

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 8 November 2023 at 10.00 a.m.

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

Councillors:	Ariel Cahn	Geoff Harvey
	Judith Rippeth	Peter Sandford
	Heather Williams	Dr Richard Williams
	Eileen Wilson	Dr Lisa Redrup

Officers in attendance for all or part of the meeting:

Vanessa Blane (Senior Planning Lawyer), Tom Chenery (Senior Planner),
Laurence Damary-Homan (Democratic Services Officer), Michael Sexton
(Area Manager), Rebecca Smith (Delivery Manager) and Charlotte Spencer
(Principal Planner).

Councillor Henry Batchelor was in attendance, as a local Member.

1. Chair's announcements

The Chair made several brief housekeeping announcements and noted that site visits had been conducted on 01 November 2023 for all the applications on the Agenda. The Delivery Manager informed the Committee that the Levelling-up and Regeneration Act 2023 had been given royal assent and that all officer reports and recommendations had been reviewed in light of the introduction of the Act, with no changes being required.

2. Apologies

Apologies for Absence were received from Councillors Bill Handley and Dr Tumi Hawkins. Councillor Dr Lisa Redrup was present as a substitute.

3. Declarations of Interest

With respect to Minute 6, Councillor Peter Fane declared that he had formed a view on the application as local Member and had called-in the application, thus he would withdraw from the Committee and speak as local Member.

With respect to Minutes 7 & 8, Councillor Geoff Harvey declared that he was a resident of Great Abington but was coming to the matter afresh.

With respect to Minute 10, Councillor Heather Williams declared that she was local Member for some cases listed in the report.

4. Minutes of Previous Meeting

Councillor Heather Williams requested that Minute 6 be amended to reflect that the decision to pause CSET Phase 2 had been taken by the GCP Board, rather than by the Joint Assembly as recorded. With the amendment, the Committee authorised the Chair to sign the Minutes of the meeting held on 11 October 2023 as a correct record.

5. 23/02467/FUL - Land at The Way, Fowlmere

The Principal Planner presented the report and informed the Committee that a third-party representation in objection to the application had been received, and that condition 10 was amended to remove “shall commence” from the first line of the condition wording. In response to Member questions, officers advised that changes to the levels of car parking had been made during the design process in response to comments from the Council’s Design Team, and that more parking spaces could not be secured without utilising multi-level car parking. Questions were raised on how the Travel Plan and Parking Management Plan in condition 27 would be monitored and the Principal Transport Officer (Cambridgeshire County Council) informed the Committee that annual monitoring reports on local parking were to be provided for 5 years as part of the Travel Plan, with £10,000 being requested within the s106 agreement for use in traffic management. Officers confirmed that parking on The Way itself could not be controlled by local authorities as it was a private road.

The Committee was addressed by an objector, Sarah Brock. The agent of the applicant, Amy Robinson and the applicant, Ariel Levy, addressed the Committee in support of the application and answered a number of Member questions which covered:

- Parking- the applicant clarified that increased car parking would require another storey and the proposed parking scheme was in response to pre-application advice from officers. The applicant advised that transport and parking restrictions would be included as part of tenants’ lease agreements, giving the developers a mechanism to enforce parking restrictions, details of which were to be include in the Travel Plan as required by Condition 27.
- Noise from equipment- the Committee noted that a noise assessment had been undertaken and condition 32 had been included in response to this.
- Minibus service details- the Committee noted that Condition 26 required the submission of details of the proposed minibus service, and the applicant advised that the intention was for the service to include Whittlesford Station.

- Public use of café and gym- the applicant advised that both the gym and café were being provided primarily for R&D employees working on the site rather than as a commercial enterprise and, whilst they were both accessible to the public, these facilities were to be managed in a manner that would try to limit increased traffic in and around the site.
- Animal testing- the Committee noted that potential animal testing on the site was not a material consideration, and the applicant advised that the site itself was not compliant with the regulations around animal testing and thus no such testing could occur.

Councillor David Brock of Fowlmere Parish Council addressed the Committee on behalf of the Parish Council. The Committee was informed that the Parish Council objected to the proposal as it was felt that the issues raised in the Parish Council's consultation response had not been addressed. Members enquired as to which conditions the Parish Council held concerns over and were informed that conditions 6, 8 (iv), 12, 26, 28 and 31 were of concern to the Parish Council, in addition to car parking.

Officers provided the following points of clarification:

- Condition 8 (iv) was to be amended to have the wording "Please include wording that" removed from the start of the second sentence as it was a typo.
- Condition 12 required the submission of details which development would then be carried out in accordance with. For changes to be made to the development at a later date (such as to the colour of the heat pumps), the applicant would have to apply to vary the details, there were no conditions removing permitted development rights for changes to plant but that these details needed to be submitted for approval.
- Condition 26 requested the details of the minibus service, including the number of services and locations served, which were to be agreed with the Local Planning Authority.
- Condition 27 would require the details of the Travel Plan and Parking Management Plan to be submitted and agreed. Members noted the comments of the applicant regarding parking enforcement, and the request for £10,000 from the County Transport Team to be held in case a need for traffic or parking mitigation measures arose. If required a feedback

mechanism could be included in the management plan condition.

