

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 29 September 2021 at 10.00 a.m.

PRESENT: Councillor Pippa Heylings – Chair
Councillor Henry Batchelor – Vice-Chair

Councillors:	Dr. Martin Cahn	Dr. Claire Daunton
	Dr. Tumi Hawkins	Judith Rippeth
	Deborah Roberts	Heather Williams
	Dr. Richard Williams	Eileen Wilson

Officers in attendance for all or part of the meeting:

Christopher Carter (Delivery Manager - Strategic Sites), Laurence Damary-Homan, Dr Jon Finney (Development Control Engineer City and South, Cambridgeshire County Council), Mike Huntington (Principal Planning Officer), Jay Patel (Trees Technician), Karen Pell-Coggins (Principal Planning Officer), Kate Poyser (Principal Planner), Stephen Reid (Senior Planning Lawyer), Ian Senior (Scrutiny and Governance Adviser) and Michael Sexton (Senior Planning Officer)

Councillor John Batchelor was in attendance remotely, by invitation.

1. Chair's announcements

The Chair made several brief housekeeping announcements.

2. Apologies

Councillor Geoff Harvey sent apologies for absence and Councillor Dr. Claire Daunton was his substitute.

3. Declarations of Interest

Councillor Henry Batchelor declared a

- pecuniary interest in minute 6 (S/1963/15/CONDG - Linton (Land North and South of Bartlow Road)) and minute 7 (21/00629/S73 - Linton (Land to the North and South of Bartlow Road)) because his employer had an ongoing business relationship with the applicant. Councillor Henry Batchelor would withdraw from the Chamber for the duration of those two items, take no part in the debate, and would not vote.
- a non-pecuniary interest in minute 8 (S/2553/16/CONDH - Linton (Land off Horseheath Road)) as he had discussed the matter with a resident.
- a non-pecuniary interest in minute 10 (Bourn Airfield Strategic Stie: Section 106 Update Report) because his employer had previously, but no longer, had a business relationship with the developer. Councillor Henry Batchelor would remain in the Chamber, take part in the debate, and vote.

Councillor Dr. Tumi Hawkins declared a non-pecuniary interest in Minute 10 (Bourn Airfield Strategic Site: Section 106 Update Report) because of the proximity to the development site of her property in West Drive, Highfields Caldecote.

Councillor Judith Rippeth declared a non-pecuniary interest in Minute 10 (Waterbeach New Town East Strategic Site: Section 106 Update Report) as one of the local Members for Milton and Waterbeach.

In respect of minute 5 (20/05101/FUL - Longstanton (Land at The Retreat, Fewes Lane)), Councillors Henry Batchelor, Cahn, Daunton, Fane, Hawkins, Rippeth, Roberts, Dr. Richard Williams, and Wilson declared non-pecuniary interest because they had been present on 9 September 2021 when the meeting had to be abandoned because of an ICT issue. Each of them was now considering the matter afresh.

Councillor Heather Williams declared

- a non-pecuniary interest in minute 7 (21/00629/S73 - Linton (Land to the North and South of Bartlow Road)) because of her work with Lucy Fraser M.P. who had submitted a representation about the application. Councillor Heather Williams stated that she had not been involved in any correspondence with Lucy Fraser about this matter.
- a non-pecuniary interest in minute 12 (Enforcement Report) because one of the matters contained therein (Whitehall Farm) was situated within her ward of The Mordens.

4. Minutes of Previous Meetings

The Committee authorised the Chair to sign as a correct record, the minutes of the meeting held on 11 August 2021 subject as follows:

Minute 3 – Declarations of interest

Regarding 20/04754/HFUL - Girton (Reston, Huntingdon Road), Councillor Eileen Wilson had discussed the application with one of the local Members – Councillor Corinne Garvie - and not with Councillor Neil Gough. The minute should therefore read

Councillor Eileen Wilson declared non-pecuniary interests in Minute 6 (20/04754/HFUL - Girton (Reston, Huntingdon Road)) and Minute 9 (21/0794/TTHR - Cottenham (Land at the junction of Smithy Fen and Twentypence Road)). Councillor Wilson had discussed those applications with Councillor Corinne Garvie (a local Member for Girton) and Councillor Neil Gough (her fellow ward Member for Cottenham) respectively but was considering both matters afresh.

