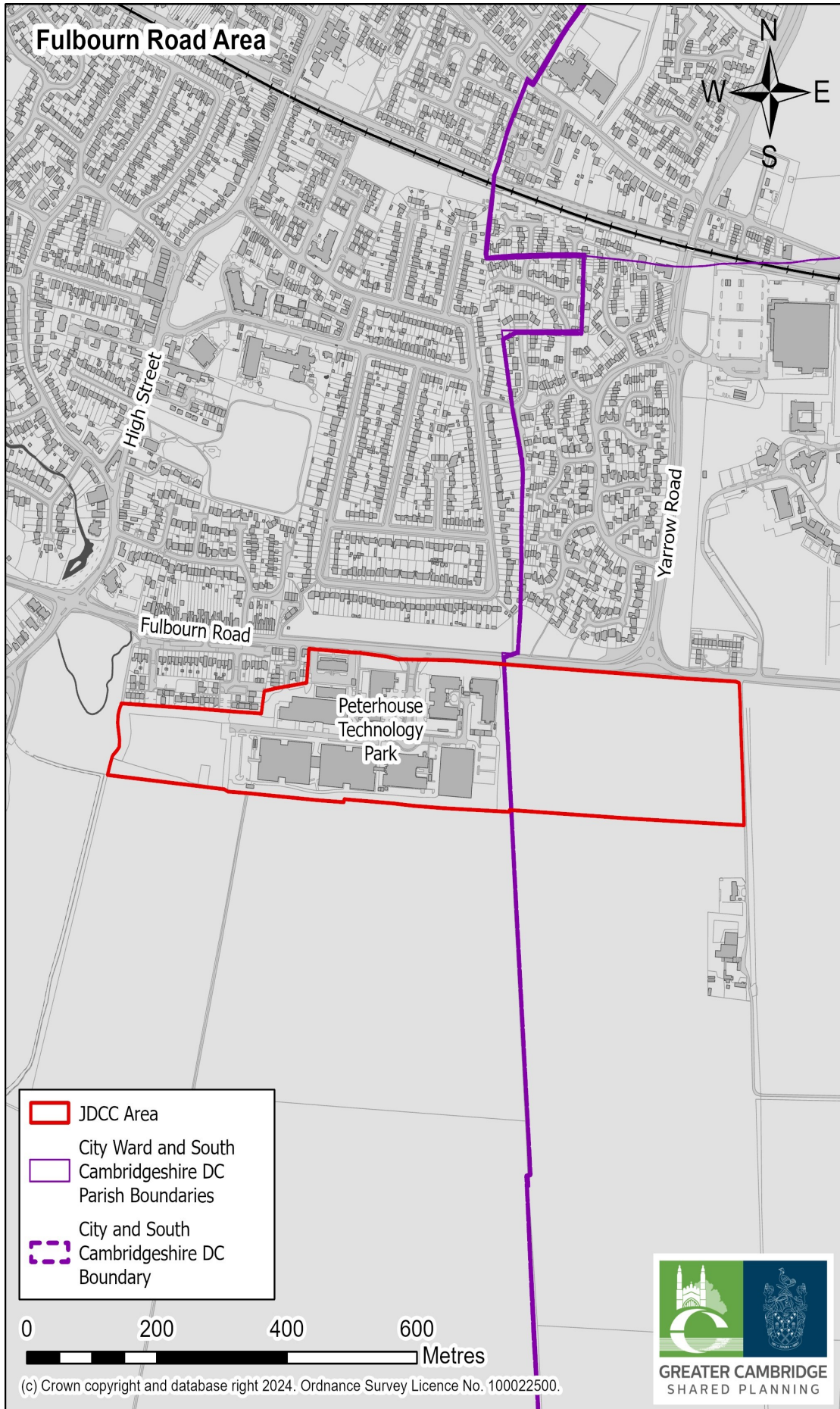


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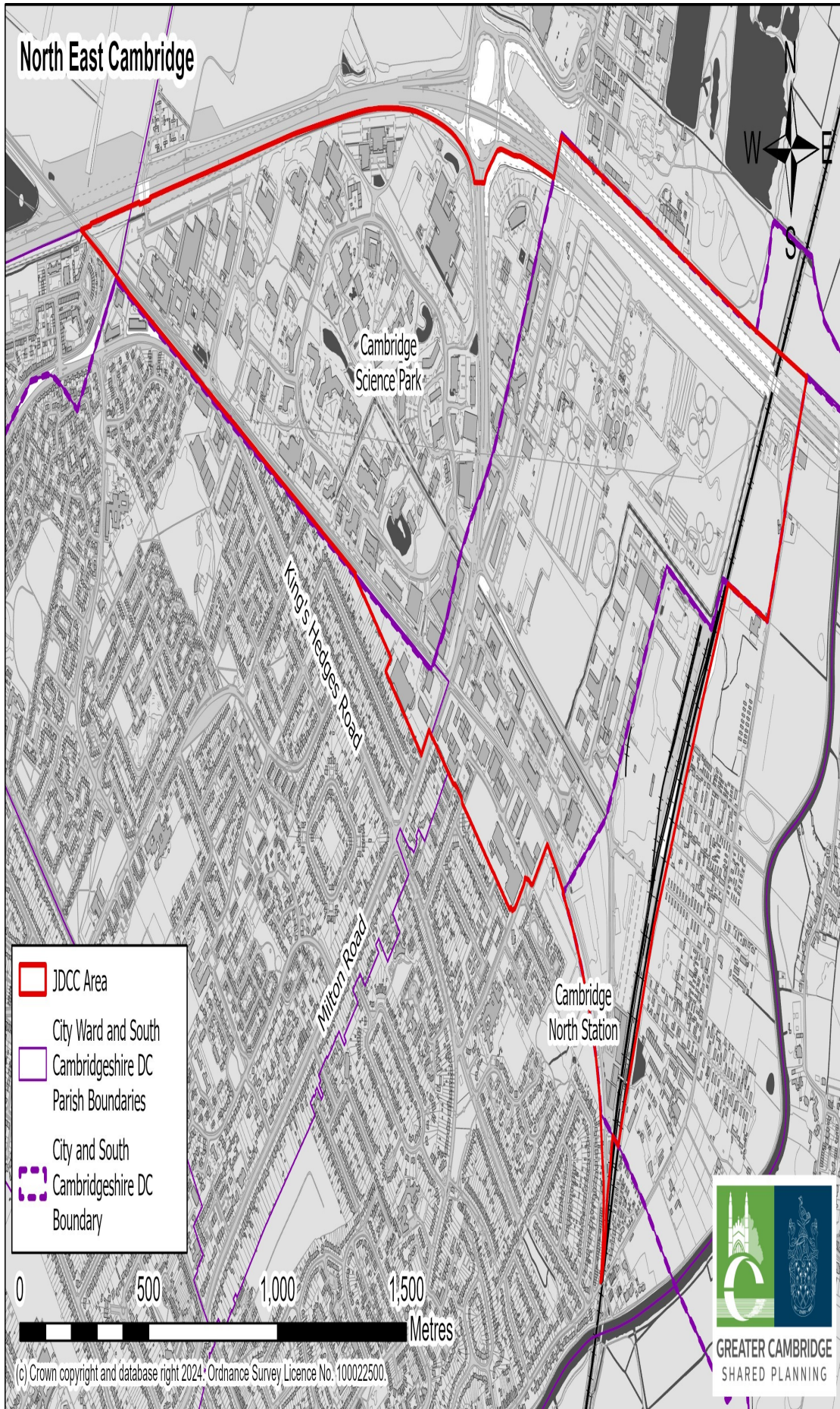