- Condition 28 required the submission of details for the street furniture and artwork but did not specify that it was to be retained thereafter. Members were advised that such wording would be unusual for such a condition but could be added if the Committee felt it was appropriate.
- Condition 31 specified hours for demolition work and plant or power operated machinery operation, rather than hours of use for the site. The previous permission for the site (S/0752/95/F) had specified hours of delivery and noise produce by machinery but did not specify hours of use for the site.

Councillor Dr Richard Williams left the meeting during the debate.

In the debate, the Members agreed that the principle of development was acceptable and noted the comments made in the Design Review Panel Appendix. Officers provided clarity over how Condition 26 would ensure that an appropriate minibus would be secured, taking on board the comments of the Committee, and that the agreed service(s) would be maintained unless agreed otherwise. Hours of delivery and use were discussed, and officers informed the Committee that operational hours had not been restricted in the 1995 permission S/0752/95/F and given that the proposal did not include a change of use, officers were of the view it would be inappropriate to restrict hours of operation. Officers advised that the wording from the 1995 permission regarding HGV delivery hours could be included in the conditions.

Concerns over car parking and the details of the Travel Plan and Parking Management Plan were raised. Members requested that a requirement feedback mechanism to be included in condition 27 and officers advised that wording similar to that used in Condition 18 (iv) h could be included. Councillor Heather Williams, seconded by Councillor Peter Sandford, proposed a motion to not delegate the approval of submitted details required by Condition 27 to officers and instead require it to come back to the Committee for approval, if the application was approved. Following a debate of the motion, the Committee voted **against** the motion by 6 (Councillors Dr Martin Cahn, Peter Fane, Ariel Cahn, Geoff Harvey, Dr Lisa Redrup and Judith Rippeth) to 3 (Councillors Heather Williams, Peter Sandford and Eileen Wilson).

The Delivery Manager summarised the changes to the conditions made during the meeting:

- The minor amendment to the wording of Condition 8 (iv).
- The minor amendment to the wording of Condition 10.
- The inclusion of a part vi to Condition 27 with the following wording:
“vi) the inclusion of a feedback mechanism to the Local Planning Authority

(and Local Highways Authority), allowing for the alteration of working methods / management prescriptions, should the monitoring deem it necessary.”

- The addition of the wording “and maintained thereafter” to the end of Condition 28.
- The addition of a condition to restrict HGV delivery times using the wording from Condition 13 of S/0752/95/F.

By affirmation, the Committee agreed to the changes.

By unanimous vote, the Committee **approved** the application in accordance with the officer’s recommendation, and subject to the conditions and the completion of a Section 106 Agreement, as laid out in the report from the Joint Director of Planning and Economic Development and amended by the Committee.

6. **23/02823/FUL - Magog Court, Hinton Way, Great Shelford**

Councillor Peter Fane withdrew from the Committee, in line with his declaration of interest. The Committee agreed, by affirmation, to the appointment of Councillor Geoff Harvey as Vice-Chair for the duration of the item.

The Area Manager presented the report and provided update that an email from the objecting speaker had been circulated to Members and it and its contents had been published on the planning register. In response a question, the Area Manager, highlighting paragraphs 10.1-10.22 of the report, provided clarity on why the works carried out on site constituted a building which had implemented its use as an agricultural building. The Senior Planning Lawyer confirmed that the structure was a building in planning terms and that the change of use could go forward. Officers provided further clarity that:

- Condition 17 ensured that the premises would be used for Class E(e) and no other purpose.
- The Transport Assessment was based on the usage at the existing Newmarket Road site, the facility that the application was seeking to relocate.
- A cycle store was included as part of the site plan, and that it would be appropriate to add a condition that required the submission and approval of details of covered cycle parking.
- Given the use of the building proposed, officers did not consider the use of solar panels were appropriate for the proposal.

The Committee was addressed by Sarah Nicholas, of Cambridge Past, Present

and Future, who objected to the application. The applicant, Carin Charlton (Cambridge University Hospitals Foundation Trust), addressed the Committee in support of the applicant and, with support from Michael Hendry (agent of the applicant), answered Member questions. Members were advised that:

- A drive through service had been identified as the best way to provide blood testing services to patients, and that there was need to relocate the current site.
- A permanent facility would help the clinical staff streamline their service and measures such pre-booked appointments only would limit waiting times and associated impacts.
- The facility was predominantly for NHS operations and patients would require referral from a GP or the Hospital to attend the facility.
- The expected level of use was the same as the levels at the existing Newmarket Road site (approx. 300 patients per day).
- Provision would be made for cycle, motorcycle and pedestrian access.

