

DEVELOPMENT AND CONSERVATION CONTROL COMMITTEE

At a meeting held on Wednesday, 1 September 2004 at 10.00 a.m..

PRESENT: Councillor RGR Smith – Chairman
Councillor Dr JPR Orme – Vice-Chairman

Councillors	Dr DR Bard	RE Barrett
	JD Batchelor	RF Bryant
	Mrs PS Corney	Mrs J Dixon
	SM Edwards	Mrs A Elsby
	R Hall	Mrs SA Hatton
	Mrs JM Healey	Mrs EM Heazell
	Mrs CA Hunt	HC Hurrell
	SGM Kindersley	RB Martlew
	MJ Mason	DH Morgan
	Mrs JA Muncey	Mrs CAED Murfitt
	CR Nightingale	EJ Pateman
	A Riley	Mrs DP Roberts
	NJ Scarr	Mrs DSK Spink MBE
	Dr JR Williamson	NIC Wright
	SS Ziaian-Gillan	

Apologies for absence were received from Councillors JH Stewart, RJ Turner and TJ Wotherspoon.

PROCEDURAL ITEMS

1. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 7th July 2004, subject to:

1. the addition of Councillor Mrs J Williamson to the list of those in attendance
2. the insertion into Minute no. 23 (S/0951/04/F - Histon - Variation of Condition 3 of Planning Permission S/0242/01/F to allow hot food Takeaway service between 11.00am and 2.30pm, and 5.00pm and 11.00pm at 44 Station Road for R Dias) of the sentence, "Councillor MJ Mason, a member also of Histon Parish Council, stated for the record that he had taken no part whatsoever in the Parish Council's consideration of this planning application.", immediately prior to the section in parentheses.

2. S/2625/03/F - CASTLE CAMPS

Alterations and conversion of existing building into 7 dwellings. Camps Castle Public House, High Street for Mr and Mrs Hart

APPROVAL of drawing no. 03/40/7c as an amendment to the approved scheme, subject to confirmation of hard and soft landscaping details. Members requested that the grassed areas be left substantially free of trees to allow overflow parking on these areas.

3. S/1093/04/0 - COTTENHAM

Agricultural Dwelling, Causeway Farm, Smithy Fen, for Mr & Mrs R Jones

DEFERRED pending the receipt of an application for planning consent to construct the two cattle sheds with both applications then being considered concurrently and a report being presented to the Committee at its meeting on 1st December 2004, should no progress be made.

Councillor Mrs J Dixon declared a prejudicial interest in this item because she knew the applicant and was friends with the neighbours, and withdrew from the Chamber.

4. S/0511/04/F - FOWLMERE

Extension and Conversion of Buildings into a Dwelling and Erection of Garage/Carport, Mill Farm, Fowlmere Road, Melbourn, for Plum Developments

MINDED TO APPROVE for the reasons set out in the report from the Director of Development Services, there having been no representations made following the advertisement of this proposal as a departure from the Development Plan. The application would be referred to the Secretary of State as a departure.

5. S/1597/04/F - FOWLMERE

Erection of Dwelling and Conversion of Barn into Garage/Carport/Workshop and Store following Demolition of 2 Existing Dwellings

REFUSED contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that the proposal conflicted with Policy HG/15/1 of the South Cambridgeshire Local Plan 2004 by virtue of its size and bulk, and because its design and character would be out of keeping with the bungalows to be replaced.

6. S/1308/04/F - GIRTON

Extension to 34 Woodlands Park, for Dr Russo and Ms Gillespie

REFUSED for the reasons set out in the report from the Director of Development Services. (Councillor NJ Scarr abstained from voting as he had not attended the site visit.)

7. S/1436/04/F - GIRTON

Extension and Conservatory at 6 St. Margarets Road, for Mr & Mrs Barresi

REFUSED, contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that the proposed two-storey extension conflicted with Policy HG/12 of the South Cambridgeshire Local Plan 2004 by virtue of its size, height, depth and proximity to the western boundary of the site, and that it would have an overbearing impact on the neighbouring property at no. 4 St Margarets Road.

(Councillor NJ Scarr abstained from voting as he had not attended the site visit.)

8. S/1430/04/F - HASLINGFIELD

Raising of Roof Height and Addition of Dormer, 2 The Hemlocks for Mr and Mrs McKenzie

REFUSED, contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that the additional height and dormer window would have an adverse impact on the Conservation Area, contrary to Policy EN/30 of the South Cambridgeshire Local Plan 2004, and that the proposal would lead to a loss of amenity for the neighbouring property at no. 28 High

Street, contrary to Policy HG/12 of the Local Plan.
(Councillor NJ Scarr abstained from voting as he had not attended the site visit.)

