

# *Swavesey Parish Council*

7.30pm

**Minutes**

Swavesey Parish Council Meeting, held at The Memorial Hall, High Street  
Thursday 11<sup>th</sup> May 2017

**PRESENT**

Mr W Wright (Chairman)

Councillors : Miss L Boyes, Mr S Faben, Mr D Hunt, Mr M Johnston, Miss H Parish, Mr C Parsons,  
Mr J Pook, Ms S Smith, Mr K Wilderspin

Clerk : Mrs L Miller

In attendance: Cllr Mrs S Ellington (SCDC)

Mr M Hudson (MH) and Ms R Cox, Sworders Surveyors

Parishioners : 2

**Item****Power Action**

**2017/P05-1 TO RECEIVE AND ACCEPT APOLOGIES FOR ABSENCE** Mr J Dodson (another meeting)

**2017/P05-2 MEMBERS' DECLARATIONS OF INTEREST & DISPENSATIONS****2.1 Declarations of interest from councillors on items on the agenda**

Mr Wilderspin declared a registered pecuniary interest in Item 4.3 (v) Ref: S/1395/17/FL as the applicant.

Mr Pook declared a registered interest in item 4.3 (ii) as a resident of Market St

**2.2 Requests to Speak** No requests received to speak on any items as declared above.**2.3 To receive requests for dispensations** No requests received.**2.4 To grant requests received** The granting of dispensations to be made by Full Council.

**2017/P05-3 Meeting suspended to allow 10 minutes for the public participation forum and for persons declaring prejudicial interest relating to the business to be transacted, to address the meeting.**

No addresses regarding prejudicial interests were made. No items raised by members of the public present (at the time only 1 member of the public was present). The Chairman asked if the Public Forum could be deferred to later in the meeting, as he knew of one person who would be here later who wished to speak. All in agreement, item to be deferred.

**Public forum closed in order for the Parish Council meeting to commence.**

**2017/P05-4 PLANNING****4.1 Development at 18 Boxworth End 0 S106 Outdoor Open Space Contribution – Draft Lease offer of new playing field land**

Chairman welcomed Mr Hudson and Ms Cox to the meeting to discuss the wording for the draft lease to be offered to the Parish Council as part of the S106 obligation for the planning permission Ref: S/0875/15/OL for 30 new dwellings on land at 18 Boxworth End.

The Clerk outlined the background to the discussion, which is to discuss any concerns the Parish Council might have with regard to Lease conditions and the anticipated use of the land, prior to the drawing up of the Lease.

MH also explained the background to the site and as part of the approved planning permission, under the signed Unilateral Undertaking, the Owners are obliged to offer the Recreation Ground to the Parish Council on a 999 year lease for Recreation Purposes. As such, the lease offer needs to be in accordance with the signed Unilateral Undertaking and we are bound by the Unilateral Undertaking.

MH explained the Recreation Land is available as a result of the housing development, not the housing development is available due to the Recreation Land. The offer will therefore not be available to the Parish Council if the developer doesn't find the housing development site attractive enough to pursue. The discussion covered:

1. Leasehold offer

Cllrs were not happy with the land being offered as Leasehold rather than Freehold. As the lease offer was for 999 years, why not freehold?

MH replied that the Lease offer was stipulated in the Unilateral Undertaking which detailed the S106 obligations for the planning permission, which had been signed by the District and County Councils. Acting for the landowner, their interests were being covered by offering a lease to ensure the land is only used as per the S106 requirements.

Cllrs asked if this could be converted to a freehold offer if covenants were included to ensure the land was only used for the S106 requirements of sports and recreation?

MH replied that the offer was bound by the Unilateral Undertaking and did not think it could be changed. However they would look at a possible clause allowing the land to transfer to freehold with the Parish Council at a future date, say 15 year's time if the land is seen to be being used for the purpose it is intended, ie sports and recreation use for the village.

**Action:** MH to investigate and reported back to Parish Council

2. Access to the land

Cllrs asked when access to the land would be available, as the lease would transfer to the Parish Council before the housing development was started.

MH replied that due to H&S concerns by the developer, as the only access is directly through the housing site, a condition would be included that public access would not be available until 80% completion of the development or after 10 years when the Parish Council will have step in rights. However Parish Council access could be arranged with the developer as appropriate for surveyor or contractor work on the field.

Cllrs raised a query over adoption of the new development road, or if it would be a private road for the development, as this would impact on access to the field.

MH replied he could see no reason why it would not be a County adopted road.

Question asked about traffic calming or control as it would be a residential road but also the only access to the field.

MH replied this would need to be discussed with CCC at Reserve Matters application.

3. Buildings on the land and their use

Cllrs were concerned that any sports pavilion on the land must be able to cover its costs as the Parish Council would not wish to take on a future liability, therefore the building must be able to hold functions/events in order to bring in revenue.

Also if the village does grow with new housing developments, then the existing village hall may not be sufficient to cope with future requirements, therefore another location or building may be required, which might be located on this land.