Councillor Greg Price of Great Shelford Parish Council addressed the Committee on behalf of the Parish Council, who had revised their support for the application and objected to the application due to highway safety concerns. Councillor Barbara Kettel of Stapleford Parish Council addressed the Committee on behalf of the Parish Council, who objected to the application. Councillor Peter Fane addressed the Committee as local Member and objected to the application. In response to a question, Councillor Fane clarified that he felt a change of use application was inappropriate for the site and that a full application should be brought forward.

In the debate, discussion was held over the status of the structure as a building and the commencement of the use. Whilst some Members held reservations, the Committee agreed that in planning terms the structure was a building and that the commencement of use had been proven, thus a full planning application was appropriate. Officers clarified that removal of permitted development rights for the rest of the farmland was outside of the remit of the application.

Increased traffic and impact on the highway were raised as a concern. Officers advised that, in order to limit the highway impact, a condition for an Operational Management Plan (OMP) could be included to secure details of pedestrian and cycle access and how many appointments would be made available per hour. The Committee also raised the need for the details of cycle parking to be secured.

By affirmation, the Committee agreed to the addition of two conditions requiring:

- The submission and approval of the details an Operational Management Plan.
- The submission and approval of the details of secured, covered cycle parking for use associated to the facility.

Officers were granted delegated authority to produce final wording of the

conditions.

By 8 votes to none, with 1 abstention (Councillor Peter Sandford), the Committee **approved** the application in accordance with the officer's recommendation, and subject to the conditions, as laid out in the report from the Joint Director of Planning and Economic Development and amended by the Committee.

Councillor Peter Fane rejoined the Committee.

7. 23/03174/HFUL - 86 High Street, Great Abington

The Senior Planner presented the report and provided update that a written submission from the local Members had been circulated. Officers clarified that there would be no harm to the structure of the building as a result of the proposal, and that the recommendation of refusal was based on grounds of harm to the setting and significance of the listed building and resulting harm to the Conservation Area. In response to a question, officers confirmed that the pantiles on the building were not original materials.

The Committee was addressed by the agent of the applicant, Jeremy Lodge, who supported the application. In response to questions, the agent advised that various alternative sustainability measures had been explored, referencing the site history, and that the solar panels would be connected to the grid. Councillor Henry Batchelor addressed the Committee as local Member (on behalf of both local Members) in support of the application. In response to a question, Councillor Batchelor clarified that the local Member support was based, from a planning perspective, on paragraph 158 of the National Planning Policy Framework (NPPF).

In the debate, the Committee acknowledged the reasons for the recommendation of refusal but felt that, on balance, the benefits of the proposal outweighed the harms and consequently the application should be approved. Members gave the following reasons for their view:

- Paragraphs 158 a) and c) of the NPPF.
- The connection to the grid providing a public benefit.
- The conservation benefits of sustainable development, and the Council's policies that encouraged this.
- Following the site visit and consideration of the application, opinion was there was minimal harm to the listed building and Conservation Area.

By unanimous vote, the Committee **approved** the application, contrary to the officer's recommendation laid out in the report from the Joint Director of Planning and Economic Development.

By affirmation, the Committee agreed to the addition of a condition requiring details of the installation of the photovoltaics to be submitted in writing to the local planning authority within three months of the date of the decision notice being issued. Officers were granted delegated authority to produce the wording for the

conditions in consultation with the Chair and Vice-Chair.

8. 23/03175/LBC - 86 High Street, Great Abington

The Senior Planner clarified that the application was to assess the harm to the fabric of the listed building.

Councillor Dr Martin Cahn, seconded by Councillor Peter Fane, proposed that the Committee move to a vote. The Committee agreed to the proposal by affirmation.

By affirmation, the Committee **approved** the application, contrary to the officer's recommendation laid out in the report from the Joint Director of Planning and Economic Development.

9. Compliance Report

The Delivery Manager presented the report. Members requested that information on average case time be included in future reports. Further request was raised that when Members alerted the Principal Planning Compliance Manager to cases they wished to seek update on, there be a mechanism be put in place to clarify if the case is a local issue that only requires the attention of local Members or if the wider Committee Membership should be made aware of the case. In response to Member comment, the Delivery Manager advised that a review of standard conditions was underway to ensure enforceability and that bespoke conditions were referred to the Compliance Team to ensure that conditions were enforceable.

The Committee **noted** the report.

10. Appeals against Planning Decisions and Enforcement Action

The Delivery Manager introduced the report and the Committee **noted** the report.

The Meeting ended at 2.54 p.m.
