

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 12 July 2023 at 10.00 a.m.

PRESENT: Councillor Dr Martin Cahn – Chair
Councillor Peter Fane – Vice-Chair

Councillors: Ariel Cahn Bill Handley
Dr Tumi Hawkins Peter Sandford
Dr Richard Williams Mark Howell
Dr Lisa Redrup

Officers in attendance for all or part of the meeting:

Vanessa Blane (Senior Planning Lawyer), Katie Christodoulides (Senior Planner), Laurence Damary-Homan (Democratic Services Officer), Tom Gray (Principal Planning Officer), Phil McIntosh (Interim Delivery Manager), Rebecca Smith (Delivery Manager), Charlotte Spencer (Principal Planner) and James Truett (Senior Planner [Strategic Sites Team]a)

1. Chair's announcements

The Chair made several brief housekeeping announcements and stated that site visits had been conducted for the applications in Minutes 5 (22/05065/FUL- in advance of the previous meeting), 6 (22/00051/FUL) and 7 (23/01150/FUL).

2. Apologies

Apologies for Absence were received from Councillors Geoff Harvey, Judith Rippeth and Heather Williams. Councillors Mark Howell and Dr Lisa Redrup were present as substitutes.

3. Declarations of Interest

With respect Minute 5, Councillor Bill Handley declared that he would withdraw from the Committee, as he did when the application was deferred at the meeting held on 14 June 2023. Councillor Peter Sandford declared that he was a local Member and had received communications from residents regarding the application but was coming to the matter afresh. Councillor Mark Howell, a local Member, declared that he knew the applicant but had not held any discussions regarding the merits of the application and was coming to the matter afresh.

With respect to Minute 6, the Chair made a general declaration that many Members may have links to the applicant (University of Cambridge) but that, unless otherwise stated, these links had no bearing on Members' ability to make a decision on the application and that the matter would be approached afresh. Councillor Dr Richard Williams declared that, as the applicant was his employer, he would withdraw from the Committee and take no part in the debate or vote. Councillor Dr Lisa Redrup declared that she was a local Member and had been approached by residents but was coming to the matter afresh.

With respect to Minute 7, Councillor Dr Richard Williams declared that he was the local

Member and the Chair of Whittlesford Parish Council, who had made representations regarding the application, and that he would withdraw from the Committee and instead speak as the local Member.

4. Minutes of Previous Meeting

By affirmation, the Committee authorised the Chair to sign the Minutes of the meeting held on 14 June 2023 (published as a supplement) as a correct record.

5. 22/05065/FUL - Avenue Business Park, Brockley Road, Elsworth

Councillor Bill Handley withdrew from the Committee, in line with his Declaration of Interest

The Interim Delivery Manager made comments to clarify the representation made by the Lead Cabinet Member for Economic Development when the application was deferred at the meeting held on 14 June 2023. It was clarified that the Economic Development team of South Cambridgeshire District Council were a consultee, albeit not a statutory consultee, and had made comment on the application. The written comments from the Economic Development team had been published and the Interim Development Manager confirmed that these were material considerations.

The Principal Planning Officer presented the report and informed the Committee that further representations had been received, detailing concerns regarding the proposal. Members asked questions of clarity regarding the status of policy E/14 and why officers had concluded that the proposal was compliant with E/14. Officers clarified that compliance with of policy E/14 (1) was a judgement call and in the view of officers the proposal was not on the edge of the development framework and that E/14 (2) did apply but that as employment would continue to be provided on the site the proposal was compliant with E/14 (2). Context on the introduction of Class E use and how this impacted the compliance of the proposal with policy was provided by officers. Further questions were asked regarding what qualified as provision of local food and how this was defined. Members were informed that qualification as “local goods” was a judgement call but that the proposals from the applicant satisfied officers that the food to be sold on site would be sourced locally. Clarity was provided over the location of the village shop with respect to the site of the proposal.