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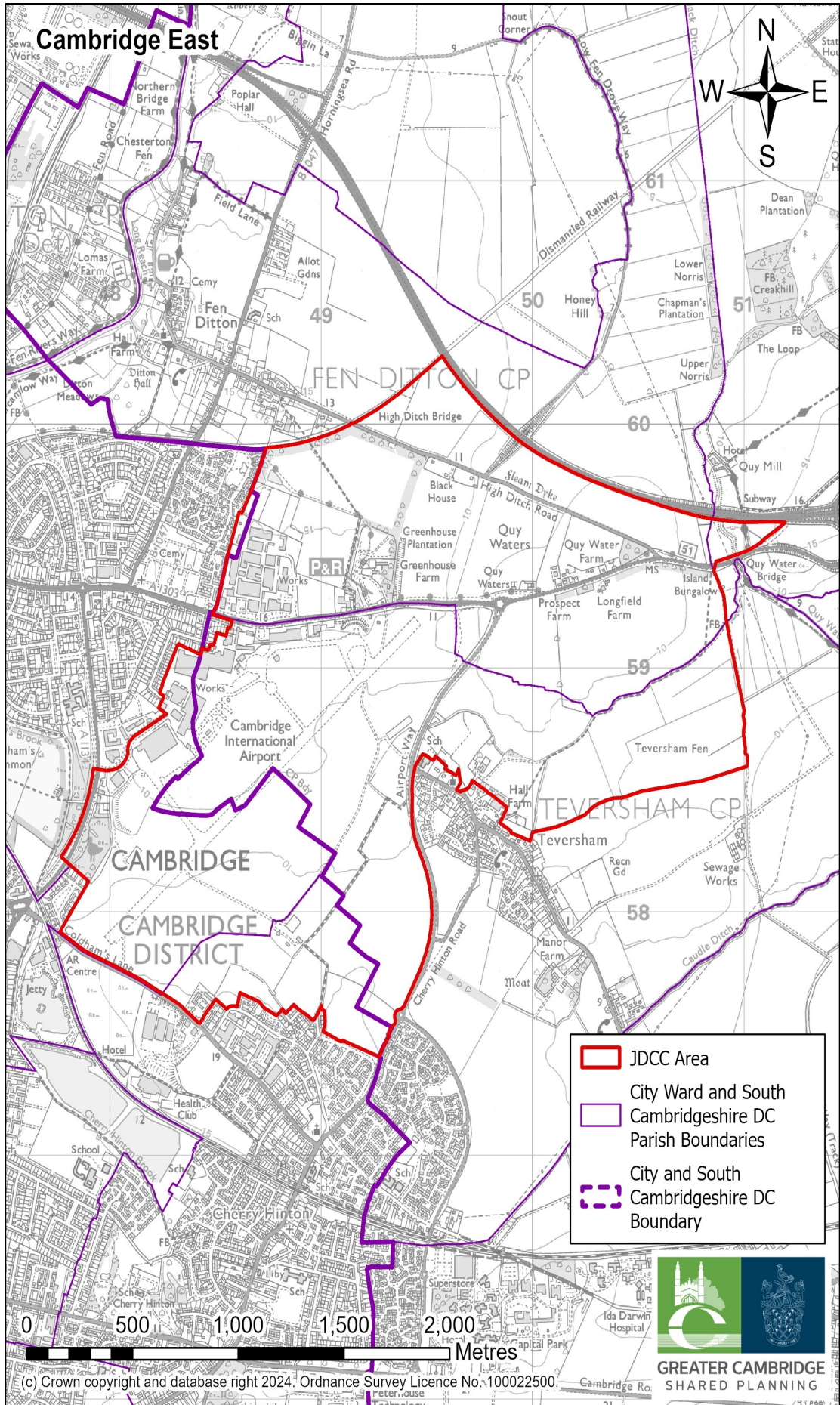
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## 5.7 Joint Director of Planning in respect of planning and development control

### Service area delegations

- Planning Service
- Building Control (3C service)
- Dangerous Buildings, structures and excavations
- Street Naming
- Regulatory functions under the Buildings Act and other legislation concerned with safety, sanitation, health and structural condition of buildings.  
Specific area delegation by the Executive
- To approve grants from the Historic Buildings Fund and to approve Access Grants up to the value of £5,000
- To operate and negotiate building control fees as necessary (recording the fees agreed) in response to the dictates of the market and other relevant circumstances in adjusting fee levels on major developments that are likely to be subject to particular competition from private Approved Inspectors as long as overall budget targets are met

### Specific regulatory power delegated

- To act as the proper officer under Section 191 of the Local Government Act 1972 with respect to ordnance survey.

### Delegated by Planning Committee/ Executive

A1 To determine, and to make decisions in connection with the determination of, all forms of planning and other applications, and all forms of consent and other notifications (as set out in the schedule below) submitted under the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004 and the Planning Act 2008) and the Planning (Listed Buildings and Conservation areas) Act 1990 **except** in any of the following circumstances:

- The application is for ‘Major’<sup>1</sup> development (see note for definition of ‘Major’ at end of A1) where:
  - There are third party representations on planning grounds that are contrary to the officer recommendation for approval or refusal.
- The application is advertised as a formal departure from the Development Plan policy and where the officer recommendation is for approval.

- The application is for development of between 1-9 dwellings, where there are third party representations on planning grounds that are contrary to the officer recommendation and that cannot be resolved by planning condition.
- The application is for development involving a change of use where there are third party representations on planning grounds that are contrary to the officer recommendation and that cannot be resolved by planning condition.
- The application involves the City Council as applicant or landowner and the development is not of a minor nature.
- The application is for the demolition of a listed building or a Building of Local Interest.
- The application is submitted by a Member or officer of the City Council.
- The application is for a 'non-material' change/amendment in relation to a development that was previously approved by Planning Committee or an Area Committee, and the Chair, Vice-Chair and Spokesperson of that Committee object to the exercise of the delegated power within 14 days of notification.
- The application is one where, within 21 days of the date of publication of the weekly list, or within 14 days of receipt of any subsequent significant amendment to the still current proposal, any Member (including County Council Members representing City Wards) requests in writing (including e-mail sent in accordance with the Council's guidelines), that the application should be determined by Committee, stating the planning grounds on which the request is based.
- The application requires a Planning Obligation (or any subsequent amendment thereof) containing terms that are not in accordance with, or are additional to, those required by the Council's Planning Obligation Strategy.
- The application is one that in the opinion of officers should be determined by Committee because of special planning policy or other considerations.

**Note:** <sup>1</sup> Major development comprises:

- 10 or more dwellings, or a site area of 0.5 ha. or more where the number of dwellings is not shown;
- Other developments where the floor space to be built is 1000 square metres (gross) or more, or where the site area is 0.5 ha. or more in size.

A2. To serve Requisitions for Information, Planning Contravention Notices, Breach of Condition Notices, Notices of Intended Entry, Section 215 Notices, and Discontinuance Notices for advertisements (subject to prior consultation with the Head of Legal and Practice).

A3. To instruct the Head of Legal Practice to commence prosecution proceedings for the display of illegal advertisements (including fly posting) and for non-compliance with any formal notices issued.

A4. To instruct the Head of Legal Practice to serve enforcement notices under S172 of the Town and Country Planning Act 1990 to remedy a breach of planning control following the refusal of retrospective planning permission.

A5. To instruct the Head of Legal Practice to serve Listed Building Enforcement Notices under S38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

A6. To instruct the Head of Legal Practice to serve notices requiring urgent works to unoccupied Listed Buildings under S54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

A7. To decide whether to serve a Remedial Notice under Part 8 of the Anti-Social Behaviour Act 2003 where there are no third party representations that are contrary to the officer recommendation (subject to prior consultation with the Head of Legal Practice) and to instruct the Head of Legal Practice to commence prosecution proceedings for non-compliance with a Remedial Notice or to carry out works in default.

A8. To make representations as a 'responsible authority' on applications for public entertainment licenses under the Licensing Act 2003.