5. 20/05101/FUL - Longstanton (Land at The Retreat, Fewes Lane)

The case officer reminded Members that, following an appeal against non-determination, the jurisdiction for determining this application lay now with a planning inspector rather than with South Cambridgeshire District Council. However, the Council was required to submit a Statement of Case and so the Planning Committee needed to agree on what decision it would have made given the opportunity. He referred Members to the various updates since the abandoned meeting on 8 September 2021 and to various representations received which were in the public domain. He also referred orally to submissions that had been received on the morning of the abandoned committee meeting

in relation to hedgerow and tree loss pertaining to visibility splays. The Local Highway Authority had responded to a Highways Report commissioned by Fews Lane Consortium by saying it could not identify any reason for refusing the application on highways grounds.

Officers were also seeking delegated authority to respond to the planning inspectorate in response to the mention of a costs application from the Fews Lane Consortium.

The Delivery Manager (Strategic Sites) explained the circumstances in which South Cambridgeshire District Council had been granted extra time to submit its Statement of Case.

Upon there being concern that questions of clarification should be asked of officers prior to public speaking, the Chair proposed that the Committee should follow its usual practice of reserving such questions for the Committee debate. This was seconded by Councillor Henry Batchelor and, by seven votes to four, the motion was carried.

Daniel Fulton (Fews Lane Consortium – objector), Gerry Caddoo (applicant, and Longstanton Parish Council addressed the meeting.

Dr. Jon Finney (Local Highways Authority) was in attendance.

Committee members' debate revolved around highway safety and the risk posed by the hedges at the junction of Fews Lane and the High Street. It was established that the Local Highways Authority had the power to trim hedges but the onus was on the owners of those hedges to do so. The Council could not impose a Condition to trim and maintain the hedges because such hedges were outside the control of the applicant.

1. By eight votes to three, the Planning Committee resolved that, had it still the authority to determine the application then it would have been minded to Approve the application subject to the Conditions and informative set out in the report dated 8 September 2021 from the Joint Director of Planning and Economic Development and reproduced in identical terms for the meeting on 29 September 2021; and

((Councillors Henry Batchelor, Cahn, Daunton, Fane, Hawkins, Heylings, Rippeth and Wilson voted in favour while Councillors Roberts, Heather Williams and Richard Williams voted against)

2. By seven votes to three with one abstention, the Planning Committee gave officers delegated authority to submit a response to the Planning Inspectorate in relation to the costs application dated 23 September 2021 made against the Local Highways Authority by Fews Lane Consortium for consideration on behalf of South Cambridgeshire District Council.

(Councillors Henry Batchelor, Cahn, Daunton, Hawkins, Heylings, Rippeth and Wilson voted in favour while Councillors Roberts, Heather Williams and Richard Williams voted against. Councillor Peter Fane did not vote)

**Councillor Henry Batchelor
withdrew from the Chamber
for the duration of Minutes
6 and 7. By affirmation, the**

**Committee appointed
Councillor Peter Fane as
Vice-Chair for those two
items.**

6. S/1963/15/CONDG - Linton (Land North and South of Bartlow Road)

The case officer confirmed that development on site had commenced. The Committee was informed that, as a result, the pre-commencement Condition in question could no longer be discharged but only accepted. He also refer to his recent correspondence with Linton Parish Council, and to a letter received from Lucy Frazer, M.P. for South East Cambridgeshire.

Councillor Enid Bald (Linton Parish Council) and Councillor John Batchelor (a local Member) addressed the meeting.

Hilary Ellis (Lead Local Flood Authority) was in attendance. She confirmed that the map relied upon in commenting upon the application was the best information available. The Environment Agency had no objection to the application. Some Committee members expressed surprise at this in the light of recent surface water flooding in the area.

The Senior Planning Lawyer told the Committee that discharge of the Condition might be challenged by Linton Parish Council. The time frame for considering this Reserved Matters application had lapsed although approval of the access would remain intact because that had been granted at the outline stage.