The Committee was addressed by Richard French (resident), James Howell (treasurer, Elsworth Village Shop) and Paul Solon (resident) who objected to the application. The objectors responded to a number of questions regarding:

- Increased traffic and the subsequent impacts and harms
- Parking arrangements between the business park and school
- Impact on the village shop
- Current use of offices on the site
- Demand and need of goods in the village

The applicant, Anthony Davison, addressed the Committee in support of the application and responded to Member questions regarding:

- How he proposed to support the viability of the village shop
- Current and proposed employment on the site
- Impact of the proposal on traffic movements in the village
- Proposed educational initiatives

Councillor Peter Deer, Chair of Elsworth Parish Council, addressed the Committee on behalf of the Parish Council and expressed their concerns and the mitigation measures they would like to see if the Committee was to approve the application. Councillor Deer

responded to questions of clarity on parking provision, pedestrian safety and support for the proposal amongst local residents.

In the debate, Members discussed a number of considerations:

- Policy E/14- Following the explanations provided by officers, Members were satisfied that the proposal was not in contravention of the policy.
- Traffic concerns and damage to highways- Members noted that the Highways Authority had no objection to the application. Some felt that the increase of traffic movements would not cause enough harm to sway the balance towards refusal, but some felt that it would have a negative impact on the character of the village due to increased noise and disturbance.
- Community support- some Members had doubts over the levels of support for the proposal amongst the local community.
- Pedestrian safety- Members noted the concerns over pedestrian safety but felt that conditioning and the lack of objection from the Highways Authority meant that it did not constitute a reason for refusal.
- Events- some Members raised concerns over the impact of events on the village but noted that this was a licensing issue.
- Impact on the village shop- some felt that the retail park would harm the viability of the village shop, whereas others felt that there was not substantial evidence that the retail park would harm the village shop.
- Local procurement of goods- some Members felt that there was not enough evidence to prove that goods would be source locally in a manner that would satisfy Policy E/23 of the Local Plan, whereas others felt the proposal was compliant with the policy.
- Principle of the proposal- Members felt that the retail concept of the proposal was positive and would provide benefit to rural communities, although some felt that it was inappropriate for the location. The educational aspects of the proposal were commended.

By vote, the Committee agreed that, if it were minded to refuse the application, the reasons for refusal would be as follows:

“The proposal would provide sales of goods in the countryside which has failed to demonstrate that the proposal would result in the majority of goods being produced on the farm or in the locality. Furthermore, the proposal would result in a retail development of a scale which is inappropriate to the function and size of the village and would harm the vitality of the Elsworth Village Shop which is a not-for-profit organisation providing day-to-day needs for the local community. The proposal is, therefore, contrary to Policies E/22 and E/23 of the South Cambridgeshire Local Plan 2018.”

“Due to the nature of the use and the site’s location without any easy access to sustainable travel opportunities, the proposal would result in a substantial increase in car movements, which would have an adverse impact upon the character of Elsworth due to unacceptable levels of noise and disturbance upon nearby residents, contrary to Policies E/17, TI/2 and HQ/1 of the South Cambridgeshire Local Plan 2018.”

By 6 (Councillors Dr Martin Cahn, Peter Fane, Ariel Cahn, Dr Tumi Hawkins, Dr Lisa Redrup and Eileen Wilson) votes to 3 (Councillors Mark Howell, Peter Sandford and Dr Richard Williams), the Committee approved the application subject to the conditions, with officers delegated authority to make minor amendments to the conditions, and in accordance with the officer’s recommendation laid out in the report from the Joint Director of Planning and Economic Development.

Councillor Bill Handley rejoined the Committee

6. 22/00051/FUL - Lord's Bridge, Barton Road, Barton**Councillor Dr Richard Williams withdrew from the Committee, in line with his Declaration of Interests for Minutes 5 & 6**

The Senior Planner presented the report and informed the Committee that two additional conditions had been added to the recommendation, worded as follows:

“The inverters to be used for the development hereby permitted shall follow the specifications in accordance with the details specified within Ingecon Sun Power Dual B Series technical details unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt in the context of their appearance in relation to the wider development and the requirements of Policy HQ/1 of the South Cambridgeshire Local Plan 2018.”