B1. To determine all applications for works to trees under the Town and Country Planning Act 1990, and for works to hedgerows under the Environment Act 1995, **except** in any of the following circumstances:

- The application is one where there are third party representations on amenity grounds that are contrary to the officer recommendation and that cannot be resolved.
- The application is one where, within 14 days of being notified, any Member (including County Council Members representing City Wards) requests in writing (including e-mail sent in accordance with the Council's guidelines), that the application should be determined by Committee, stating the grounds on which the request is based.

B2. To serve, and unless objections are received, confirm Tree Preservation Orders and Hedgerow Replacement Notices.

B3. To instruct the Head of Legal Practice to take enforcement action or instigate proceedings under part (viii) of the Town and Country Planning Act 1990 relating to violations against protected trees, and under S97 of the Environment Act 1995 relating to violations against protected hedgerows.

**Note:** Notwithstanding the provisions contained within this Scheme of Delegation, officers will use their discretion and judgment to decide whether to refer any matter contained within this Scheme to Committee for determination, which in their view raises contentious, sensitive or significant policy issues, or where it would be otherwise beneficial for the decision to be made by Members.

### **Schedule referred to in Delegation A1 above**

Applications and other forms of consent/notification referred to in Delegation A1 include:

- Outline and full planning permission and any subsequent applications for post-decision 'non-material' changes/amendments.
- Reserved matters following outline planning permission and any subsequent applications for post-decision 'non-material' changes/amendments.

- Renewals of planning permission and any subsequent applications for post-decision 'non-material' changes/amendments.
- Removal/variation of planning conditions.
- Discharge of conditions.
- Agreeing the terms of Planning Obligations under S106 of the Town and Country Planning Act 1990.
- Advertisement Consent.
- Lawful Development Certificates.
- County Council Regulation 3 applications.
- Prior notifications and approvals under a Development Order.
- Goods Vehicle Operating Licences.
- Listed Building Consent.
- Conservation Area Consent.
- Consultations from neighbouring authorities.
- Screening and scoping opinions under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, or any subsequent amendment or successors to those Regulations.
- Screening and scoping opinions under the Conservation (Natural Habitats, etc) Regulations 1994 or any subsequent amendments or successors to those Regulations
- Screening and scoping opinions under the Environmental Impact Assessment (Uncultivated Land and Semi-natural Areas) Regulations 2001 or any subsequent amendments or successors to those Regulations

**Planning enforcement:**

Delegation to Shared Director of Planning (in consultation with Head of Legal Practice and Chair/Vice Chair/Spokes of Planning Committee):

A To take direct action or works in default as required in relation to Section 178 (Non Compliance with an Enforcement Notice) and Section 219 (Non Compliance with a Section 215 Notice) of Town and Country Planning Act 1990 (as amended) and to recover from the person who is then the owner of the land any expenses reasonably incurred by the Council in undertaking this work under Regulation 14 of the Town and Country Planning General Regulations 1992

B For commencement of prosecution following non-compliance with an Enforcement Notice under Section 179 or Planning Contravention Notice under Section 171D of the Town and Country Planning Act 1990 (as amended)

C To seek an injunction to restrain a breach of planning control under Section 187B of the Town and Country Planning Act 1990 (as amended)

D To make an application for a Confiscation Order under the Proceeds of Crime Act 2002 (as amended)

## Responsibility for Council Functions (Table 5)

### Powers and Functions Delegated by the Planning Committee

South Cambridgeshire District Council operates an adopted scheme of delegation which sets out the range of decisions that designated officers may make on behalf of the Council. Decisions on the majority of planning proposals and associated applications are delegated to designated officers without the need for them to be decided by members at Planning Committee

Delegated decisions are carefully considered by the case officer who outlines their recommendations, and reasons behind the recommendations, in a balanced delegated report, which is checked by a designated officer before a decision is agreed and issued.

By operating a scheme of delegation, decisions are made in good time, in line with statutory target dates, and the Planning Committee can concentrate on the most contentious and significant proposals.

**Applications for consent or permission under the Town and Country Planning Acts and Listed Building and Conservation Area Acts shall be dealt with under delegated powers unless:**

1. A local member or Parish Council writes, or emails, a request for a particular application to be considered by Planning Committee, and sound planning reasons are given for why this is considered necessary and the request is accepted by the Joint Director of Planning and Economic Development, in consultation with the Chair of Planning Committee (or Vice-Chair in their absence).

(Footnote: Notwithstanding any decision is ultimately one for the officer themselves, the committee's guidance in terms of decisions made in accordance with the delegation rules is that in cases which raise issues which are sensitive or controversial, the committee would expect the officer normally to refer the matter to committee.)

The request by Parish Councils should be made within 21 days of the date of registration and by local members not later than 28 days of the date of registration of the application, or within 14 days of receipt of any subsequent significant amendment to a current proposal. If the Joint Director, in consultation with the Chair, declines a request, a written explanation shall be given to the Parish Council and copied to the local member.

2. An application is made by an elected member or an officer of the Council, or a close friend, relative or partner of either of such persons.
3. If approved, the application would represent a significant departure from the approved policies of the Council (officer delegation is still permitted if the application



is to be refused). Significant departures shall include, but are not limited to, development which requires referral to the Secretary of State;

4. Any 'Major' or 'Minor' application relating to the Council's own land or development where representations have been received against the proposal;
5. The application is for the demolition of a listed building or a Building of Local Interest or
6. The application is one that in the opinion of officers, in consultation with the Chair and Vice-Chair, should be determined by Committee because of special planning policy considerations, the complexity of the application, the application is significant and / or of strategic importance to an area beyond both specific site and parish.

**Note:**

For the purposes of considering requests under clause 1 above, the Director, in consultation with the Chair of the Planning Committee, shall have regard to the following criteria:

1. Relevant material planning considerations raising significant planning concerns
2. Significant implications for adopted policy;
3. The nature, scale and complexity of the proposed development.
4. The planning history of the site.



## Joint Development Control Committee

### Scheme of Delegation as agreed on 21 October 2020

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#### 8. Scheme of Delegation to Officers

The following powers are delegated to the Joint Director of Planning and Economic Development in respect of planning and development control matters. The Joint Director of Planning and Economic Development may authorise any other officers within the Greater Cambridge Shared Planning Service to exercise these powers on his/her behalf. Any officer so authorised may in turn delegate further.

Such delegations shall be evidenced in writing.

1. To determine, and to make decisions in connection with the determination of, all forms of planning and other applications, and all forms of consent and other notifications (as set out in the attached schedule) submitted under the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) and the Planning (Listed Buildings and Conservation areas) Act 1990 within the terms of reference of the Joint Development Control Committee **except** in any of the following circumstances:

a) Where the application is for Outline or Full Permission or is a reserved matters application in respect of:

1. The provision of residential units where:

(a) the number of residential units to be provided is 100 or more.

2. The provision of a non-residential building or buildings where the floor space to be created by the development is 1,000 square metres or more or is for non-residential development to be carried out on a site having an area of 1 hectare or more;

3. Development including the provision of primary roads, open space or other site-wide infrastructure that fulfils a strategic purpose;

4. Regulation 3 development for all new facilities.

b) Where:

- There are any parish council representations that are contrary to the officer recommendation for approval or;

- There are other third party representations on planning grounds that are contrary to the officer recommendation for approval or refusal and that cannot be addressed by conditions as applicable or;

c) The application is advertised as a formal departure from the Development Plan and where the officer recommendation is for approval.

d) The application is submitted by a Member or Chief Officer or planning officer of either of the Councils.

e) The application is one where, within 21 days of being notified of the application or within 14 days of receipt of any subsequent material amendment to the proposal, any Member of the City Council or of the District Council requests in writing (including e-mail), that the application should be determined by Committee, stating the planning grounds on which the request is based.

f) The application is one that officers consider should be determined by Committee because of special planning policy or other considerations.

g) The application is for a “non-material” change/amendment in relation to a development that was previously approved by the Joint Committee and either i) the elements to be changed were subject to specific conditions or ii) negotiation in response to objections raised to the original approval, and in both cases where the Chair, Vice-Chair and Spokespersons of the Committee object to the exercise of the delegated power within 14 days of notification.