Concern also raised that future property owners of the new development must be fully aware of the future use of the land, which is only accessible via the housing development road, as it will be a few years away before funding is available to convert the land and if planning permission is sought for a sports pavilion and car park facilities, the project cannot be constrained by potential objections as the land and its use is part of the planning permission.

**Action:** MH acknowledged these concerns and would look at the Lease wording with regard to type of building(s) and use for the land.

MH also replied that as the Lease would include the future proposals for the land and the lease is part of the planning permission, it is available for all potential property purchasers to know about and would be identified in purchase land searches. Also if the village Neighbourhood Plan identified the land and its use, that would also make it openly available.

The Chairman thanked Mr Hudson and Ms Cox for their time in attending the meeting and discussing the concerns of the Council.

Mr Hudson thanked the Council for their comments and the issues raised would be looked into and wording for the lease would be drafted for further consideration.

**2017/P05-3 Public Forum. Meeting suspended to allow 10 minutes for the public participation forum and for persons declaring prejudicial interest relating to the business to be transacted, to address the meeting.**  
(as deferred)

Resident spoke with regard to the new dwelling being constructed at 48 Middlewatch and thanked the Parish Council for its help in putting them in contact with SCDC re noise disturbance from the site on the past two Sunday mornings before 8am (refer Condition 14 of the Decision Notice). This recent Sunday a digger had been used at 7.50am.

The Chairman replied that this would be discussed later in the agenda and the Parish Council could write to SCDC to ensure that the Decision Notice conditions are complied with.

**Public forum closed in order for the Parish Council meeting to commence.**

#### **4.2 SCDC Planning Committee 10<sup>th</sup> May**

Chairman had attended to speak on behalf of the Parish Council to reiterate objections with regard to application S/3391/16/OL, Gladman Developments Ltd, up to 90 new dwellings on land at Boxworth End. Chairman gave a verbal report of the agenda item discussion. There had been discussion about the urban feel to the design on the edge of the village, so Committee also discussed a potential condition on any permission to set a maximum apex height on the roof. However, Planning Committee then voted 6 in favour of refusal, 4 against.

#### **4.3 To consider planning applications received**

- (i) Ref: S/1308/17/FL – **22 Carters Way**, Mr S Papworth. Single storey side extension. No objections.
- (ii) Ref: S/0168/17/FL – **37 Market Street**, Cardinalis Developments Ltd. Construction of two new dwellings and associated access. Amendment – re-design of the dwelling on plot 3. Objections and comments raised:
  - Still over-development of the site
  - No amendments made re the access from Cow Fen Drove – still very concerned over access and parking during construction – no construction plan submitted. Concern also raised over completed access from Cow Fen Drove, particularly for large vehicles, there is no room for parking along Cow Fen Drove.
  - Objections raised to the new design for plot 3 – new design creates a larger square unit which will give a heavier block-look to the site, overshadowing the smaller listed cottage.
  - Objections raised to re-design of parking area, Council consider parking spaces are more likely to be used if they are immediately on entering the site, rather than having to drive through.

Council reiterate earlier objections and comments and request that this application goes to Planning Committee and a site visit is made.

- (iii) Ref: S/1359/17/TC – **2 Black Horse Lane**, Mrs M Lofts. Tree works in Conservation Area - Lawson Cypress, fell to ground level – outgrown its location, restricting access to driveway. No objections.
- (iv) Ref: S/1468/17/FL – **Swavesey Post Office 5 Market Street**, H Wieslesiuk. Change of use from shops (Class A1) to Dwellinghouse (Class C3). No objections. Comment that Council supports the application and believes it to be a necessary change of use to bring the space back into the adjoining listed building and enable it to be used.
- (v) Mr Wilderspin declared a registered pecuniary interest in the next item, as the applicant for the planning application and left the meeting.  
**Ref: S/1395/17/FL – Fenwillow Farm, Cow Fen Drove, Mr K Wilderspin. Construction of a cartlodge. No objections.**

#### **4.4 Permissions, Refusals, Appeals, Enforcement**

- (i) Ref: S/0752/17/LD – White Willows, Hale Rd. Certificate of Lawful Proposed Use or Development certified.
- (ii) Ref: S/1155/16/FL – 48 Middlewatch. Concerns raised by adjoining neighbours over proximity of the new dwelling to neighbouring boundaries.  
Agreed that the Parish Council should contact SCDC Enforcement to request a site visit as soon as possible to check that the building is being built in accordance with the permitted plans and to register strong concerns with regard to the proximity of the building to adjoining boundaries.

**2017/P05-5 ITEMS FOR INFORMATION AND NEXT MEETING AGENDA** None raised

**Next meeting dates:**

**Full Council AGM – 7.30pm Monday 22<sup>nd</sup> May 2017**

There being no further business, the meeting was declared closed at 9.20pm

Signed & dated

Chairman

**MINUTES APPROVED AS A CORRECT RECORD AND SIGNED BY THE CHAIRMAN AT THE PARISH COUNCIL MEETING ON 22<sup>nd</sup> May 2017**