9. S/1320/04/O - HISTON

Erection of Three Dwellings Following Demolition of Existing Dwelling at 81 Park Lane for Mr Betson

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and to an additional Condition requiring that a tree survey be carried out.

10. S/1188/04/F - IMPINGTON

Erection of Eleven Houses, Two Flats and Garages following Demolition of Existing Dwellings (15-17 Mill Road), 15-17 Mill Road and Land Rear of 13-23 Mill Road and Rear of 17-23 Highfield Road for Hogger Homes Ltd

DEFERRED, pending the receipt of comments, from Anglian Water, on foul water drainage issues.

11. S/1297/04/LB & S/1298/04/F - LINTON

Alterations and Replacement of Beam and Strengthening of Wall in Basement of Stair Tower and Construction of Brick Extension for Porch and Shower Room. New Dwarf Wall and Steps and Extension.

REFUSED for the reasons set out in the report from the Director of Development Services.

12. S/1159/04/F - LITTLE SHELFORD

Erection of Dwelling Following Demolition of Existing Dwelling at 40 High Street for Mr & Mrs D Munro

DELEGATED REFUSAL, contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that, by virtue of its unsatisfactory scale and design, the proposed dwelling would have an adverse impact on the Conservation Area, and conflict with Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and SE5 and EN30 of the South Cambridgeshire Local Plan 2004. Comments awaited from the Trees and Landscape Officer could provide, if adverse, an additional reason for refusal.

13. S/1247/04/F - LONGSTANTON

Extension at 87 Magdalene Close, for Mr BJ Less and Miss J Phipps

APPROVAL, on the Chairman's casting vote, for the reasons set out in the report from the Director of Development Services, and subject to the Conditions referred to therein.

14. S/1421/04/F - OVER

Change of Use of Amenity Land to Staff Sitting Area together with Extension to Provide Store and Erection of Security Fencing to the Front and Rear of the Premises, Unit 15/16 Norman Way, Over for S M Page

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

RESOLVED formally to endorse Condition 4, namely that Enforcement Action be taken in the event that, within three months of planning consent being granted, the security fence at the entrance to the estate has not been removed.

15. S/1301/04/F - SAWSTON

House at Land Between 14 and 16 Brookfield Road for T Coppolaro

APPROVAL as amended by drawing no. SD/2004/09/A date stamped 27.8.04 for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein, to an additional Condition requiring that suitable provision be made for the storage of wheeled refuse bins, and to the deletion of General Informative no. 3.

16. S/1194/04/F- FEN DITTON

Erection of extract duct and cladding, The Blue Lion Public House, Fen Ditton for Greene King Pub Co

REFUSED for the reasons set out in the report from the Director of Development Services.

17. S/1476/04/F - WILLINGHAM

Siting of Mobile Home as Annexe for dependent parent at 130 Rampton Road, for Mr and Mrs S. Webster

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the prior completion of a Section 106 Legal Agreement restricting use of the mobile home to dependent family members, to the Conditions referred to in the report and to an additional Condition requiring that the mobile home be removed once no longer required for occupation by Mr A Webster.

18. S/1425/04/F - WEST WRATTING

House Adj 9 Six Mile Bottom Road for T Mendham

REFUSED for the reason set out in the report from the Director of Development Services.

19. S/0260/04/F - OAKINGTON

Erection of Greenhouses at College Street Market Gardens for Oakington Tomato Farm

DEFERRED pending the receipt of a detailed response from the Local Highways Authority, comments from the Environment Agency relating to proposals for incorporating a balancing pond into the development, and accurate site and block plans.

20. S/1340/04/F - BARRINGTON

Erection of Garages and Stores with first floor Flat, Land at Barrington Hall, for T J Fernandes

REFUSED for the reasons set out in the report from the Director of Development Services.

21. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION, AND ESTABLISHMENT OF A SUB-COMMITTEE RESPONSIBLE FOR DETERMINING ENFORCEMENT ACTION RELATING TO TRAVELLERS

The Committee **NOTED** the following from the report prepared by the Director of Development Services:

- Decisions notified by the Secretary of State

Acknowledging the dismissal of eight appeals in Swavesey (Plots 1-8 Scotland Drove/Rose and Crown Road), the Head of Legal Services introduced a discussion among Members on how best the Development and Conservation Control Committee should proceed in relation to identifying the most appropriate method of enforcement on a case by case basis. In response to a Member's assertion that this topic could not be discussed because it had not been on the agenda, the Head of Legal Services expressed his satisfaction that there was no cause for challenge on this point; the issue was merely a procedural one, seeking to ensure operational efficiency; no specific sites were under consideration; no specific action was being discussed; no information was being promulgated. The Sub-Committee's Terms of Reference would include the full responsibility for determining and carrying out direct enforcement action.