5. To act on behalf of the Committee (after consultation, if practicable with the Chair of the Committee and the Chief Planning Officers of the three Councils) in cases of urgency or emergency. Any such action is to be reported as soon as possible to the Committee.

**Note:** Notwithstanding the provisions contained within this Scheme of Delegation, officers will use their discretion and judgement to decide whether to refer any matter contained within this Scheme to the Committee for determination, which in their view raises contentious, sensitive or significant policy issues, or where it would be otherwise beneficial for the decision to be made by Members of the Joint Committee.

### **Schedule referred to in Delegation 1 above**

Applications and other forms of consent/notification referred to in

Delegation A1 include:

- a) Outline and full planning permission and any subsequent pre- and post decision amendments.
- b) Reserved matters following outline planning permission and any pre and post decision amendments.
- c) Renewals of planning permission and any pre- and post-decision amendments.
- d) Removal/variation of planning conditions.
- e) Discharge of conditions.
- f) Advertisement consent.
- g) Lawful Development Certificates.
- h) Regulation 3 applications.
- i) Settling the terms of planning agreements under section 106, Town and Country Planning Act 1990 and other legislation in accordance with the terms of any resolution or decision to grant planning consent.

j) Listed Building Consent.

k) Conservation Area Consent.

l) Screening and scoping opinions under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011, or any subsequent amendment to those Regulations.

m) Entering into and Signing of Planning Performance Agreements.



## **Public Speaking at Planning Committees:**

Cambridge City Council Planning Committee

South Cambridgeshire District Council Planning Committee

Joint Development Management Committee

Members of the public are welcome to attend the Planning and Joint Development Management Committee meetings, this guide sets out how we allow the public to speak at Committee – including who can speak, how to register, the length of speaking time and policy on presentation of material.

### **1. What is the Planning Committee**

Planning Committee and the Joint Development Management Committee (JDMC) are Regulatory Committees consisting of elected Councillors who are responsible for determining planning applications which cannot be dealt with under delegated powers to officers.

### **2. When and where do Planning Committee meetings take place?**

- City Planning Committee usually takes place from 10am the first Wednesday of the month at The Guildhall, Market Square, Cambridge, CB2 3QJ.
- South Cambridgeshire District Council Planning Committee usually takes place from 10am the second Wednesday of the month at South Cambs Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA.
- JDMC takes place at either the Guildhall or South Cambridgeshire District Council offices, usually the third Wednesday of the month from 10am.
- Alternative venues may be used; details will be set out on the agenda and meeting webpage.

### **3. Can anyone attend Planning Committee meetings?**

- Meetings of the Planning Committee are open to the public, so anyone can attend and listen to the meetings.
- Despite being a public meeting, in some very occasional cases, the law does allow the committee to consider some matters in private. For example, an application may contain information of a personal or commercially sensitive nature that the Council would not be able to publicise. In every case, however, the public interest in excluding the press and public from the meeting room must outweigh the public interest in having the information disclosed.

#### **4. Can anyone speak at Planning Committee meetings**

- The Planning Committee welcomes public participation at the meeting; examples of those who may wish to speak at the meeting include applicants or an applicant's agent, neighbours or other residents, community groups, Parish Council representatives<sup>1</sup> (where applicable) and Councillors<sup>2</sup>.
- Speakers may speak in support or objection to an application.
- You must register at least two working days before the meeting (more information on registering to speak is set out below)

#### **5. How do I register to speak at Planning Committee?**

- Public speaking requests must be registered with the relevant Democratic Services Team by no later than 12noon 2 working days before the meeting (i.e. the Monday before the Wednesday).
- City Planning Committee: [Democratic.Services@cambridge.gov.uk](mailto:Democratic.Services@cambridge.gov.uk)
- South Cambridgeshire District Council: [Democratic.Services@scambs.gov.uk](mailto:Democratic.Services@scambs.gov.uk)
- JDMC: [Democratic.Services@cambridge.gov.uk](mailto:Democratic.Services@cambridge.gov.uk)
- Requests received after this time will not be allowed.
- Registration by email preferred.
- Speaking requests should include your name, email address, telephone number, the application you wish to speak to as well as the capacity in which you are attending.
- Speakers are encouraged to submit a written copy of their planned speech by 12 noon two working days before the meeting, to be used as a backup in case the speaker is unable to attend due to unforeseen circumstances.

#### **6. How can I attend the meeting?**

- Public speakers can attend the meeting in-person, or virtually via Microsoft Teams.

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<sup>1</sup> Representatives of a Parish Council must have the formal agreement of the Parish Council to represent their views

<sup>2</sup> Councillors will need to advise in what capacity they are speaking i.e. Ward Councillor etc

- The relevant Democratic Services Team will provide further guidance for attending each venue.
- There is no need to have made a previous written comment on the planning application to register to speak at committee.
- The agenda for the meeting is set at the time of publication. It is not possible to guarantee when an item will be determined. Public speakers should be prepared to address the Committee at any time after the beginning of the meeting.

#### **7. How should I plan what to say at the meeting?**

- Each category of public speaking (see paragraph 11 below) is limited to 3 minutes.
- If more than one person registers to speak per category, the speaking time may be split between the different speakers, or a spokesperson could be appointed.
- The Chair of the meeting has discretion to extend the 3-minute time period for all speaking categories should the application require it. This will be set at the chairs briefing for that committee, however, it can be reviewed at the committee.
- Committee members will have read the planning officer written reports, so try to avoid repeating points that are already explained in that material. Focus your speech on material planning grounds, these can include (but are not limited to):
  - Overlooking/loss of privacy
  - Loss of light or overshadowing
  - Parking
  - Highway safety
  - Traffic
  - Noise
  - Effect on listed building and conservation area
  - Layout and density of building
  - Design, appearance and materials
  - Government policy
  - Disabled persons' access
  - Proposals in the Development Plan



- Previous planning decisions (including appeal decisions)
- Nature conservation
- Practice in advance of the meeting to ensure you can deliver your speech within the 3 minutes.
- Speakers should be careful not to say anything derogatory or inflammatory, which could expose them to the risk of legal action.
- The Chair will say when the speaking time is almost finished to allow time to round up.
- Speakers will be stopped once the speaking time has finished.
- Speakers cannot question Councillors, officers or other speakers and must limit their comments to planning related issues.

#### **8. Guidance about written statements**

- If you are not able to attend the committee meeting and wish to submit a written statement, it must be emailed to the relevant Democratic Services Team by 12 noon 2 working days before the meeting.
- A written statement should be no longer than one side of A4 in size 12 font.
- Any inappropriate statements will not be accepted.
- Written statements will not be read out at the meeting but will be published on the meeting webpage.
- Written statements will not be accepted after the deadline.

#### **9. Guidance about virtual attendance**

- The Council will endeavour to facilitate online attendance at meetings via the Microsoft Teams platform. However please note the council will take no responsibility for any individual who is unable connect into the meeting. Meetings will proceed in-person in the event of any technical difficulties
- The Democratic Services Teams are unable to provide ICT support for virtual attendance at meetings.

#### **10. Can I submit images to be displayed when I'm speaking**

- Yes, but images must be submitted to the relevant Democratic Services Team by 12 noon, two working days before the meeting.
- Any inappropriate images will not be accepted

- The images will need to be verified by the planning officer in advance of the meeting and an officer will display them while you are speaking.
- Images will be uploaded onto the online planning register.

