

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 11 January 2017 at 9.30 a.m.

PRESENT: Councillor David Bard – Chairman
Councillor Kevin Cuffley – Vice-Chairman

Councillors: John Batchelor Anna Bradnam
Brian Burling Pippa Corney
Sebastian Kindersley David McCraith
Des O'Brien Deborah Roberts
Tim Scott Robert Turner

Officers in attendance for all or part of the meeting:

Julie Baird (Head of Development Management), Edward Durrant (Principal Planning Officer / Team Leader (Development Management)), Jane Green (Head of New Communities), Caroline Hunt (Planning Policy Manager), John Koch (Planning Team Leader (West)), Karen Pell-Coggins (Principal Planning Officer), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer), Charles Swain (Principal Planning Enforcement Officer) and David Thompson (Principal Planning Officer)

Councillors Simon Crocker, Sue Ellington and Tony Orgee were in attendance, by invitation.

1. APOLOGIES

There were no Apologies for Absence.

2. DECLARATIONS OF INTEREST

Councillor David McCraith declared a non-pecuniary interest in Minute 7 (S/2224/16/OL - Monkfield Nutrition, High Street, Shingay-cum-Wendy). Councillor McCraith had attended meetings, as a District Councillor, at which this application had been discussed, but was considering the matter afresh.

Councillor Des O'Brien declared a non-pecuniary interest in relation to Minute 4 (9S/2903/14/OL- Cambourne [Land to the West of Cambourne (Excluding Swansley Wood Farm)]. Councillor O'Brien had sought advice from legal and governance officers at South Cambridgeshire District Council. The advice given related to a written objection to this application that Councillor O'Brien had made to the Planning Department in February 2015, before he had been elected as a District Councillor, or become a member of the Planning Committee. Councillor O'Brien said that this put him, and the Council, at risk of a charge of predetermination. He hoped and expected that his fellow Councillors were comfortable with their own impartiality in order to avoid similar accusations in the future. After addressing the Committee not as a Planning Committee member but as a District Councillor for Bourn Ward, within which this application had been made, Councillor Des O'Brien withdrew from the Chamber, took no part in the debate, and did not vote.

Councillors Sebastian Kindersley and Deborah Roberts sought clarification about the need for Councillor O'Brien to make this declaration, as it resulted from a comment made before he became a Councillor. Preventing Councillor O'Brien from taking part in the debate was, in effect, disenfranchising both him and those he represented. In reply, the Deputy Monitoring Officer said that the decision as to whether or not to take part in the

consideration of Cambourne West was one for Councillor O'Brien alone, after taking into account the implications for both South Cambridgeshire District Council and for him as an individual.

3. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the minutes of the meeting held on 7 December 2016, subject to the following:

Minute 8 – S/2148/16/OL – Foxton (Land to the rear of 7 – 37 Station Road)

Delete the reference, in Point 1 of the resolution, to "...Dovecote benches..." and insert instead the words "...benches in Dovecote meadow...".

4. 9S/2903/14/OL- CAMBOURNE [LAND TO THE WEST OF CAMBOURNE (EXCLUDING SWANSLEY WOOD FARM)]

Members visited the site on 10 January 2017.

Officers gave a presentation focussing on

- Context
- Submission Local Plan allocation
- Topography and existing features
- Original submission – December 2014
- Amendments – August 2015
- Various Parameter plans
- Sheepfold Lane access
- A1198 / Caxton Bypass roundabout design
- A1198 employment access design
- Section 106 draft Heads of Terms
- Viability and affordable housing

Arising from the presentation, Members raised specific concerns about the amount of affordable housing, viability, and the need to make sure that Sheepfold Lane was suitable as an access in terms of carriageway width and the amount of traffic expected to use it. The Principal Planning Officer confirmed that Sheepfold Lane would not be used as a haul road.

Ben Coles (representing the applicant), Councillor Janet Molloy (Caxton Parish Council), John Vickery (Clerk to, and agent for, Cambourne Parish Council) and Councillor Simon Crocker (a local Member) addressed the meeting. In addition, Councillor Des O'Brien (a local Member and member of the Planning Committee) addressed the meeting, having made the following statement:

"Following advice from legal and governance officers here at the council I will be removing myself from the committee debate and vote on agenda item 4 - Cambourne (land to the west of Cambourne). This advice relates to a written objection to this application that I made to the Planning Department in February 2015 before I was either a District Councillor, or a member of the Planning Committee. This puts me, and the council, at risk of a charge of predetermination. I hope and expect that my fellow councillors are comfortable with their own impartiality in order to avoid similar accusations in the future."