“The substations to be used for the development hereby permitted shall not be installed until details of their appearance have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: For the avoidance of doubt in the context of their appearance in relation to the wider development and the requirements of Policy HQ/1 of the South Cambridgeshire Local Plan 2018.”

Members asked questions of clarity regarding tree management and how the site would be managed once the permission expired (after 40 years) and were informed that there were conditions regarding landscape management and decommissioning. In response to a question, clarity was provided on how the applicant concluded that the site was the most appropriate available for the proposed development and what the agricultural grading of the land was. Members enquired as to how electricity would be carried off-site, to which they were informed that it was not part of the application and not part of the considered, and what was meant by “26% of the University’s electrical consumption” as stated in paragraph 8.95 of the report.

The Committee was addressed by two supporters, Professor Emily Shuckburgh and Dr Jonathan Guy of the University of Cambridge, and confirmed that a private, buried wire would carry electricity off-site. The speakers responded to a number of questions regarding:

- Type of solar panels used- it was confirmed that the proposed panels were chosen due to a variety of factors including their recyclability
- Energy storage- the speakers stated that they were exploring options available to maximise their ability to store and release energy
- 26% of the University’s electrical consumption- it was confirmed that this was the figure for the University itself and did not include electrical consumption of colleges
- Assessment of sites and consultations (Members commented that it was disappointing to see so little community engagement)- the rationale behind the selection of the site was given and the speakers informed the Committee that Covid had made public consultation challenging
- Lack of community benefit funds provided- it was clarified that as the application was for private use of energy produced that community benefit funds were not required

In the debate, in response to Member comments, officers informed the Committee that glint and glare affecting neighbouring properties had been assessed and subsequently led

to changes in the proposal, with additional landscaping (covered by the landscaping condition) providing further mitigation to issues arising from glint and glare. Officers also detailed the reasons for the lack of objection from the Conservation Officer. A request to amend the decommissioning condition was raised and officers agreed to alter the wording to reference recycling of the solar panels.

The Committee assessed the balance of the application. The harm to the green belt was noted but a number of Members stated that they felt the significant benefits of the proposal outweighed the harms. Concerns were raised over industrialisation of the green belt. Comment was made on the loss of agricultural land and it was suggested that the installation of solar panels did not inherently exclude the land from being used for agricultural purposes.

By 8 (Councillors Dr Martin Cahn, Peter Fane, Ariel Cahn, Bill Handley, Dr Tumi Hawkins, Dr Lisa Redrup and Eileen Wilson) to 1 (Councillor Mark Howell), the Committee approved the application in accordance with the officer's recommendation. This was subject to the additional condition detailed by the officer in their presentation and the conditions, with officers delegated authority to make minor amendments to the conditions, laid out in the report from the Joint Director of Planning and Economic Development, as well as confirmation from the Secretary of State as to whether they wished for the application to be called-in for determination.

7. 23/01150/FUL - Land North of 39A Station Road West, Whittlesford

The Principal Planner presented the report and informed the Committee that there was the addition of a condition to the recommendation that read:

"Prior to the installation of any electrical services, an electric vehicle charge point scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall make provision for electric vehicle charging point scheme; active charge point(s) for each house, and electric charging point scheme; active charge points for the communal flat parking. The active charge points should have a minimum power rating output of 3.5kW. All other communal flat spaces should have passive provision of the necessary infrastructure including capacity in the connection to the local electricity distribution network and electricity distribution board, as well as the provision of cabling to parking spaces for all remaining car parking spaces to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required, and this should be demonstrated in the submitted detail.