#### **11. What are the categories for public speaking?**

- Petitioner (if applicable)
- Speakers in objection
- Speakers in support – including the applicant / agent / supporters
- Parish Council (if applicable)
- Councillors – more than one councillor can speak on an item

#### **12. How are applications considered?**

- A planning officer will introduce the item.
- Public speakers will be invited to speak.
- The Planning Committee will discuss/ debate the application.
- The Planning Committee will take a vote on either the officer recommendation in the agenda or a proposal made by a Planning Committee member.
- Should the Committee propose to follow a course of action different to officer recommendation, Councillors must give sound planning reasons for doing so.

#### **13. Chair's discretion to manage the meeting**

This document lays out the standard public speaking procedures at a Planning Committee or JDMC meeting. The Chair can vary from these procedures at their discretion to accommodate extenuating circumstances.

### 1. Introduction

- 1.1 This document offers guidance to Councillors about good practice in the planning process. It supplements the Cambridge City and South Cambridge District Councils' Code of Conduct for Members and aims to ensure that the Councils make and are seen to make planning decisions on proper planning grounds (set out in Appendix 1) and that the Councils make (and are seen to make) decisions properly, openly, impartially, and for justifiable reasons.
- 1.2 This guidance applies to **all** Members (not just planning committee members) at all times when involved in the planning process, not just at Planning Committee. It applies to formal decision-making and to less formal occasions, such as informal pre application advice, , meetings with officers or the public and consultative meetings, planning compliance matters or site-specific policy issues as well as to the consideration of planning applications. It also applies to all, and any, forms of communication and interaction including online or telephone discussions or meetings, emails, electronic and social media communications, posts, statements and comments.
- 1.3 The purpose of the planning system is to consider development proposals in the public interest. To be successful, the planning system relies on Councillors and officers acting in a way that is fair and clearly seen to be fair and even handed. Councillors have a special duty to their constituents but a wider duty to the communities of Cambridge and South Cambridgeshire. Where planning matters are concerned the interests of the wider public have to be considered as well as the Development Plan and all other relevant material considerations.

### 2. Relationship to the Members' Code of Conduct

- 2.1 This guidance is intended to supplement the two adopted Member Codes of Conduct. It is unlikely that there will be any conflict between the codes but, if there is, the provisions of the general Code will take precedence. An extract from the Code of Conduct relating to General Conduct is set out below:

You must:

- 3.1 provide leadership to the authority and communities within its area, by personal example and
- 3.2 respect others and not bully or threaten or attempt to bully or threaten any person
- 3.3 respect the confidentiality of information which you receive as a Member by-
  - 3.3.1 not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and
  - 3.3.2 not obstructing third parties' legal rights of access to information
- 3.4 not conduct yourself in a manner which is likely to bring the Authority into disrepute
- 3.5 use your position as a Member in the public interest and not for personal advantage
- 3.6 comply with the Authority's reasonable rules on the use of public resources for private and political purposes
  
- 3.7 exercise your own independent judgement, taking decisions for good and substantial reasons by -
  - 3.7.1 attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups
  - 3.7.2 paying due regard to the advice of Officers, and in particular to the advice of the statutory officers, namely the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer and
  - 3.7.3 stating the reasons for your decisions where those reasons are not otherwise apparent
- 3.8 do nothing that causes the Authority to act unlawfully.

*extract from South Cambridgeshire District Council Councillor Code of Conduct*

- 3.1 You must treat others with respect.
- 3.2 You must not—
  - (a) do anything which may cause your authority to breach its public sector equality duty as defined in section 149 of the Equality Act 2010 or its obligations under the Human Rights Act, 2000.
  - (b) bully any person;
  - (c) intimidate or attempt to intimidate any person who is or is likely to be—
    - (i) a complainant,
    - (ii) a witness, or
    - (iii) involved in the administration of any investigation or proceedings,
 in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
  - (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

*Extract from Cambridge City Council councillors code of conduct*

- 2.2 It is very important that Members are careful to apply both the general Codes of Conduct and this guidance in dealing with planning issues. Failure to do this may place the Council at risk of legal challenge or a finding of maladministration and for individual Members the potential for complaint about them to the Monitoring Officer.

### **3. Development Proposals and Interests under the Members' Planning Code**

#### **General points to consider and beware of**

- 3.1 If you are a member of planning committee you must avoid representing your ward or any local views on a planning matter in which you have a disclosable pecuniary interest. You can discuss your views with another local ward member but lobbying should be avoided (see 4.12, 4.13) In these circumstances it is appropriate to ask another ward member to take on this role of representing the ward for you .
- 3.2 You must not use your position as a Member to obtain access to planning officers or planning application papers that you submit either as a Member or an agent of an applicant.
- 3.3 You should not lobby other Members of the Council on a planning matter, including the circulation of letters or emails, or by raising the matter in Member group meetings or any other meetings of the Council.

#### **Pecuniary and any other Interests**

- 3.4 Members and Officers are required to declare any disclosable interests that they hold. Declaration is usually given upon their election or appointment to office; Members are under a duty to maintain that declaration and amend, as necessary within twenty-eight days of becoming aware of any such changes throughout their term of office.
- 3.5 A register of Members' interests will be maintained by the Council's Monitoring Officer of each Council's Democratic Services Team and is available for public inspection.
- 3.6 Members and Planning Officers are also under a duty to declare interests as and when matters arise or prior to Planning Committee. Guidance on any issue may be sought from the Council's Monitoring Officer or the Legal Adviser to the Committee. The decision as to whether an interest ought to be declared rests with the individual Member or Officer involved. *The interest should be*

*declared at the start of the meeting under the agenda item "Declarations of Interest" rather than the start of the relevant item.*

- 3.7 There are three types of interest, 'personal' 'prejudicial' and pecuniary. A Member will have a personal interest in a Planning Committee decision if the matter relates to an interest in respect of which the Member has given notice in the statutory register of Member's interests; or the decision might reasonably be regarded as affecting their financial position or that of a relative, spouse, civil partner, employer or friend. Where a Member considers he or she has a personal interest in a matter, they must always declare it.
- 3.8 A personal interest becomes a prejudicial interest if a member of the public (with knowledge of the relevant facts) would reasonably conclude that the Member's interest is significant and as such that it is likely to prejudice the Member's ability to objectively and impartially consider the application and to take part in the decision making process for that particular application.
- 3.9 Where any Member of the Committee is unsure as to whether they have a prejudicial interest they should discuss their concerns with the Monitoring Officer or the Legal Adviser who to the Committee without delay and where possible in advance of the Committee. The decision to take part in the Committee's determination of the application is a matter for the individual Member's judgement. However, Members are strongly advised to refrain from any participation at any stage in the consideration and determination of the planning application particularly if they have been so advised by either the Monitoring Officer or the Legal Adviser to the Committee. This course of action is intended to reduce the risk of a challenge of the Committee's decision.

#### **Pecuniary Interests**

- 3.10 Interests which fall into this category are those which include but are not limited to business, employment, trade, profession, contract and wider financial interests, assets such as land, payments, securities, and shares. All Planning Committee Members are encouraged to seek advice from the Monitoring Officer or the Legal Adviser to the Committee where they have any concerns as to whether a pecuniary interest exists.
- 3.11 Any Planning Committee Member with a pecuniary interest must, following declaration of the interest at the meeting immediately recuse themselves from the meeting and take no further part in the application. Members can remain in the Chamber should they wish to do so but must sit in the public gallery until the item has been determined.
- 3.12 As a member (and not just a member of planning committee) there are things you should avoid if you have a disclosable pecuniary interest or a personal and prejudicial interest. These include the following:
- You should avoid representing ward or local views on a matter in which you have such an interest. In these circumstances it is appropriate to ask another ward councillor to take on this role;
  - You should avoid getting involved in the processing of the application by using your position as a councillor to get access to officers or papers;
  - You should not lobby other members of the Council, including the circulation of letters or emails, or by raising the matter in group or similar meetings;
  - You may address the meeting that considers the application or other matter in the same way that members of the public may address the meeting. However you should then withdraw from the meeting (formal or informal) at which the matter is under consideration, you can remain in the meeting room, and if you do you should sit in the "public gallery". ;

- To reiterate the advice in 3.1 above, if you are a member of planning committee you must avoid representing your ward or any local views on a planning matter in which you have a disclosable pecuniary interest. You can discuss your views with another local ward member but lobbying should be avoided (see 4.12, 4.13) In these circumstances it is appropriate to ask another ward member to take on this role of representing the ward for you .
- If you are submitting your own planning application, or have a disclosable pecuniary interest or a personal and prejudicial interest in a planning application, you should be particularly careful to avoid any impression of either seeking or receiving special treatment. You should also make sure that the relevant Delivery Manager is aware of the interest. You may wish to consider employing an agent to act on your behalf in dealing with officers and/or addressing the committee. However, as mentioned above, you may exercise the same speaking rights as are afforded to members of the public at the planning committee meeting where your application is to be determined, provided that you then withdraw from the meeting when the item is considered and remain (as a member of the public would) within the public gallery.