Ben Coles described the proposal as a logical extension to the existing community of Cambourne. He indicated that the intention would be to begin delivery within 12 months of

consent being granted for the first Reserved Matters application. The aim was to ensure sustainable growth, and enhance the quality of life in a thriving and expanding community. The proposal would deliver local infrastructure, and its design would ensure good integration with the existing Cambourne villages. In response to Members' questions of clarification, Mr. Coles said that

- the applicant and Local Planning Authority had agreed that affordable housing should represent 30% of the total number of dwellings in this case, in view of viability constraints
- it was too soon to give an indication as to the specific type of dwellings to be built, but that the point had been taken that Cambourne had a shifting demographic
- subject to approval of Reserved Matters, the intention was to be on site quickly, with the aim of delivering about 250 dwellings over a five-year period
- note had been taken of the contribution made by the Wildlife Trust in maintaining green space throughout the existing three Cambourne villages

Councillor Janet Molloy referred to the likely adverse impact on Caxton in terms of quality of life and extra traffic demands on the roads. Caxton Parish Council was concerned by the loss of agricultural land, flood risk, and housing density.

John Vickery said that Cambourne Parish Council supported the emphasis being placed on sport, youth facilities and open space, and had a proven record of working with the developer in the three existing villages. In response to Members' questions of clarification, Mr. Vickery said that

- Cambourne Parish Council was satisfied that the figure of 30% affordable housing would allow for a balanced integration of housing similar to that found in Lower, Great and Upper Cambourne
- Money to be secured through the Section 106 Legal Agreement would help to address the issue of capacity at the medical practice
- Cambourne Parish Council recognised that the application site was located within Caxton parish, and supported a governance review. If that review was successful, Cambourne Parish Council would become responsible for Cambourne West. If it was not successful, then Cambourne Parish Council would support Caxton Parish Council.

Councillor Simon Crocker referred to the allocation made in the emerging Local Plan as against the current application. The current proposal would deliver nearly twice as many dwellings as the Local Plan allocation without the need for a further application. Councillor Crocker said that Cambourne needed to enjoy a period of "being finished". With regard to affordable housing, he pointed out that 30% of 2,350 (as proposed) would result in a higher figure than 40% of 1,200 (as envisaged in the emerging Local Plan). In response to Members' questions of clarification, Councillor Crocker

- Said that he supported a governance review
- Asserted his aspiration that Cambourne should be defined as a town
- Accepted that walking from the Broadway on the eastern edge of Upper Cambourne to the A1198 on the western edge of Cambourne West would take some considerable time
- Said that he would oppose a greater financial contribution towards City Deal improvements to transport links between Cambourne and Cambridge if that resulted in a reduced number of affordable homes at Cambourne West

Councillor Des O'Brien (as a local Member) was concerned by the prospect of "out-commuting" to employment sites. He said that the application was premature. There was a need for smaller business units than were currently available on Cambourne Business Park. Councillor O'Brien was worried about the increase in traffic but added that, in his

view, the proposed rapid bus service did not justify building Cambourne West. He said that urgent improvements were needed to the Girton interchange. In response to Members' questions of clarification, Councillor O'Brien

- Estimated that, within 20 years, Cambourne West could be generating an extra 2,000 car journeys an hour. This would encourage "rat running" through local villages. The rapid bus system was unlikely to solve that problem.
- Understood fears about traffic implications for villages along the A1198 to the south of the proposed site. He feared that the focus on improving transport links between Cambourne and Cambridge was an attempt to justify development alongside the A428.
- Regretted the need for Cambourne West, but acknowledged its inevitability.
- Said that Cambourne West would have a negative impact on the quality of life

Councillor Des O'Brien withdrew from the Chamber, took no part in the ensuing debate, and did not vote.

Public speaking having concluded, Members debated the application. The following points were made:

- A significant amount of money had been diverted from Cambourne West to enable the Greater Cambridge City Deal to improve bus and other transport links along the A428 between Cambourne and Cambridge. However, it was crucial to consider, as well, the traffic impact on existing villages to the south of the Cambourne West site. It could also be argued that the provision of developer funds to the City Deal at least contributed to the fact that 40% affordable housing was not considered viable.
- The application was both speculative and premature. At the very least, the development at Cambourne West should be in accordance with the allocation of 1,200 dwellings made in the emerging Local Plan.
- The success of a governance review could not be guaranteed. Cambourne was a village, or collection of linked villages, and did not possess any "town-like" facilities. Cambourne West offered no community benefits, and would impact adversely on the quality of life locally.
- The increase in traffic would cause problems.
- There was an urgent need to ensure that drainage and avoid flood risk
- There were some positives. These included the Section 106 Legal Agreement, which secured a generous £25,000 per dwelling.
- Cambourne West would deliver 705 affordable homes.
- While the loss of agricultural land was disappointing, development would actually increase biodiversity.
- Cambourne West is inevitable, and it would be better to plan for, and build, it in one go rather than in two stages.
- South Cambridgeshire District Council has strategies and policies designed to protect smaller villages in the district by directing major development towards new settlements and New Towns. The Section 106 is generous, and Cambourne West

will be built eventually anyway.

