

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 8 January 2014 at 10.00 a.m.

PRESENT: Councillor – Chairman
Councillor Lynda Harford – Vice-Chairman

Councillors: David Bard Val Barrett
Brian Burling Tumi Hawkins
Caroline Hunt Sebastian Kindersley
David McCraith Charles Nightingale (substitute)
Deborah Roberts Hazel Smith
Nick Wright

Officers in attendance for all or part of the meeting:

David Bevan (Conservation Manager), Nigel Blazeby (Development Control Manager), Katie Christodoulides (Planning Officer), Gary Duthie (Senior Lawyer), John Koch (Planning Team Leader (West)), Katie Parry (Senior Planning Officer), Karen Pell-Coggins (Senior Planning Assistant), Ian Senior (Democratic Services Officer), Dan Smith (Planning Officer) and Charles Swain (Principal Planning Enforcement Officer)

Councillors Roger Hickford, Peter Johnson, Mick Martin, Neil Scarr, Peter Topping and John Williams were in attendance, by invitation.

Apologies for absence were received from Councillor Ben Shelton.

76. GENERAL DECLARATIONS OF INTEREST

Councillor Nick Wright

In respect of Hildersham: Article 4 direction to remove permitted development rights for change of use from Class A4 (drinking establishments) to other uses within Class A, including retail, at The Pear Tree Public House (Minute 78 refers), non-disclosable interest as a Company Director, Conington Pub Company, Conington

77. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 4 December 2013.

78. HILDERSHAM: ARTICLE 4 DIRECTION TO REMOVE PERMITTED DEVELOPMENT RIGHTS FOR CHANGE OF USE FROM CLASS A4 (DRINKING ESTABLISHMENTS) TO OTHER USES WITHIN CLASS A, INCLUDING RETAIL, AT THE PEAR TREE PUBLIC HOUSE

The Planning Committee **received and noted** a report setting out the actions taken and the matters considered in relation to a request that had been made by Councillor Roger Hickford (a local Member), on behalf of the community of Hildersham that South Cambridgeshire District Council issue a Direction under Article 4, Part 4 of 'The Town and Country Planning (General Permitted Development) Order 1995 (as amended) removing

the permitted development rights enjoyed by the Pear Tree Public House that would otherwise have allowed its owner to change its use from a pub into a shop or any of the other permitted changes in the 'A Class' of the Use Classes Order. The pub was on the Council's 'Community Asset Register' and there were concerns that the contribution that the building made socially to the local community would be lost if the applicant was able to use his permitted development rights to change the use of the property into a different retail use without proper controls being in place.

Jean Kelly, Secretary of community Group Save the Pear Tree (SToPiT), addressed the meeting and gave the matter context by referring briefly to the history and community function of the Pear Tree. Mark Logan, Chairman of SToPiT, urged the Council to recognise the wishes of local people, and SToPiT overriding message was that the Pear Tree represented the heart of the village of Hildersham.

Councillor Trisha Bear, a local Member, addressed the meeting and urged the Council to lobby Central Government about Local Government's lack of effective powers in such situations.

Councillor Roger Hickford, a local Member, addressed the meeting and expressed his sadness at the disjointed nature of Central Government which had resulted in an inability for the Council to prevent the conversion of the Pear Tree. Officers confirmed that, in planning land use terms, the business was now operating as a shop, and Councillor Hickford accepted, and explained to those in the public gallery, that the Council was powerless to make an Article 4 Direction retrospectively.

Councillor Ray Manning, Leader of South Cambridgeshire District Council, addressed the meeting. He agreed that village pubs were very often the heart of their communities. He criticised Central Government for being "too urban" and failing to understand the specific nature of village life. He identified the need to lobby Members of Parliament and organisations such as the Local Government Association. He welcomed the idea of a Motion being laid before Full Council in order to generate a debate among the wider membership, and said that the question of Article 4 Directions would also be examined by the Planning and Economic Development Portfolio Holder.

Responding to Members' comments, the Development Control Manager described the issue arising from the Pear Tree, Hildersham as a national issue needing urgent attention. He assured Members that any attempt now to convert a shop to a private residential use would require planning permission.