#### 4. Open and Fair decision making

- 4.1 Planning Committee takes decisions on planning matters openly and in public. For a decision to be open and fair:
- Those taking the decision should not be biased or have pre-determined how they will decide;
  - Those taking the decision should not have a prejudicial interest in the outcome;
  - The decision should be consistent with others taken previously unless there are good reasons to decide otherwise; and
  - The reasons for the decisions should be clearly set out, based on proper planning grounds and in accordance with the development plan.

#### Predetermination, Predisposition or Bias

- 4.2 In addition to declaring personal or prejudicial interests, Members of a Planning Committee must avoid any appearance of bias or of having predetermined their view before taking a decision on a planning application.
- 4.3 Predetermination goes beyond predisposition by failing to weigh up and balance all the relevant factors and taking into account other viewpoints which are reached as a result of the Committee's determination process and importantly includes the Officer's report, the Officer recommendation and presentation and any public participation. Section 25 (2) of the Localism Act 2011 introduced provisions for dealing with allegations of bias or pre-determination. Under the provisions of the Act, a Member is not to be taken to have had, or appeared to have had a closed mind when making the decision just because
- (a) the decision maker had previously done anything that directly or indirectly indicated what view the decision maker took, or would or might take, in relation to a matter
  - (b) the matter was relevant to the decision.
- 4.4 It is permissible for a Member to be *predisposed* towards a particular outcome. There is however a distinction between being predisposed and predetermined and it is this distinction which Members need to be aware of throughout the decision making process. It follows, the fact that a Member may have campaigned for or against a proposal does not automatically mean that they have a closed mind, *but* Members must be extremely careful to ensure that it is clear that they have considered, all relevant information and made their decision in accordance with the principles of openness, transparency and their statutory duty.
- 4.5 Members should be prepared to change their view right up to the point of voting on the application having listened to the application in full.

- 4.6 Members can absent themselves from an application where they wish to represent the views of their constituents as a Ward Councillor and in these circumstances they should take no part in the determination of the application.

### **Predisposition**

- 4.7 A distinction is drawn by the Courts between a Member having clearly expressed an intention to vote in a particular way before a Committee meeting (*pre-determination*) and a *predisposition* on the application having formed a preliminary view where that view has been reached without full knowledge of all the relevant information. Where a Member is clear that they have an open mind and are willing to listen to all the information presented to the Planning Committee before deciding on how to exercise their vote, there will be no predetermination.

### **Predetermination**

- 4.8 If a Member of the Planning Committee has formed a view before the Committee sits, they should consider whether the view they have formed could be regarded as being predetermined. In other words, whether they have already made up their mind (to vote in a particular way) and are unprepared to fully consider the information presented to the Planning Committee before deciding on how to exercise their vote.
- 4.9 If a Member of the Planning Committee has predetermined their position they must not take part in the decision making for that application for to do so represents a breach of the Member Code of Conduct and leave the decision open to legal challenge by way of Judicial Review.

### **Bias**

- 4.10 Bias is defined as the inclination to favour or disfavour certain people or things especially a personal prejudice.
- 4.11 The test for establishing whether a Member has shown bias is: "*would the fair-minded observer, knowing the background, consider that there was a real possibility of bias?*" It is not the Member's view of whether they are biased but the view of the independent observer. Perception is important and can lead to judicial challenge in the High Court i.e., Judicial Review proceedings. If a Member believes that their participation would lead a fair-minded observer to consider there is a real possibility of bias, they should not participate in the decision making process and should withdraw from involvement in the application's determination. The Courts have held it is primarily a matter for the Member to judge on whether to withdraw but given the scope for challenge the Member should always err on the side of caution or if in doubt seek guidance from the Monitoring Officer or the Legal Adviser to the Committee.

### **Lobbying**

- 4.12 Concerns on poor practices within local authorities have often been based on the issue of lobbying. Lobbying can lead to the impartiality and integrity of a Member being called into question, unless care and common sense is exercised. When being lobbied Members should be mindful about expressing an opinion that may be taken as indicating that they have already made up their mind on the planning application before the Committee sits and thus avoid any risk of an accusation of predetermination and/or bias. In such situations, the Member should direct the lobbyist to either speak or write to the relevant planning officer with conduct of the application.
- 4.13 Members of the Planning Committee should not organise support or opposition, lobby other Members or act as an advocate or put pressure on Officers for a particular recommendation.

### Avoiding Bias or Pre-determination

- 4.14 It is entirely permissible for Planning Committee Members who are democratically accountable decision makers, to be pre-disposed towards a particular outcome. Nonetheless they must address

the planning issues before them fairly and on their merits. That means they can have a view on the application but must not make up their mind on how to vote before formally considering the application and any representations. Planning Committee Members must have an open mind on the merits of a proposal before it is formally considered at the committee meeting. They must be prepared to be persuaded by a different view in the light of any detailed arguments or representations concerning the particular matter under consideration.

- 4.15 If the committee's decision on a planning application is challenged in the High Court by way of judicial review on the grounds that some of the committee members were biased, or had pre-determined the application, the court will assess the matter on the basis of what a fair-minded observer, knowing the relevant facts would think.
- 4.16 Councillors should approach planning applications with an open mind and are able to weigh all the arguments right up to the point at which a decision is made. The safest course is to avoid statements as to support or opposition for an application (that may leave the impression that minds have been made up). If a Member has made such a statement they must be satisfied they can still consider the application with an open mind and be prepared to take into account any matters in favour or against the proposed development until the decision is made.
- 4.17 Care should be taken with the following, where you are likely to be a decision-maker:
- Making statements in advance of the meeting that you have made up your mind how you are going to vote;
  - Taking up a campaigning role for or against an application;
  - Acting as an advocate for groups opposed to or supporting the application;
- 4.18 Issues around bias and predetermination are difficult and getting it wrong can lead to legal challenge and/or reference to the Local Government Ombudsman. Each case needs to be considered on its facts and if you are in any doubt you should seek advice from the Head of Legal Practice.