By seven votes to two, with one abstention, the Planning Committee **refused** the application contrary to the recommendation in the report from the Joint Director of Planning and Economic Development. Members agreed the reason for refusal as being the absence of any evidence that a satisfactory method of surface water drainage could be provided, contrary to policies CC/7 (Water Quality), CC/8 (Sustainable Drainage Systems) and CC/9 (Managing flood risk) of the South Cambridgeshire Local Plan 2018.

7. 21/00629/S73 - Linton (Land to the North and South of Bartlow Road)

The case officer confirmed that development work had already commenced on site. For the record, he added that Linton Parish Council had sent two e-mails directly to Committee members and that a letter had been received from Lucy Frazer, the M.P. for South East Cambridgeshire. All representations were in the public domain.

Councillor Enid Bald (Linton Parish Council) and Councillor John Batchelor (a local Member) addressed the meeting.

Hannah Wilson (Anglian Water) was present. She confirmed that the developer had the right to decide at what point the development should join the main sewerage network: there were two options, both of which had sufficient capacity. Flooding issues were caused only when surface water infiltrated into a drainage system designed for foul water only.

By seven votes to three, the Planning Committee **refused** the application contrary to the recommendation in the report from the Joint Director of Planning and Economic Development. Members agreed the reason for refusal as being that the proposed alternative connection to the foul water drainage system was not suitable, contrary to policies CC/7 (Water Quality), CC/8 (Sustainable Drainage Systems) and CC/9 (Managing

flood risk) of the South Cambridgeshire Local Plan 2018.

**Councillor Henry Batchelor
returned to the Chamber
and resumed his position
as Vice-Chair for the
remainder of the meetin**

8. S/2553/16/CONDH - Linton (Land off Horseheath Road)

The case officer reported that three further representations had been received from Linton Parish Council, Lucy Frazer (M.P. for South East Cambridgeshire), and from a local resident.

Upon a proposal from Councillor Pippa Heylings, seconded by Councillor Heather Williams, and by affirmation, the Planning Committee **deferred** the application, without debate, so that it could be determined in due course at the meeting at which would be considered the submission of details required by Condition of surface water drainage on the same site.

9. Bourn Airfield Statagic Stie: Section 106 Update Report

The case officer indicated that the Legal Agreement under Section 106 of the Town and Country Planning Act 1990 was likely to be completed by the end of October 2021.

In response to questions from Councillor Dr. Tumi Hawkins, the case officer stated that:

- the financial contribution towards special needs education at Northstowe would include the provision of transport from the proposed new village at Bourn Airfield.
- a temporary, then permanent, cycle path would be constructed between the development site and the existing villages of Bourn and Highfields Caldecote as well as Cambourne.
- the developer was discussing with the Local Highways Authority options for enhancing the wider Public Rights of Way network.

10. Waterbeach New Town East Strategic Site: Section 106 Update Report

The case officer reported good progress and said that a date for completion of the Legal Agreement under Section 106 of the Town and Country Planning Act 1990 would be set following a further period of public consultation.

Speaking as a local Member, Councillor Judith Rippeth welcomed additional community engagement and the fact that RLL and Urban & Civic were working together to build a single town.

The Chair noted comments from the case officer and concluded that viability would be reviewed periodically with the aim of the new town delivering in excess of 30% affordable housing across the two development areas.

11. Tree Preservation Order: To Revoke a TPO at 10 Burton End, West Wickham

By affirmation, the Planning Committee **revoked** the Tree Preservation Order at 10 Burton End, West Wickham, as detailed in the report from the Joint Director of Planning and Economic Development.

12. Enforcement report

The Committee **received and noted** a report about enforcement action.

13. Appeals against Planning Decisions and Enforcement Action

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

Regarding 20/05001/HFUL (23 Magna Close, Great Abington – two-storey front extension and single and double storey rear extension), the Delivery Manager (Strategic Sites) undertook to circulate to Committee members copies of the decision notice.

In response to a query from Councillor Deborah Roberts, the Delivery Manager (Strategic Sites) undertook to inform Committee members about the extent of the backlog in dealing with appeals.

In response to a query from Councillor Heather Williams, the Senior Planning Lawyer said that the appeal relating to Mill Road, Sawston would be heard during the week beginning 18 October 2021.

The Meeting ended at 3.45 p.m.
