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Planning and Transport Scrutiny Committee

PnTCm/1

Tuesday, 16 January 2024

PLANNING AND TRANSPORT SCRUTINY COMMITTEE

16 January 2024

5.30 - 6.55 pm

Present: Councillors Nestor (Chair), Baigent (Vice-Chair), Bick, Divkovic, Porrer, Pounds, Swift and Tong

Executive Councillor: Thornburrow (Executive Councillor for Planning, Building Control and Infrastructure)

Officers:

Joint Director, Greater Cambridge Shared Planning and 3C Building Control:
Stephen Kelly

Deputy Director, Greater Cambridge Shared Planning and 3C Building Control:
Heather Jones

Planning Policy Manger, Jonathan Dixon

Principal Conservation Officer, Susan Smith

Senior Policy Planner, Mark Deas

Principal Planning Policy Officer, Jenny Nuttycombe

Committee Manager: Claire Tunnicliffe

Meeting Producer: Boris Herzog

FOR THE INFORMATION OF THE COUNCIL

24/1/PnT Apologies for Absence

No apologies were received.

24/2/PnT Declarations of Interest

Name	Item	Interest
Councillor Baigent	All	Personal: A member of CamCyle
Councillor Porrer	24/4/PnT	Personal: Employed by Anglia Ruskin University

24/3/PnT Minutes

Before the minutes were approved Councillor Baigent advised he had requested a report would be brought back to Committee on the progress of the Government's Cambridge 2040 programme and this had been missed in the minutes.

This had been noted in item 23/37/PnT, minute reference x1, although no reference had been made to Cambridge 2040 programme, which stated the following:

Officers from various departments across the three local authorities had held several conversations with the Department of Levelling Up, Homes England and the Cambridge Delivery Group through Peter Freeman in respect of the work of the Cambridge Delivery Group. Further information on these meetings could be brought back to the Committee; noted the request for a précis of the topics discussed.

The Joint Director for Planning and Economic Development advised that no report had been brought to the Committee as the programme was still in the formation stage. A report would be brought back at a later date when the detail had been finalised.

The minutes of the meeting held on 9 November 2023 were then approved as a correct record and signed by the Chair.

24/4/PnT Public Questions

Q1)

- i. Regarding Item 6, The Greater Cambridge Authority Monitoring Report as published, para 3.71 on Page 49, please could the Executive Councillor provide an update on where the Council is regarding a new municipal swimming pool and the University of Cambridge's long overdue swimming pool plans in West Cambridge. Does the Council have a message to Cambridge University students on what they could do to persuade their University to prioritise the construction of the swimming pool that still has not been built?
- ii. Finally, what impact has the Secretary of State's announcement re "Cambridge 2040" had on the council's ability to prepare "updated Playing Pitch and Indoor Sports Facility Strategies along with an Outdoor Courts and Rink Strategy"?

The Executive Councillor for Planning, Building Control and Infrastructure said the following:

- i. Work began in April 2023 on the new Perse sports and swimming complex which would be used by the Perse School, as well as being

- available for public use, as part of the School's commitment to community benefit.
- ii. As part of the emerging evidence base to inform the Greater Cambridge Local Plan, the Council had commissioned updates of the Greater Cambridge Playing Pitch Strategy, along with the Greater Cambridge Indoor Sports Facility Strategy (covering sports halls, indoor sports & swimming pools).
 - iii. The Council had also commissioned a Greater Cambridge Outdoor Courts & Rinks Strategy (covering Multi-Use Games Areas, outdoor courts e.g. tennis, netball and rinks e.g. bowling greens)
 - iv. As part of the Indoor Sports Facility Strategy update, consultants had been in discussions with the University of Cambridge about their proposal for a swimming pool at West Cambridge. Part of those discussion were to highlight there was a seven-year time limit before which a payment would be required to be made towards swimming facilities.
 - v. It was also an objective of the existing Indoor Sports Facility Strategy for the new growth settlements in South Cambridgeshire to deliver a new swimming pool which will help meet subregional needs.
 - vi. A new pool for Northstowe was in the very early planning stages but section 106 contributions (S106) had been secured through each phase. Funding was also included in the S106 for Waterbeach.
 - vii. Cambourne West had delivered funding to the town council who were exploring delivery.
 - viii. The Council had highlighted to Government the need to focus on addressing key issues that impacted on delivering sustainable development in the area, including water scarcity and sustainable transport infrastructure. These issues also made it difficult to move forward with the Greater Cambridge Local Plan, through which Officers were working hard to respond to local development needs. An update on the emerging Local Plan would be brought to the March Planning and Transport Committee.

Supplementary public question:

- i. Had been following the Secretary of State's comments regarding 2040, looked forward to him providing substantial funding for the brand-new concert hall on Harvey Road by Parker's Piece, expanding a new museum of Cambridge at the top of Castle Hill and a revamped Guildhall.
- ii. Astonished that the University of Cambridge had still not delivered on the swimming pool. Would encourage students to complain on this issue as this was promised to the students and their student societies; this should

be an election issue for students. Understood from the consultants that this was not a priority. Claimed that the Pro-Vice Chancellor had shown very little interest in the project.