## **5. Contact with Applicants, Developers and Objectors**

- 5.1 It is important to recognise that lobbying is a normal and perfectly proper part of the political process and is important to local democracy; those who may be affected by a planning decision will often seek to influence it through an approach to their elected ward member or a member of the Planning Committee. However, unless care is taken, lobbying can lead to the impartiality of a member being called into question and to difficulties for the member participating in the decision.
- 5.2 When being lobbied, members should have regard to the advice in Section 4 about the dangers of appearing to approach a decision with a "closed mind". However, unless you have a disclosable pecuniary interest or a personal and prejudicial interest, you can:
- Listen to/receive viewpoints from residents or other interested parties
  - Make comments and express views to residents, interested parties, other members or appropriate officers
  - Give non-technical advice on planning procedures, including suggesting to those who are lobbying, that they should speak or write to the relevant officer, in order that their opinions can be included in the officers report to Committee



- Seek information through appropriate channels
  - Alert the decision-making committee to issues and concerns that have been drawn to your attention.
- 5.3 If you are approached by applicants or others seeking planning, procedural or technical advice, they should be referred to officers.
- 5.4 If you are invited to, or asked to arrange, a formal meeting with applicants, developers or groups of objectors (for instance, residents' associations) or supporters, you should inform the case officer dealing with the application. It is generally better to put formal meetings on an official basis, with Planning Department support and a note taken of the meeting. This applies to all stages of the planning process, including the pre-application stage.
- 5.5 If you receive any approaches which raise new issues or bring new information to light, you should let the case officer know what these are as soon as possible. If a developer offers any planning gain or offers to accept any conditions on development in return for consent, be sure to let the case officer know as soon as possible.
- 5.6 If any approach by a developer or anyone else gives you cause to feel uneasy, please approach the Head of Legal Practice.
- 5.7 In addition, if you consider any issue or fact to be a relevant consideration, and other members may not be aware of it, be sure to raise it when the application is considered. You should not rely on information which is not in the public arena in reaching a decision.
- 5.8 In personal dealings with applicants, objectors etc, you should be mindful of the need to avoid giving a firm commitment to support/oppose the application if you are to participate in the decision. Bear in mind that your overriding duty is to the whole community not just to the people in your ward, that planning decisions need to be taken on planning grounds and that you should avoid the appearance of improperly favouring any person, company, group or locality
- 5.9 You should not accept gifts or hospitality from developers or from any person involved in or affected by a planning proposal including pre-application proposals. If acceptance of some hospitality is unavoidable, it should be kept to a minimum and should be declared and recorded in the Council's hospitality register. The Council's policy is that all hospitality beyond the insignificant (tea and biscuits or similar) should be entered in the register. If significant hospitality is offered, you should seek advice from the Head of Legal Practice before accepting.
- 6. Pre Application Discussions**
- 6.1 Discussions between a potential applicant and the Council prior to the submission of an application can be of considerable benefit to both parties and are encouraged by the National Planning Policy Framework. However, it would be easy for such discussions to become, or to be seen by objectors to become, part of a lobbying process on the part of the potential applicant. For this reason the Council have developed pre-application processes that enables engagement at the pre-application stage.
- 6.2 For major applications the Council offers a service to potential applicants to present their schemes to the Council's Planning Committee. This is the way in which Planning Committee Councillors engage with these schemes and there should therefore be no need to attend any other meeting with potential applicants or their agents/representatives.

- 6.3 In other cases potential applicants may seek to meet Councillors. For minor or household applications these can be treated as a form of lobbying and Councillors, including Planning Committee Members, should follow the advice set out above.
- 6.4 Where the application is more substantial, but not subject to pre-application committee presentations, these meetings will be subject to the following procedures:
- No meeting shall be convened without the presence of a Council planning officer for the entire duration of the meeting.
  - Both this guidance and the Members' Code of Conduct will apply when attending such meetings.
  - Any Planning Committee Member involved in such a meeting, who sits on the Committee that subsequently considers any resulting application, should declare their attendance at the meeting in the same way as lobbying would be declared.
  - Officers (and any Councillor, if present) should make it clear from the outset that the discussion will not bind the Council to making a particular decision and that any views expressed are personal and provisional.
  - Any advice given should be consistent and in accordance with the Development Plan and officers should agree, prior to any meeting, on a consistent interpretation of Development Plan policies as applied to the particular proposal.
  - Councillors should not become drawn into any negotiations, which should be done by officers (keeping interested Councillors up to date) to ensure that the authority's position is co-ordinated.
  - A contemporaneous note of the meeting should be prepared by the planning officer attending wherever possible and a copy sent to all parties for their agreement.
  - The final version of the note of the meeting will form part of the planning file and should a planning application subsequently be received, it will thereby be open to public inspection.
- 6.5 Although the term 'pre-application' has been used, the same considerations should apply to any discussions which occur before a decision is taken.
- 6.6 Planning Committee Members should not attend pre-application meetings that are not organised through officers.
- 7. Site Visits**
- 7.1 Individual Planning Committee members may wish to visit a site on which they have been asked to determine an application. If you decide to visit a site, you should avoid putting yourself in a position where you could be accused of partiality by any interested party to the application. It is best to visit a site unaccompanied by the applicant or by objectors. However, if a site visit is carried out in the presence of the applicant and/or their agent, or of residents/objectors, you should bear in mind the advice given in paragraphs 4.14 and 4.15 of this Guidance. You should avoid being put under undue pressure from any interested party to visit a site.
- 7.2 You should not enter onto private land or premises without first obtaining the permission of the owner. Where possible, you should seek to familiarise yourself with the site from a public viewpoint. If you go onto a site, you should only do so if satisfied that it is quite safe to do so. You should not, for instance, enter a site where excavations or building works are in progress unless guided by a responsible site manager. If you anticipate a need to ask to enter onto land, you should attempt to make arrangements in advance and should carry (and produce) your Council identity card.
- 7.3 You should ensure that any information which you gained from the site visit is reported back to the Committee, so that all Members have the same information.

7.4 The decision on whether to carry out a formal committee site visit will rest with the relevant lead Delivery Manager and will be based on

- The complexity or sensitivity of the development proposal.
- The characteristics of the site and its surroundings.

7.5 No formal notes of the site visit will be made. An officer, who will point out any relevant factors and issues concerning the site and its surroundings, will accompany committee members. A site visit is not a meeting to discuss the planning merits of the scheme or to make decisions. The Lead DM or planning case officer will make a record of the date and time of the site visit, attendance and the locations visited. Further information can be found in The Formal Planning Committee Protocol for Officer-Led Site Visits, February 2023.

## **8. Post submission Documents**

8.1 A Planning Committee Member should not usually be involved in discussions with a developer or agent when a planning application has been submitted and remains to be determined. Potentially, these discussions could be interpreted, particularly by objectors to a proposal, as an indicator of predetermination or bias.

8.2 In limited circumstances Planning Committee Members may legitimately engage in post-submission discussions. An example would be in the case of a large-scale development, where it is desirable for there to be a full understanding of the Council's planning and economic objectives. Such meetings will be organised by officers and run under the same procedural rules as pre-application discussions.

8.3 If a Planning Committee Member is contacted by the applicant, their agent or objectors, they should follow the rules on lobbying and consider whether or not it would be prudent in the circumstances to make notes when contacted. A Councillor should report to the Delivery Manager any significant contact with the applicant or other parties, explaining the nature and purpose of the contacts and their involvement in them, so that it can be recorded on the planning file.

8.4 Planning Committee Members should not attend post-submission meetings that are not organised through officers.

## **9 Public Speaking at Meetings**

9.1 You should not allow members of the public to communicate with you during the Committee's proceedings (orally or in writing) other than through the scheme for public speaking, as this may give an appearance of bias or special access to councillors.

9.2 All planning matters will be considered in public session, unless there are specific reasons for dealing with an item as confidential under the provisions of the Local Government Act, 1972, in which case the public will be asked to leave the room.

9.3 Applicants, agents, ward members, parish councils, members of the public and petitioners will be allowed to speak at Planning Committee meetings, but only in accordance with the agreed Council Public Speaking procedures.

9.4 You should avoid overfamiliarity with applicants, objectors and other members of the public when attending meetings, as this is open to misinterpretation.

## **10. The role of Officers**

- 10.1 Planning officers must act in accordance with the Council's Code of Conduct for Officers and their professional codes of conduct; primarily the Royal Town Planning Institute's Code of Professional Conduct. The views, opinions and recommendations of planning officers may on occasion differ from the views, opinions or decisions of the Committee or its Members. Officers are there to give professional and impartial advice, to make sure that members have all the information they need for decision making. They are there to advise on the context of the planning application in terms of the development plan and all other relevant material planning considerations. Officers will give a clear, accurate written analysis of the issues and a recommendation with reasons for the decision they are suggesting. Officers are there to advise (other than where the decision has been delegated to them) and to carry out the decisions of the planning committee.
- 10.2 It is critical to the openness and transparency of the planning service that mutual trust between members and their officers is demonstrated and that there is clear understanding of and respect for the other's role.
- 10.3 All members should pay particular attention to the professional advice and recommendations from officers. Planning decisions are not an exact science so interpretations may vary from time to time. You are not bound to follow officers' advice or recommendations, but you should only depart from advice or recommendations where you have good reason to do so, based on clear and legitimate planning grounds. These will need to be voted on and recorded.

