

AGENDA ITEM NO. 5 (c)

DEVELOPMENT AND TRANSPORT COMMITTEE MINUTES

Draft Minutes of a Meeting held in the Council Chamber, Nutholt Lane, Ely on Monday 3rd December 2012 at 2:00pm.

P R E S E N T

Councillor Peter Moakes (Chairman)
Councillor Allen Alderson
Councillor David Ambrose Smith
Councillor Kevin Ellis
Councillor Colin Fordham
Councillor Tony Goodge
Councillor Tom Kerby
Councillor Neil Morrison
Councillor Mike Rouse
Councillor Robert Stevens
Councillor Gareth Wilson (as Substitute for Councillor Sheila Friend-Smith MBE)

OTHER ATTENDEES

Councillor Michael Allan
Councillor Anna Bailey
Councillor Derrick Beckett
Councillor Elaine Griffin-Singh
Councillor James Palmer
Councillor Hazel Williams
Katie Child – Principal Forward Planning Officer
Darren Dixon – Head of Community Services
Tracey Harding - Team Leader Tourism & Town Centre Services
Jane Hollingworth – Head of Housing
Giles Hughes – Head of Planning & Sustainable Development
Adrian Scaites-Stokes – Democratic Services Officer
Members of the Public - 7

87. **PUBLIC QUESTION TIME**

Mr Moffatt submitted the following statement:

My name is Stewart Moffatt, Fordham Resident and I hold a vested interest as owner of Site 11 in the Fordham Village Vision.

After 6th November meeting of this committee a meeting was kindly arranged through Councillor Moakes and Councillor Kerby on 29th November and was attended by Councillor Kerby, Mr Hughes and Ms Child and myself.

We learned from Ms Child at that meeting that the owner of Site 16 (37-55 Mildenhall Road) was asked if he wanted to develop his land prior to the consultation and declined. At some later point post consultation he changed his mind and Ms Child then allowed Site 16 to be inserted into the planning process and as reported in Fordham Parish Council Minutes 29th Aug she sought and succeeded in influencing the view of the Parish Council in its favour.

By permitting Site 16 to be parachuted in post consultation it has disrupted the system and clouded what ought to be a very transparent and open process, this can only cast aspersions as to the probity of its purpose.

We also learned from the meeting that none of the 45 other villages in East Cambs Local Plan had a site imposed in this manner and certainly none that displaced completely the community's choice. It is no coincidence that all 45 other villages appear to be proceeding smoothly through the process.

The result of 29th Nov meeting was Mr Hughes is now of the view that the Fordham Consultation should be run again. Mr Hughes has also stated that this new consultation would be bound by the result of the public vote therefore overrule any technical objection.

I do not agree with this. However flawed the first consultation was it clearly reflected the views of the community and the result of the village vote is unambiguous, the only confusion outstanding is the inclusion of Site 16.

A cornerstone of Mr Hughes view towards a new consultation is that S16 was not voted on. That is absolutely correct, the landowner decided he didn't want to submit it to consultation. His other point, over the selection of Site 8, had been already investigated by the Head of Legal Standards (complaint CC01/12) and the decision was that no further action should be taken.

As we were told on numerous occasions by the planning team on Thursday three considerations must be satisfied, the technical viewpoint, the Parish Council's viewpoint and the community view. Technical – no objection in forthcoming vote how can there be a valid technical objection currently to Site 11, the land has not changed. Community – clearly in favour of Site 11 (84% of the vote). Parish – Site 11 was a referred choice of the Parish Council consultation until influenced otherwise by the Planning Dept.

The only declared objection to Site 11 from the planning department was it "read very much like open countryside". This objection can be waived apparently in the new consultation.

How is it that since July all my objections to S16 and the failure to support the community choice could be explained away by the experts but now seems that when there is a mechanism that S16 can be properly introduced within the consultation all those objections seem to have disappeared? The vote was already been run the winner was Site 11! A new vote should not take place because vested interests will not allow a fair vote. Apathy in the village towards another consultation (after the results of the previous have been ignored) will guarantee disinterest and a lower turnout. The Cricket

Club and its members will vote for site 8 a new pavilion. The village will not get what it wants it will get a new cricket pavilion. The Parish Council have already been influenced by the Planning Department into changing its view over Site 11. Suspicion as to the purpose of a new vote is inevitable.