- There might be an adverse impact on housing delivery should the application be refused.
- South Cambridgeshire needs houses, not least to address the Council's inability to demonstrate a five-year housing land supply. If Cambourne West were to be refused, there would probably be an Appeal. If that Appeal was successful, the Inspector might not attach all the Conditions proposed by officers, and local control over the development would be lost. Alternatively, the 2,350 dwellings might end up being distributed among all the villages in the district.

The Committee gave officers **delegated powers to approve** the outline planning application, including parameter plan and detailed access drawings, subject to:

1. The prior completion, in consultation with the Chairman and Vice-Chairman of the Planning Committee, of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the obligations set out in the Heads of Terms document attached as Appendix 2 to the report from the Heads of New Communities; and
2. The Conditions and Informatives set out in the report from the Head of New Communities, final wording to be determined in consultation with the Chairman and Vice-Chairman of the Planning Committee before issuing the Decision Notice.

Councillor Deborah Roberts voted to refuse the application.

5. S/3301/16/FL - CAMBOURNE (SOUTH CAMBRIDGESHIRE HALL, 6010, CAMBOURNE BUSINESS PARK)

Michael Turner (Facilities Management Manager with South Cambridgeshire District Council) addressed the meeting. He said that, with additional tenants moving into South Cambs Hall, there was a need to find extra car parking. The proposed spaces would be available for use by anyone working in the building. Access to the parking spaces would be from the southern end and egress via Sheepfold Lane. It would be a "one-way system".

The Committee **approved** the application subject to the Conditions and Informative set out in the report from the Joint Director for Planning and Economic Development.

Councillor Deborah Roberts abstained from voting.

6. S/1027/16/OL - SWAVESEY (FEN DRAYTON ROAD)

Members visited the site on 10 January 2017.

Stuart Websdale (objector), Nicky Parsons (applicant's agent), Councillor Will Wright (Swavesey Parish Council) and Councillor Sue Ellington (local Member) addressed the meeting. Mr. Websdale said that development must be shown to be sustainable, with a transport strategy being in place. Nicky Parsons commended the sustainable nature of the development and said it posed no negative impact. Councillor Wright said that infrastructure in the village was already at capacity. The Parish Council had concerns about traffic and drainage. Councillor Ellington said there were insufficient facilities, citing in particular pressure on the Doctors surgery and on the school.

At the conclusion of the debate, the Committee **refused** the application contrary to the recommendation in the report from the Head of Development Management. Members agreed the reasons for refusal as being that

1. The harm resulting from safety concerns relating to the proposed pedestrian access from the north eastern corner of the site, along Fen Drayton Road, was not outweighed by the benefits of the scheme; and
2. notwithstanding the proposal in the emerging Local Plan to upgrade Swavesey to a Minor Rural Centre, there were significant infrastructure capacity issues (specifically primary and secondary education, foul drainage, traffic volumes and health) due to the cumulative impact of development within the village, giving rise to concerns about sustainability.

7. S/2224/16/OL - SHINGAY CUM WENDY (MONKFIELD NUTRITION, HIGH STREET)

Members visited the site on 10 January 2017.

Joe Wise (applicant, accompanied by his agent, Marcia Whitehead), Chris Jennings (agent for Shingay-cum-Wendy Parish Meeting) and Councillor Nigel Cathcart addressed the meeting. Mr. Wise said that the current application represented the minimum needed to finance the relocation of the commercial operation currently on site. He pointed out that 78% of the parish favoured a residential use for the site. Chris Jennings wondered whether the vehicular access proposed was appropriately sized. Councillor Cathcart favoured a reduction in the number of dwellings to eight, and said a Design Guide was important.

Councillor David McCraith (as the other local Member) said that redevelopment of this brownfield site would result in an improvement in quality of life for neighbouring residents.

Arising out of the Committee debate was the suggestion that a local liaison group be established.