## **11. Decision Making**

- 11.1 If, as ward councillor, you ask for a proposal to be determined by Planning Committee rather than be determined through officer delegation, make sure that your material planning reasons are included in that request.. Any such request must state the material, relevant planning grounds, and where possible citing development plan policies, on which it is based.
- 11.2 As Committee Members you should demonstrate through your conduct at the meeting that you are giving careful, fair and balanced consideration to the issues under discussion. It is particularly important that applicants and members of the public have confidence in the way in which decisions are reached. The conduct of members can be important in ensuring that faith in the planning process is maintained.
- 11.3 You should keep in mind your obligation to make decisions in accordance with the Development Plan unless material considerations indicate otherwise, as required by section 38(c) of the Planning and Compulsory Purchase Act 2004.
- 11.4 The Council's own proposals for development must be dealt with on exactly the same basis as applications submitted by members of the public. You should be particularly careful to ensure that any decision on a Council application is based purely on relevant planning considerations.
- 11.5 As committee members you should make a decision only after you have considered all the relevant information needed to make a decision. If you feel you have had insufficient time to digest new information or that you need further information, you should say so and, if necessary, ask for a deferral or abstain.
- 11.6 Committee members should not vote or take part in the meeting's discussion on a proposal unless they have been present to hear the entire debate, including the officers' introduction to the matter.
- 11.7 If, as a committee member, you are expressing a view contrary to officer recommendations or the development plan, you should identify clearly the planning reasons leading you to take a different view.

## **12. Training and Development**

- 12.1 Planning decisions are often complex and differ in nature from some of the other decisions taken by the Council. It is crucial that planning decisions are based on legitimate planning grounds and that appropriate weight is given to possibly competing factors. The Council offers training and development to councillors on planning law and procedure and Members who sit on regulatory committees will need to have had at least minimum planning familiarisation training before they attend their first meeting.
- 102.2 Post hoc review of new development by the Planning or Joint Development Control Committees will be arranged on a bi-annual or more frequent basis to aid ongoing development of Members and officers. Bite sized updates and briefing sessions will be provided on committee days along with thematic training sessions on specific topics each municipal year.

## **13. Appeals**

- 13.1 Appeals into the planning decisions of the Council are heard by a Planning Inspector appointed by the Secretary of State. Any hearing or inquiry will be open to the public and Members are able to attend. Members are encouraged to attend such hearings, as they can be a good learning experience. This part of the guidance is concerned with Members who wish to actively participate in these appeals.
- 13.2 If a Member wishes to attend a public inquiry or informal hearing as a Ward Member or as a member of the public, they are free to do so. It is strongly recommended that they discuss their participation with the Delivery Manager to ensure that they are aware of the process and that they do not act in a manner which compromises their position as a Member of the Council, brings the Council into disrepute or puts the decision made at risk of challenge.
- 13.3 A Member of a Planning Committee cannot attend an appeal on behalf of the Council's Planning Committee, even if they sat on the Committee that made the decision, unless this is as part of the Council's case as decided by the Delivery Manager. The decision of the Committee will be documented in the minute and set out in the decision notice. The planning officer will present the Council's case on its planning merits, in accordance with the Committee's decision. The inspector is required to determine the appeal on its planning merits and therefore all representations should be so directed.
- 13.4 Where the appealed decision was contrary to the officer's recommendation, officers are generally able to present the Council's case in a satisfactory manner. Where this may not be possible, the case will be presented by a planning consultant employed by the Council.

## **14. Planning Compliance**

- 14.1 It is perfectly legitimate for Members to bring to the attention of the Planning Service suspected breaches of planning control so that they may be investigated to see whether any action is possible or necessary. They should bring these to the attention of the Planning Compliance Manager via the online reporting tool:

[Report a breach of planning control \(scams.gov.uk\)](https://scams.gov.uk)

- 14.2 The Council's planning compliance service operates to a priority system so that those breaches that cause the most harm are dealt with first. This priority system is designed to produce a fair and responsive compliance service.
- 14.3 For planning committee members, you are advised that when reporting a breach if no opinion on the development / work is given (and you are simply passing on something a resident has reported)

then if a subsequent application is brought to planning committee to regularise the development you are able to sit on the committee. However, if you are considered to be pre-determined by what has been included in breach report then you are advised not sit on the committee when any retrospective application is determined.

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**MEMBER GUIDANCE ON REQUESTS TO REFER PLANNING APPLICATIONS TO COMMITTEE**

1. The scheme of delegation for planning, allows any Member of the Council and any County Member representing a Ward to request that an application be referred to the Planning Committee for determination, provided the request is made within the timescales set out, that it is in writing, and that it states the planning grounds on which the request is made. Late requests should be avoided.
2. Members are advised to check the progress of the application with the case officer before making a request and also to inspect the application file. This may avoid the need for a referral.
3. It is important that the planning grounds for referral are stated in the written request. An information leaflet entitled 'How to Comment' explains what factors can typically be considered in assessing planning applications, depending on the circumstances of the case. This leaflet is sent out with neighbour notification letters.
4. Relevant material planning grounds can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of light or overshadowing
- Parking
- Highway safety
- Traffic
- Noise
- Effect on listed building and conservation area
- Layout and density of building
- Design, appearance and materials
- Government policy
- Disabled persons' access
- Proposals in the Development Plan
- Previous planning decisions (including appeal decisions)
- Nature conservation

In summary, Members should consider whether the development accords with planning policy set out within the development plan; whether the development is appropriate for the area; whether the development would cause harm to neighbouring amenity; whether the proposal would cause traffic congestion or be a danger to highway safety. Loss of view, loss of property value, loss of trade to businesses and moral objections are not material considerations. The case officer can give further advice if required.

5. Members may feel that a particular planning application raises material planning issues, of the kind described above, that ought to be discussed and determined at Committee, rather than being determined under delegated powers. In deciding whether to make such a request, it is important that Members consider any role and responsibility they may have in the decision making process, for example sitting on the planning committee and whether another ward member may be better placed to request a call in to committee.
6. On receipt of a written request by a Member for an application to be determined by Committee, the case officer will acknowledge the request in writing or by telephone. The case officer will also check with the Member that it is necessary for the application to be determined by Committee, rather than under delegated powers. There may be particular circumstances, depending upon the

officer recommendation where a committee decision is not necessary; this should be discussed with the planning case officer.

7. Members' representations are summarised in the officer report.
8. It is not appropriate for a Member to request that Committee determines an application if they have a disclosable pecuniary or personal and 'prejudicial' interest in it under the Council's Member Code of conduct.

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## Committee Dates – Municipal Year June 2025 to May 2026

The proposed dates are:

2025/26	Committee Meeting	Site dates	Visit
June 2025	18	16	
July 2025	16	14	
August 2025	20	18	
September 2025	17	15	
October 2025	15	13	
November 2025	19	17	
December 2025	17	15	
January 2026	21	19	
February 2026	25	23	
March 2026	18	16	
April 2026	15	13	

Members are requested to contact the Committee Manager in advance of the meeting if they have any comments regarding the above dates.

Please could the following be noted in the context of the dates:

1. JDCC usually falls on the third Wednesday of the month, to fit in with Cambridge City Planning Committee and South Cambs Planning Committee dates which are usually scheduled on the first and second Wednesday of the month respectively. There may be times when this scheduling cannot be followed due to bank holidays.

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