The approved electric vehicle charge points shall be installed prior to first occupation of the relevant dwelling and retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport in accordance with the National Planning Policy Framework (NPPF 2021) paragraphs 107, 112, 174 and 186, policy TI/3 Of the South Cambridgeshire Local Plan and the Greater Cambridge Sustainable Design and Construction SPD 2021."

Officers responded to a number of questions of clarity and:

- Confirmed that garages were considered to provide sufficient space.
- Informed Members that the ongoing appeal for 67 units on the site had not been concluded and thus did not provide a fallback position and was not a material consideration; if the appeal was successful and the application was approved the developers would be able to choose between the approved schemes.
- Confirmed that footpaths were secured by conditioning.
- Informed the Committee that the levels of affordable housing were linked to the cost of

development, notably the decontamination costs.

- Detailed some of the changes between the scheme being decided upon and other schemes for the site that had previously been seen by the Committee.

Members commented on the single aspect flats in the apartment blocks and raised concerns over light and ventilation. Officers advised that there was no policy prohibiting single aspect flats and that Part O of the Building Regulations would ensure that dwellings would not be prone to overheating.

Members noted that a written submission from Whittlesford Parish Council had been received and circulated. The Committee was addressed by the agent of the applicant, Lorenzo Pandolfi, who responded to a number of questions from Members. In response to questions, the agent explained that the design for the single aspect flats included projected bay windows to increase light and ventilation, and informed the Committee that photovoltaics were not included in the proposal due to the constraints of the site and massing concerns, following discussion with officers, but stated that the developer was not ruling out installing solar panels in the future. Councillor Dr Richard Williams addressed the Committee as local Member and a representative of Whittlesford Parish Council and commented that the proposed scheme was an improvement on previous proposals but that there were still a number of issues with the proposal and that he agreed with the comments of the Parish Council. The local Member commented on the commuted sum for affordable housing and stated that he understood that the developer was happy to contribute some of the funding to a local affordable housing charity, but that local policy meant that commuted sums for affordable housing had to go to the wider funding pool for affordable housing in new build developments in the District, thus funding from the development could not be given to the local charity. The local Member requested that, if possible, some of the sum be directed towards affordable housing initiatives in the village of Whittlesford. Members asked questions of clarity regarding the affordable housing contribution and the local Member informed the Committee that the decision on commuted sums was agreed in 2015, based on information provided by Housing Officers. Officers confirmed the information that the local Member provided was correct and stated that to override this decision, approval from Full Council would have to be sought. Officers advised that the Council's Housing Team could explore options, alongside Whittlesford Parish Council, to see how s106 contributions from the development could be used locally and that it would be appropriate to include a local connection restriction into the s106 agreement to ensure that the funding was used in Whittlesford for local affordable housing if possible within a defined time frame, with any funds not used cascading back to the wider District affordable housing fund. The local Member commented that he would be happy with the suggestion from officers.

In the debate, concerns were raised over the single aspect flats but that the explanation from officers as to why this was not a material consideration was satisfactory. Further concerns were raised over design, lack of amenity space and density but it was noted that it was an improvement on previous proposals. Officers advised that density of the site was appropriate and a significantly smaller number of dwellings would be not be an efficient use of the land, stating that whilst the proposal was not fully policy compliant, there was good justification for the proposed density. It was noted that the brownfield nature of the site, especially with the poor conditions of the site and contamination present, was a consideration that had weight in the recommendation of approval. Members discussed affordable housing and expressed reservations, but stated that the proposal from officers to include a local connection restriction in the s106 agreement was a positive mitigation and that they would like to see it implemented.

By 6 votes (Councillors Dr Martin Cahn, Peter Fane, Ariel Cahn, Dr Lisa Redrup, Peter Sandford and Eileen Wilson) to none, with 2 abstentions (Councillors Bill Handley and Dr

Tumi Hawkins), the Committee approved the application in accordance with the officer's recommendation. This was subject to the conditions, with officers delegated authority to make minor amendments to the conditions, and the completion of a s106 agreement, as laid out in the report from the Joint Director of Planning and Economic Development.