This new consultation being suggested sets a dangerous precedent in that it is coming exclusively because a landowner has changed his mind. He had the same opportunity prior to consultation as all others to have his land considered by the community, he declined to taken part. What will happen if on seeing the new consultation the owner of Site 9 or 10 changes their mind? Will that provoke another insertion of site into the process or is Site 16 somehow particularly special? Exceptions should not be made.

The consultation train left the station on 21 May 2012 and Site 16 was not on board. The Chairman's observation of the 6th Nov D&T meeting was met with agreement that the review points should be inserted into the 20 year plan, such that in the future if circumstances dictate changes then can be made. Surely that is the correct opportunity for S16 to be introduced, properly and openly and without further costs to the taxpayer.

Interesting to note that the new consultation "won't cost very much". I'm sure they are right, after all as a result of a Freedom of Information request the original consultation for Fordham only cost £37 over and above normal office costs. There seems to be a very cavalier attitude to spending taxpayers money. Now the planning office appears have no serious objections to S11, the Parish Council will have their way and the community will get the site they voted for. I understand that the process of consultation is a new one and to succeed lesson must be learned for future form these events. A danger of repeating the consultation is that it cannot maintain credibility when it is manipulated in this way and repeated until the right answer is achieved. The consultative process cannot be repeated simply because a landowner has changed their mind, otherwise it will never end. The consultation process should be clear and transparent. Defined limits should be laid down and adhered to. The limits of influence of both the public vote and the planning dept should be made clear to all concerned. More care should be taken in the initial presentation, i.e. how many sites should be determined before misunderstandings arise.

I would respectfully request that now the technical objections to S11 seem to have evaporated the result of the consultation Vision for Fordham is implemented. Site 16 should be removed from the process and replaced by the community's choice Site 11 and that no further tax revenue spent trying to achieve the right answer.

The Head of Planning and Sustainable Development stated that this issue would be picked up later in the meeting. 3 hours had been spent talking to Mr Moffatt about the issues. The Parish Council had an initial clear view on this matter and it did not support Site 11. The suggestions that it had been influenced by this Council was not a view shared by officers. The original consultation had been at the start of process and Site 16 had not been included but should be now. Issues were moving forward to help understand the community view and officers did not support Mr Moffatt's view. A further consultation could be held targeting Mildenhall Road residents only.

93. **FINAL DRAFT – EAST CAMBRIDGESHIRE LOCAL PLAN**

The Committee considered a report, reference M177, and a revised Option Assessment Results document previously circulated, which set out the Local Plan, a vision and strategy for the future growth and development of the district up to 2031.

The Principal Forward Planning Officer advised the Committee that the version before them was slightly revised and she proceeded to give a presentation on the amendments. An additional recommendation was tabled relating to further work needing to be carried out in Burwell and Fordham. For Burwell attempts had been made to arrange a Working Party but this would not be held until January, so a report would go to the January meeting of this Committee. Relating to Fordham, as discussed with Mr Moffatt, this was some weakness in the consultation so there was some merit in doing a targeted consultation in Mildenhall Road, Fordham. This would give a clear community view and satisfy procedural points.

Councillor Neil Morrison asked how many questionnaires had been distributed and how many received back. The Committee was informed that the numbers depended on the support of the particular parish council. Only some settlements had received hand delivered questionnaires but publicity campaigns had been conducted. Councillor Gareth Wilson commented that some people did not quite understand the questions, particularly over growth.

The Principal Forward Planning Officer stated that Isleham parish Council had been used to debate its parish issues. The Parish Council preferred 4 sites but, as Site 4 had been objected to by English Heritage due to its proximity to Isleham Priory, only 3 had been recommended.

Councillor Derrick Beckett understood the objections of English Heritage but thought the Parish Council's view should carry more weight than English Heritage. Site 4 was on a busy thoroughfare and, if approved, could provide a footpath on the busy corner. The setting of the historical monument had been invisible because of some trees, which have now been removed. The Parish Council felt Site 4 was a justifiable development so it was requested that Site 4 go forward.