- iii. Would like to highlight the centenary of the first woman Mayor of Cambridge, Eva Hartree who warned developers about the challenges that would be faced with the development of Cambridge, which still applied today.

The Executive Councillor thanked the member of the public for their comments.

Q2)

- i. This question was about item 11 on the Agenda of the Planning Committee meeting held on 10th January 2024: 22-02066-FUL Owlstone Croft Planning Process Overview Report.
- ii. The item had been held in secret “following a public interest test the public is likely to be excluded by virtue of paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972”.
- iii. It was acknowledged there was an ongoing application for a Judicial Review of the Planning Inspector’s decision to allow Queens’ College appeal. However, there was widespread concern among residents about this complete and catastrophic failure of the planning system and it seems no attempt whatsoever has been made to ask residents or local organisations such as Friends of Paradise, Newnham Croft Primary School or the South Newnham Neighbourhood Forum to provide details of their concerns about what went wrong that could feed into such a report.
- iv. If the report presented to the planning committee was drafted without this input by an Officer or Officers of the Greater Cambridge Shared Planning Service surely this would have been just a case of a failing student marking his/her own homework?
- v. Could the Executive Councillor now provide reassurance to residents that a full call for evidence of concerns will now be made and an open and independent inquest into this planning process fiasco carried out by the council?

The Executive Councillor for Planning, Building Control and Infrastructure said the following:

- i. Confirmed that the report had been discussed at the end of the Planning Committee in private session.
- ii. Believed it was important that the Committee had this opportunity to discuss the matter as the Committee had made the original decision;

discussed that planning committee and what had happened leading to that meeting and subsequently. The Case Officer had also provided feedback concerning the appeal.

- iii. The application was now under Judicial Review and therefore could not discuss this until the outcome was known.
- iv. It was the intention to undertake discussions with residents and local organisations when the Judicial Review had been concluded.

Supplementary public question:

- i. In relation to the Owlstone Croft application residents were concerned at how the planning performance agreement process was used by Queens College to enable numerous pre-application meetings with Council Officers which were not all minuted, along with extensive use of conditions. Residents and Councillors were not able to scrutinise appropriately the fine detail of this prior to the consideration of the planning committee.
- ii. Sought confirmation that all the issues that had been highlighted would be included in an open and independent inquest into the application.

The Executive Councillor responded:

- i. Following a review of the pre-application process there would be more Councillor involvement at the earlier stages.
- ii. Would be happy to contact the public speaker when the pre-application was in the public domain.

Q3)

“There is now solid statistical evidence that 2023 was the warmest year on record, and it is predicted that periods of extremely high temperature will become the norm under the current global heating scenario. The August 2023 House of Commons Environmental Audit Committee report (<https://committees.parliament.uk/writtenevidence/123208/pdf/>) makes useful recommendations, in Section B, for cooler buildings and behavioural change, based on evidence from the UK Health Security Agency. These include (but are not limited to): external and internal shading of windows and open areas; reflective coatings for windows, exterior walls, roofs, and paving; and improved ventilation. It also recommends improving public awareness of behavioural changes needed in hot weather and that tend to be poorly understood, such as closing windows (as well as curtains) when directly exposed to sunlight and using an electric fan. What action is the Council taking to mitigate overheating in both new and old homes in the city, and to reduce health risks to residents from high temperatures?”

The Executive Councillor replied with the following:

- i. The issue of overheating was often raised by Planning Committee Members when considering applications as it was such an important subject matter and one that needed to be taken seriously.
- ii. Overheating in new homes was now dealt with under Building Regulations, with all new homes having to comply with the requirements of Part O (overheating). Overheating could be dealt with in a variety of ways, considering the amount of glazing depending on the orientation it faces, external shading on homes including shutters, roof overhangs and depth of window reveals, ensuring adequate natural ventilation including ensuring flats benefit from cross ventilation wherever possible.
- iii. The Council would often ask applicants to demonstrate how they have met the requirements of Part O of the Building Regulations as part of the design of their proposals and have guidance in the Greater Cambridge Sustainable Design and Construction SPD as to how to reduce any overheating risk, as well as advice on how to mitigate the wider risk of increased temperatures using landscaping, drainage features and the use of cool materials.
- iv. Further detail on this matter was also being incorporated into a climate change adaptation policy as part of the emerging Greater Cambridge Local Plan.
- v. The Council had very little control on the matter of overheating on existing buildings and would encourage more trees to be planted in the right places to aid with this issue.
- vi. The Council recently held a planning forum with Resident Associations where the urban heat map and the temperatures in the built-up environment was discussed.