Following further comments from Members, the Committee Chairman summed up by reiterating the Council's determination to protect rural communities in South Cambridgeshire, starting with a detailed analysis of the available options by the Planning and Economic Development Portfolio Holder.

79. S/2080/13/FL- THRILOW (LAND TO THE EAST OF CHURCH STREET)-WITHDRAWN FROM THE AGENDA

The Committee noted that that this application had been **withdrawn** completely and that any new application would need to be submitted and consulted upon before being considered at a future planning committee meeting.

80. S/1066/13/OL- FULBOURN (IDA DARWIN AND FULBOURN HOSPITALS, FULBOURN OLD DRIFT)

Stephen Jarvis (on-site social club representative) and David Cottee (Fulbourn Forum)

(objectors), Mark Hyde (applicant's agent) and Jacqui McDonald (NHS Foundation Trust) (supporters), Alison Farmer (Fulbourn Parish Council), and Councillors Neil Scarr and John Williams (local Members) addressed the meeting.

Members visited the site on 7 January 2014. The Committee **deferred** the application to allow the applicant more time to consult with the community and, in particular, with Fulbourn Parish Council, and for officers then to reassess all material issues before presenting a further report to a future meeting of the Planning committee.

81. S/2092/13/OL - WATERBEACH (LAND TO THE EAST OF CODY ROAD AND NORTH OF BANNOLD ROAD)

The Committee **refused** the application for the reasons set out in the report from the Planning and New Communities Director.

82. S/1428/13/LB - ICKLETON (NORMAN HALL, 21 CHURCH ST)

Julian Owen (applicant) and Councillor Mick Martin (local Member) addressed the meeting.

Members visited the site on 7 January 2014. The Committee **approved** the application contrary to the recommendation contained in the report from the Planning and New Communities Director. Members considered that the condition of the wall and the non-traditional nature of some of the repairs carried out previously, prevented them from identifying sufficient harm in planning terms as would justify a refusal.

83. S/1427/13/FL - ICKLETON (NORMAN HALL, 21 CHURCH ST)

Members visited the site on 7 January 2014. The Committee **approved** the application contrary to the recommendation contained in the report from the Planning and New Communities Director. Members considered that the condition of the wall and the non-traditional nature of some of the repairs carried out previously, prevented them from identifying sufficient harm in planning terms as would justify a refusal. Members agreed that a further reason for approval should be the lack of any significant adverse impact on the character of Norman Hall and e wider Conservation Area,

84. S/2285/13/FL- WHITTLESFORD (1 BURMA ROAD)

Paul Barnes (objector) and Councillor Peter Toppin (local Member) addressed the meeting.

Members visited the site on 7 January 2014. The Committee listened to concerns about vehicle safety, scale of development and impact on the character of a valued, local amenity but gave officers **delegated powers to approve** the application, subject to

1. the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the following financial contributions:
 - £2,244.90 (index linked) towards the improvement of existing public open space in Whittlesford in compliance with Policy SF/10 of the South Cambridgeshire Local Development Framework 2007 (LDF).
 - £371.00 (index linked) towards the provision of new facilities or the improvement of existing facilities in compliance with Policy DP/4 of the LDF.
 - £69.50 per dwelling towards the provision of household waste receptacles.
2. The removal of Permitted Development Rights.
3. The Conditions set out in the report from the Planning and New Communities

Director.

85. S/2131/13/FL-COTTENHAM (LAND ADJ TO 89 COOLIDGE GARDENS)

The Committee gave officers **delegated powers to approve** the application, subject to

1. the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the following financial contributions:
 - £2,244.90 (or thereabouts)(index linked) towards the provision and management of public open space off-site but still in Cottenham in compliance with Policy SF/10 of the South Cambridgeshire Local Development Framework 2007 (LDF).
 - £371.00 (index linked) towards the provision of new facilities or the improvement of existing ones in compliance with Policy DP/4 of the LDF.
2. The Conditions and Informatives set out in the report from the Planning and New Communities Director.

86. ENFORCEMENT ACTION UPDATE

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

87. 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 12.35 p.m.