Members made the following points:

- it would be sensible to establish a small sub-committee, which should report to the Development and Conservation Control Committee rather than to the Travellers Consultative Group
- Cabinet had already delegated many executive functions relating to Travellers to a group consisting of Councillors Mrs DSK Spink, Dr DR Bard and Mrs DP Roberts
- discussion should be in confidential session
- relevant local Members should be invited
- the sub-committee should have a wider membership than was currently the case with executive powers

RESOLVED

- (1) that a sub-committee, consisting of Councillors Dr DR Bard, Mrs DP Roberts, Mrs DSK Spink, and local Members who are on the Development Control and Conservation Committee in relation to the area under consideration be set up to authorise, project plan and – subject to approved resources and relevant human rights considerations - carry through direct enforcement action in relation to Travellers, with any other local Members who are not on the Committee and the Chairman and Vice-Chairman of the Committee being invited to attend as appropriate but not as members of the sub-committee; and
- (2) that an item be included on the agenda for the Development and Conservation Control Committee meeting on 3rd November 2004 to enable Members to review operation of the sub-committee to date, and, if appropriate, to endorse its continuation as currently constituted
 - Summaries of recent decisions of interest
 - Appeals received
 - Local Inquiry and Informal Hearing dates scheduled before the next meeting of the Committee on 6th October 2004
 - Appeals withdrawn or postponed
 - Advance notification of future local inquiry and Informal Hearing dates (subject to postponement or cancellation)

22. BRIDLEWAY NO. 5 - SOUTHERN BYPASS (PARISH OF CAXTON)

The Committee received a report on progress made in extinguishing the route of part of Bridleway no. 5 in the Parish of Caxton (where it crosses the Caxton southern bypass) and creating a replacement section of bridleway passing through an underpass.

RESOLVED that the Committee authorises officers to confirm the Extinguishment and Creation Order relating to part of bridleway no. 5 as described in the report from the Finance and Resources Director, to coincide with Caxton southern bypass being adopted by Cambridgeshire County Council.

23. FOOTPATH NO. 7 (PARISH OF OAKINGTON)

The Committee received a report on progress made in extinguishing Public Footpath no. 7 in the Parish of Oakington in accordance with planning consent S/2491/03/RM.

RESOLVED that the Committee authorises officers to make an Order extinguishing Footpath no. 7 in Oakington and, subject to there being no objections to formal consultation, to confirm the Order in due course, and concurrently with Cambridgeshire County Council adopting the estate road and pavement at Coles Lane, Oakington and confirming creation of a proposed new bridleway between the northern most point of the adopted highway and further development to the north..

24. CAMBOURNE SECTION 106 LEGAL AGREEMENT - FACILITIES AND TIMING OF PROVISION

The Committee received a further report on progress being made by the Developers of Cambourne in complying with their obligations under the Section 106 Legal Agreement dated 20th April 1994.

The Senior Planning Assistant gave a verbal update indicating, among other things, that there were currently 1,411 homes occupied in Cambourne, and progress made with regard to the skateboard park, playing fields, extension of the Multi-Use Games Area, tennis courts and burial ground

A local Member expressed appreciation of the efforts made by officers in addressing the various issues outstanding in Cambourne, and summarised steps being taken by the new Parish Council to put it in a better position to play a greater role locally in that process.

Members discussed a proposal from officers that future reports be presented to Committee every three months, with the proviso that reports should be made more frequently, if circumstances dictated. There were some reservations that such a move might give the impression that the issue of non-compliance with the Section 106 Agreement was now seen as less of a priority. A Member proposed that future reports should contain a new section highlighting changes in circumstances since the previous report.

RESOLVED

- (1) that the Council reaffirm its stance in relation to seeking substantial compliance with the Section 106 Legal Agreement dated 20th April 1994;
- (2) that the next report on this subject be presented, upon the proposal of

Councillor SGM Kindersley (seconded by Councillor Mrs DP Roberts) at the meeting on 3rd November 2004 and every two months thereafter, subject to the proviso that, should there be an urgent issue requiring Committee input, a report should be presented sooner; and

- (3) that future reports should contain an additional section, highlighting changes in compliance with the Section 106 Legal Agreement dated 20th April 1994 since presentation of the previous report.

The Meeting ended at 3.23pm
