

**Pedestrian and cycle infrastructure  
Waterbeach new town  
S/0559/17/OL**

Fews  
Lane  
Consortium  
Ltd

# South Cambs District Council planning decision quashed by High Court over unlawful public consultation

 Bianca Wild



Published: 3:45 PM May 15, 2020 Updated: 3:48 PM November 1, 2020

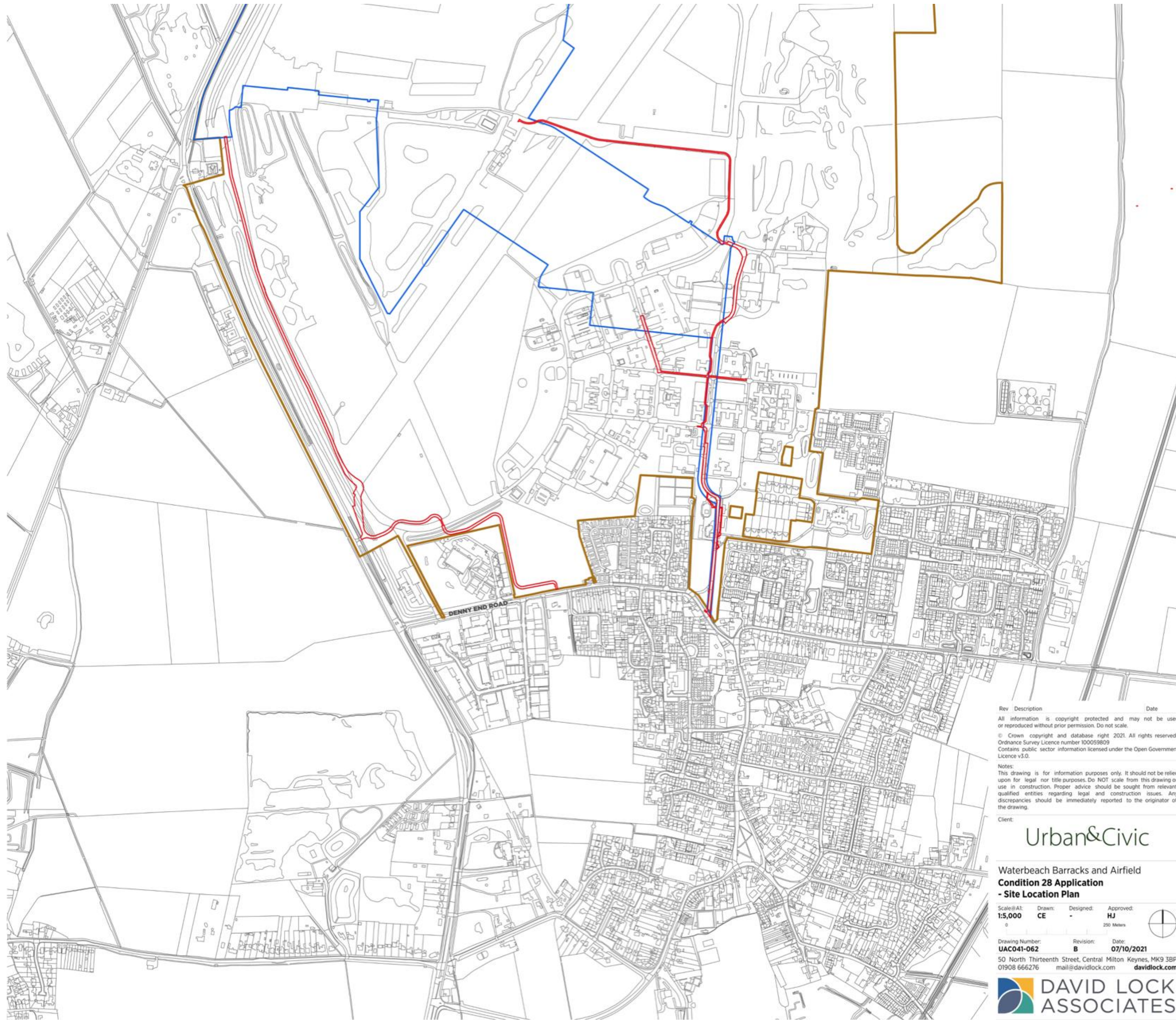


The High Court has ruled SCDC have been unlawful. Picture: Archant - Credit: Archant

A community action group has prevailed in the first of two judicial review claims involving the conduct of South Cambridgeshire District Council.