Councillor Dr Richard Williams rejoined the Committee

8. 22/04785/REM - Parcel 2.1 Cambourne West, Cambourne

The Senior Planner (Strategic Sites Team) presented the report. In response to questions from the Committee, officers:

- Offered explanation regarding the proposed distribution of affordable housing and the work undertaken with the Housing Development Officer.
- Confirmed that the parking provision was considered to be acceptable and detailed why officers had formed this view.
- Provided clarity over the access to the site.
- Informed the Committee that the Cambourne West site had a sustainability strategy included as part of the Outline consent and that the proposal was compliant with the sustainability strategy for the wider development.
- Made reference to conditions to explain that an electric vehicle charge point plan was to be submitted to secure the details of electric vehicle charging infrastructure.
- In response to concerns over management companies, informed the Committee that the Highways Authority was to adopt the roads, with Cambourne Town Council would adopt green space and other management responsibilities.

The Committee was addressed by the agent of the applicant, Susie Hartas, who responded to a number Member questions. The agent informed the Committee that landscaping works would be ongoing throughout the development process, confirmed the number of storeys in larger buildings and confirmed that affordable houses were M(42) compliant and the levels of provision were higher than policy requirements. Further questions were asked with regard to management companies and the agent advised that decisions regarding the use of private management companies had not been made; officers advised, in response to Member comments, that a condition regarding management companies would be inappropriate to implement at the Reserved Matters stage.

Prior to the commencement of the debate, the Interim Delivery Manager advised that the Recommendation on the front page of the report (approve 22/02785/RMA) was incorrect, and that the Recommendation as referred to in paragraph 10 was correct (approve 22/04785/REM).

In the debate, Members stated that there were no reasons for refusal and noted the work undertaken between the developers and officers to produce an acceptable proposal. Comment was made on building height appearances and the need to ensure that sustainability measures utilise the best available technology. Whilst noting that the proposed use of management companies was not relevant to the application, Members raised general concern about reliance on management companies and expressed a desire to see future Local Plans include policies to mitigate concerns about management companies.

Councillor Peter Fane, seconded by Councillor Bill Handley, proposed that the Committee move to a vote. The recommendation was clarified by the Senior Planning Lawyer.

By affirmation, the Committee agreed to the officer's recommendation and:

- (i) **Approved** application 22/04785/REM subject to the planning conditions, as laid out in the report from the Joint Director of Planning and Economic Development, with authority delegated to officers to undertake appropriate minor amendments to the conditions and/or informatives (and include others considered appropriate and necessary) prior to issue of the permission.
- (ii) **Approved** the part discharge of the outline planning conditions 5, 8, 15, 16, 17, 20, 21, 22, 23, 25, 27, 28, 29, 30, 31 and 32 of S/2903/14/OL in so far as they relate to application 22/04785/REM, as laid out in the report from the Joint Director of Planning and Economic Development

9. Compliance Report

The Development Manager informed the Committee that the Principal Planning Compliance Manager was unavailable to present the report and that he had advised that there were some issues with data reporting, which he would provide update on at the next meeting. Staffing updates were offered and Members were advised to contact the Principal Planning Compliance Manager with any enquiries relating to specific cases.

The Committee **noted** the report.

10. Appeals against Planning Decisions and Enforcement Action

The Interim Delivery Manager introduced the report. The Committee discussed the appeals allowed and enquired as to the reasons for the Inspector allowing the appeal for application 21/00953/FUL; the Interim Delivery Manager stated that further investigation into the decision could be undertaken and that the issue would be taken away, with a summary to be presented to Members at a later date. The Interim Delivery Manager informed the Committee that future reports would also include the Planning Inspectorate's reference numbers for cases.

The Committee **noted** the report.

The Meeting ended at 3.22 p.m.