24/5/PnT Proposed Designation of a Conservation Area at Howes Place

Matter for Decision

Howes Place, off Huntingdon Road, had been identified as an area to be considered for designation as a Conservation Area following the 2008/9 Suburbs and Approaches Study

Decision of the Executive Councillor for Planning, Building Control and Infrastructure

Approved the designation of a conservation area at Howes Place, the boundary of which was shown on the Townscape Map in the Appendix in the Officer's report.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Principal Conservation Officer

In response to Members' questions the Principal Conservation Officer and Joint Director of Planning and Economic Development said the following:

- i. Any trees within the boundary of the conservation area had additional protection without a Tree Protection Order (TPO). Any work required to those trees would require prior authorisation from Tree Officers.
- ii. The target for the periodic review of the Council's Conservation Area designations and boundaries was every five years, although this was not absolute. This work had to be undertaken alongside other projects.
- iii. Currently undertaking a five-year programme of conservation area reviews with the aim of completing five per year. A schedule of reviews had out been outlined for Cambridge and South Cambridgeshire. Information on the programme could be circulated to the Committee Members.
- iv. Noted the comments that Howes Place was a good example of an area where social history and natural history intersected.

The Committee voted **unanimously** to endorse the Officer recommendations.

The Executive Councillor for Planning, Building Control and Transport approved the recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted).**24/6/PnT Greater Cambridge Authority Monitoring Report 2022-23****Matter for Decision**

The report referred to the Authority Monitoring Report (AMR) for Greater Cambridge 2022-2023.

Decision of the Executive Councillor for Planning, Building Control and Infrastructure

- I. Approved the Cambridge City Council and South Cambridgeshire District Council - Authority Monitoring Report for Greater Cambridge 2022-2023 (included as Appendix A) for publication on the Councils' websites.
- II. Agreed to delegate any further minor editing changes to the Cambridge City Council and South Cambridgeshire District Council - Authority Monitoring Report for Greater Cambridge 2022-2023 to the Joint Director of Planning and Economic Development, in consultation with the Executive Councillor for Planning, Building Control and Infrastructure.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Senior Policy Planner.

In response to Members' questions the Senior Policy Planner and Planning Policy Manager, Joint Director for Planning and Economic Development said the following:

- i. The joint consideration of five-year housing supply and delivery across Cambridge and South Cambridgeshire had been agreed by both Planning Inspectors when assessing the Local Plans.
- ii. Government reporting of the Housing Delivery Test currently reported Cambridge and South Cambridgeshire separately. Officers had requested to DLUHC were assessed jointly but this has not yet been changed. Further efforts would be made to highlight the issue to DLUHC.
- iii. Both Cambridge and South Cambridgeshire meet the threshold on the latest Housing Delivery Test results such that no action was required. Consequences of not meeting the test were set out in the National Planning Policy Framework. Where a Council falls below 95% of the housing requirement it must publish an action plan showing how it will increase housing delivery.
- iv. Acknowledged it was difficult to monitor the change of use for retail units that did not require planning permission. Officers were monitoring permissions using both the old use class order and the new use class order so there was a consistent data set from 2011.
- v. Where retail units did not require planning permission for a change of use, a planning permission may still be required if building work was being undertaken.

- vi. Several of the district centres within Cambridge were being monitored by Officers visiting the sites and recording the use of each property.
- vii. Officers had been engaging with CBC (Cambridge Biomedical Campus) Ltd as part of the Local Plan to seek to agree a coherent set of development principles for the site within an SPD.
- viii. The Government's Planning Policy for Traveller Sites set out the need to identify need and secure provision for sites for gypsies, travellers and travelling show people. A new Gypsy and Traveller Accommodation Needs Assessment was currently being completed to identify the scale and nature of need which would inform the emerging Local Plan.
- ix. The AMR included planning data on sites permitted for travellers sites and data from the Traveller Caravan Count.
- x. The current affordable housing policy thresholds do not appear to be causing a viability issue regarding the delivery of affordable housing; all residential permissions in Cambridge meeting the threshold have delivered or exceeded the required level of affordable housing.
- xi. Student accommodation was monitored in line with Local Plan policies.
- xii. Noted the comment that colleges were buying domestic properties in the city and converting them to student accommodation on a small scale each time that did not require any regulatory approval.
- xiii. Work had been undertaken on the current Local Plan to understand the student accommodation needs in terms of provision. A new survey was being undertaken by Officers and the issue of colleges buying domestic properties would be reported to those Officers to investigate the matter.
- xiv. The subject of wellbeing was one of the four main threads of the Local Plan. The pandemic had highlighted the importance of the open spaces within the community. It was important to note the conclusions of the health communities on a range of issues including childhood activity levels and obesity. A careful and considered view on how the Council could promote activity, reduce loneliness, improve community and a sense of belonging through open spaces would be required. It's not about a particular quantum of space, but how spaces support achieving healthy outcomes, and we want to explore this further through the joint local plan.

The Executive Councillor stated that she welcomed the range of questions that had been put forward, particularly the comments on class E and student accommodation. The report had been presented to address the Local Plan requirements, but the data could be used far more widely than Local Plan monitoring.

The Committee voted **unanimously** to endorse the Officer recommendations.

The Executive Councillor for Planning, Building Control and Transport approved the recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted).

None

24/7/PnT To Note Record of Urgent Decision Taken by the Executive Councillor for Planning, Building Control and Infrastructure

24/8/PnT Response to the Uttlesford's Draft Local Plan 2021- 2041 (Regulation 18) Consultation

The decision was noted.

The meeting ended at 6.55 pm

CHAIR