The Committee **approved** the application subject to

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing
 - a. a commuted sum for the provision of off-site affordable housing (including an overgae clause);
 - b. the provision of public open space (including the Local Area of Play);
 - c. the management of the public open space and surface water drainage;
 - d. the cessation of the current use on the site and associated unauthorised use;
 - e. waste receptacles; and
 - f. Placing an upper limit of ten new dwellings on site
2. The Conditions referred to in the report from the Head of Development Management;
3. Additional Conditions securing limits to developable area and extent of open space through compliance with the parameter plan; and
4. An Informative requesting the establishment of a liaison committee

8. S/2553/16/OL - LINTON (LAND TO THE SOUTH OF HORSEHEATH ROAD)

The Committee noted that this item had been **withdrawn from the agenda**.

9. S/1433/16/OL - GREAT ABINGTON (STRAWBERRY FARM, PAMPISFORD ROAD)

Members visited the site on 10 January 2017.

Justin Bainton (applicant's agent), Councillor Bernie Talbot (Great Abington Parish Council) and Councillor Tony Orgee (local Member) addressed the meeting. Mr. Bainton highlighted the positive engagement that had taken place, and commended the application as sustainable, and consistent with local planning policy. Councillor Talbot pointed out that the proposal was outside the Village Framework and on land forming part of the former Land Settlement Association (LSA). The Parish Council was currently preparing a Neighbourhood Plan for the LSA, and regretted that this planning application could not have waited until the Neighbourhood Plan was in place. Councillor Orgee spoke against the application and said he was concerned by the precedent this application might set for the remainder of the former LSA.

During the ensuing Committee debate, a comment was made by Councillor Deborah Roberts to the case officer. Several other Councillors invited Councillor Roberts to apologise. Following a short adjournment, during which the case officer left the Chamber, Councillor Roberts did apologise to the Chairman and Committee, although the case officer had still not returned. Councillor Roberts said she regretted the incident, pointing out that it had been a long day, and emphasising that she had not intended any suggestion that she doubted the case officer's professionalism or integrity.

In the absence of any certainty as to whether the case officer would return to the Chamber, the Planning Lawyer advised the Chairman that he, the Chairman, should consider the possibility of deferral. With the inferred consent of the Committee, the application was **deferred**, and the applicant and his agent left the Chamber. The case officer re-joined the meeting, and Councillor Roberts repeated the apology that she had made earlier. The question was raised whether the item could continue in such circumstances. Members were told that this would not be possible as the applicant and agent had already left the Chamber.

Councillors Pippa Corney, Sebastian Kindersley and Robert Turner left the meeting either during discussion, or after deferral, of application S/1433/16/OL - Great Abington (Strawberry Farm, Pampisford Road), and were absent from the Chamber during the remainder of the meeting (Items 10 to 15 inclusive).

10. S/2084/16/FL - GIRTON (HOWES CLOSE SPORTS GROUND, WHITEHOUSE LANE)

The Committee noted that this item had been **withdrawn from the agenda**.

11. S/2491/16/RM - WATERBEACH (LAND TO THE EAST OF CODY ROAD AND NORTH OF BANNOLD ROAD)

The Committee **approved** the application subject to the Conditions set out in the report from the Head of Development Management.

12. S/3401/16/PO - WATERBEACH (LAND TO THE WEST OF CODY ROAD)

The Affordable Housing Officer reiterated that the approved scheme, comprising 40% affordable housing with a tenure mix of 70% social rented and 30% intermediate/shared

ownership, was no longer viable because of affordable rent reductions. This submitted alternative scheme of 40% affordable housing with a tenure mix of 50% social rented and 50% intermediate/shared ownership was viable. The trigger point in the Section 106 Agreement was approaching. The Planning Lawyer reminded Members that the Section 106 Agreement, as originally drafted, referred to a 70 / 30 split "...or as otherwise agreed...".

The Committee gave officers **delegated powers to approve** the application, subject to the Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (dated 13 November 2015) being modified to require an affordable housing tenure mix of 50% affordable rented and 50% intermediate / shared ownership.

13. S/2593/16/OL - WESTON COLVILLE (GARAGE SITE TO THE NORTH OF 14 HORSESHOES LANE)

There was some concern about the stability of the bank of the ditch should the trees to the south of the site be removed. The Case Officer reported that those trees were outside the development site, and would remain the responsibility of South Cambridgeshire District Council, which already had responsibility for maintaining the ditch.

The Committee **approved** the application subject to the Conditions and Informatives set out in the report from the Head of Development Management.

14. ENFORCEMENT REPORT

The Committee **received and noted** an Update on enforcement action.

15. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

The Committee **received and noted** a report on Appeals against planning decisions and enforcement action.

The Meeting ended at 4.00 p.m.