The High Court has issued an order quashing a 2019 planning decision of the district council after a successful judicial review was brought by a group of





DEHNTY END ROAD

Rev	Description	Date

All information is copyright protected and may not be used or reproduced without prior permission. Do not scale.  
 © Crown copyright and database right 2021. All rights reserved.  
 Ordnance Survey Licence number 100059809  
 Contains public sector information licensed under the Open Government Licence v3.0.

Notes:  
 This drawing is for information purposes only. It should not be relied upon for legal or title purposes. Do NOT scale from this drawing or use in construction. Proper advice should be sought from relevant qualified entities regarding legal and construction issues. Any discrepancies should be immediately reported to the originator of the drawing.

Client: **Urban&Civic**

**Waterbeach Barracks and Airfield  
 Condition 28 Application  
 - Site Location Plan**

Scale@A1	Drawn	Designed	Approved
1:5,000	CE	-	HJ

Drawing Number: **UAC041-062**      Revision: **B**      Date: **07/10/2021**

50 North Thirteenth Street, Central Milton Keynes, MK9 3BP  
 01908 666276      mail@davidlock.com      davidlock.com





**Consultee Details**

Name: Dr Jon Finney

Address: Cambridgeshire County Council, Shire Hall, Castle Street Cambridge, Cambridgeshire  
CB3 0AP

Email: Not Available

On Behalf Of: Local Highways Authority

**Comments**

While the vast majority of the proposed works fall outside the existing or proposed adopted public highway the scheme as a whole is welcomed as providing a route through the construction site to the development itself and from Waterbeach village to the Cambridges Research Park, which hopefully will encourage residents of Waterbeach village who work at the Park to cycle or walk rather than use the private motor car.

The proposed western route does include for a 2m wide grass verge for equestrian use. This is the minimum width that is acceptable within the Design Manual for Roads and Bridges and suitable signing informing equestrians to ride in single file will need to be installed.

However, Condition 28 does not explicitly state that these routes are to be temporary. While the route to the west of the site adjacent to the A10 is a permanent route, the one through the site is of a temporary nature. Given the potential for this route to be removed and or amended as part of the development process, the Highway Authority seeks the following condition:

If the proposed pedestrian/cycle route through the development site as shown on drawing numbers 30509/2038/101 P11, 102 P11 and 103 P11 is closed, removed adjusted or amended in any way then an equally commodious route for pedestrians and cycles must be approved by the Planning Authority, installed and be open for use before the proposed route is changed. If any amended route is itself subject to alteration, then an equally commodious route for pedestrians and cycles must be approved by the Planning Authority, installed and be open for use before the amended route is change.

- 16 November - Delegation meeting
- 29 November - Final decision made
- 16 December - Minutes of delegation meeting finally released
- 19 December - Wrote to vice-chair of planning committee and Cllr Bearpark requesting further information. No response received.
- 21 December - Follow-up to council's solicitor. Same day response, but council withholds response until after close of business before Christmas.
- 6 January - Evidence of 6 Nov meeting finally provided minutes before meeting
- 7 January (Friday) - no further information provided
- 10 January (today) - no further information provided

## What information is still missing?

- Reasons for decision?
- Officer's report?
- Assessment to comply with Public Sector Equality Duty?
- Status of s. 278 agreement(s)?
- Status of Temporary Traffic Regulation Order(s)?
- Status of "safety audit" mentioned by Cllr Bearpark at Dec. meeting?

Why is information still missing?

Because the local district councillors and county councillors did not advocate for the information to be released.