Site 9, land off Cotes Drove, was originally large site and the Parish Council had objected to the scale. The landowner had come up with a revised plan and had consulted Highways about access via Church Lane. The Parish Council had objected but there was no merit in it. So this site should also be considered for inclusion.

Councillor Peter Moakes reminded the Committee that it was to decide on the sites to be included in the public consultation. If the landowner wanted his land involved he should put forward his plan. It would be difficult to de-allocate land but it would be better to allocate more than otherwise needed in case some allocated land did not come forward for development.

Councillor Gareth Wilson suggested that all the sites be included in the consultation and that English Heritage put their objections in during this

consultation. He duly proposed the inclusion of all the potential sites in Isleham and this was agreed.

Councillor Colin Fordham left the meeting at this point.

Councillor Hazel Williams was concerned that sites highlighted in Pymoor were in the flood plain. The Principal Forward Planning Officer revealed that the Flood Risk Assessments had been completed and signed off.

With regards Sutton, Councillor Philip read had commented that he thought more than 50 dwellings should go forward, though the Parish Council view was for up to 50. It was recommended that part of two sites should go forward for consultation.

Councillor Gareth Wilson noted that between the 2 sites supported by Wentworth Parish Council were some garages owned by Sanctuary Hereward. They could potentially sell this land for dwellings. The Principal Forward Planning Officer agreed to check the view of the Parish Council on this issue.

Councillor Robert Stevens said that Bottisham was intensively developed but the BOT1 site was supposed to have new allotments, a play area as well as 50 houses. He questioned whether that could be achieved within the site boundary. The Committee was told that the boundary had been measured, though it might need to be shifted. The area would need a Masterplan.

Councillor Tom Kerby was concerned about the consultation held in Fordham and its results. A landowner had been asked whether he wished his land included but he did not want to take part. 2 sites had scored highly in the consultation – Sites 8 and 11. With regard to Site 8, the public did not realise that it was in fact 2 sites. After the consultation the land, Site 16, had then come forward but had only been considered by the Parish Council and it had been added in. What was the point of the consultation if this site was added in afterwards? He would not be happy to ask the public again about the sites. The community had given its views so the next question should be how quickly the land would become available for development. The Council could not just keep adding sites afterwards.

Councillor Gareth Wilson reminded the Committee that this was a new procedure and Fordham had not had a door-to-door delivery of the questionnaire. In future everyone should get a delivery through their doors.

Councillor Mike Rouse proposed that Sites 8 and 11 in Fordham should be the options considered for next stage consultation, so there would be no need for the suggested additional consultation on options. Councillor Robert Stevens pointed out that this meant only part of Site 11. This was duly seconded and when put to the vote was declared carried. It was confirmed that this meant Site 16 would not be included.

Councillor Peter Moakes suggested that the Head of Planning and Sustainable Development and the Principal Forward Planning Officer come back with specific about the review period for the Village Visions. The Head of Planning and Sustainable Development advised that some areas would need to be reviewed quicker than others and that some text would be included explaining

the targeting of reviews. The Principal Forward Planning Officer explained that there would be an annual monitoring report each year presented to the Committee for consideration.

Councillor Mike Rouse wanted more local Member involvement so proposed that recommendation 2.1 (iii) include the words “and local Members”. This was agreed.

The recommendations as revised were put to the Committee and agreed.

It was resolved:

- (i) That the draft Local Plan (attached as Appendix 1) be approved for public consultation purposes, subject to the following agreed changes:
 - (a) All potential sites in Isleham be included in the public consultation;
 - (b) Sites 8 and 11 only be the preferred options for Fordham;
 - (c) The Burwell Village Vision be included;
- (ii) That the draft Final Sustainability Appraisal document (attached as Appendix 2) be approved for public consultation purposes;
- (iii) That subsequent changes to the documents prior to publication be delegated to the Head of Planning and Sustainable development in consultation with the Chairman of this Committee and relevant local Members.
- (iv) That further work be carried out relating to the Burwell and Fordham Village Visions and reported back to this Committee in January 2013.