

JOINT DEVELOPMENT CONTROL COMMITTEE (CAMBRIDGE FRINGE SITES)

Report by: Joint Director of Planning and Economic Development

Date: 15 February 2017

Application Number	AI/JS/39/117		
	Related planning applications		
	-07/0620/OUT (Clay Farm, Outline Application)		
	-15/2296/S73 (Quad 21, City Council, Hill Residential)		
	-14/1201/REM (Quad 21, City Council, Hill Residential)		
	-15/0844/REM (Parcels 8a and 8b, Countryside)		
	-16/2208/REM (Parcel 8A, Countryside)		
Date Received	29 March 2016	Officer	Sharon Brown
Target Date	-		
Parishes/Wards	Trumpington		
Site	Public Footpath 117- running along the rear of Foster Road properties		
Proposal	Update on application for an order under Section 257 of the Town and Country Planning Act 1990 to permanently divert a public right of way involving diversion of part of Public Footpath No. 117 Cambridge, required to enable further development of the Clay Farm site, Trumpington.		
Applicant	Hill Residential Limited, on behalf of Cambridge City Council		
Recommendation	Agree to pursue the Footpath Diversion order for Public Footpath 117 and instruct Cambridgeshire County Council to submit the opposed order to the Planning Inspectorate for determination		
Application Type	Section 257	Departure:	No

The above application(s) have been reported to the Planning Committee for determination by Members in accordance with the Scheme of Delegation for the Joint Development Control Committee for the Cambridge Fringes.

SUMMARY	<ol style="list-style-type: none">1. The proposed diversion of Cambridge Footpath No. 117 is acceptable and in accordance with previous JDCC decisions and should be pursued.2. As the order is being contested, it is recommended that Cambridgeshire County Council as agent is instructed to submit the opposed order to the Planning Inspectorate for determination.
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Background

A report on this Footpath diversion order was previously brought to the Joint Development Control Committee on 14 September 2016 (see Appendix 1). At that Committee, Members resolved to approve the diversion order. This decision had followed on from a related S73 variation application, providing for the realignment of the footpath, for Parcel 21, which was previously approved by the JDCC on 17 February 2016. Plans showing the location of the existing footpath are attached in Appendix 2.

Since September 2016, Cambridgeshire County Council have been progressing the order. Two objections have been received to the order (these were reported to the JDCC as part of the original order diversion report in September 2016). As the objectors have advised the County Council that they wish their objections to stand, as a contested order, the application now has to be submitted to the Planning Inspectorate for determination, if a decision is taken that the order should still be pursued. The alternative is that the order is abandoned.

Officers are recommending that the order should be pursued, given that the realignment of the footpath is important enabling development for the two development parcels abutting it, Parcel 21 and Parcels 8/8a. The Parcel 21 scheme is well under construction and initial enabling works are about to start on Parcel 8. Countryside Properties, the Parcels 8/8A developers, have a tight programme to deliver the housing within their parcels. These are the last residential parcels where construction remains to be progressed on the whole Clay Farm development.

It is therefore recommended that Cambridgeshire County Council, as agent, is instructed to submit the contested order to the Planning Inspectorate for determination.

There are costs associated with an appeal of this nature. County Council officers estimate these to be within the range of £610 -£2,400 excluding VAT, depending on whether the written representations or public inquiry procedure is selected. Discussions have been taking place with the developers concerned about the developers covering these costs, given the development enabling nature of the footpath realignment. An update will be provided on this at Committee.

Background Papers

- Application File 07/0620/OUT (Clay Farm Outline Application)
- Application File 15/2296/S73 (Quad 21, City Council, Hill Residential)
- Application File 14/1201/REM (Quad 21, City Council, Hill Residential)
- Application File 15/0844/REM (Parcels 8a and 8b, Countryside)

Contact details

To inspect any related papers or if you have a query on the report please contact:

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