

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 2 December 2015 at 10.00 a.m.

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

Councillors:	Brian Burling	Anna Bradnam
	Pippa Corney	Kevin Cuffley
	Des O'Brien	Deborah Roberts
	Tim Scott	Hazel Smith (substitute)
	Ben Shelton	Robert Turner

Officers in attendance for all or part of the meeting:

Julie Baird (Head of Development Management), Katie Christodoulides (Planning Officer), Gary Duthie (Senior Lawyer), Andrew Fillmore (Principal Planning Officer), John Koch (Planning Team Leader (West)), Lydia Pravin (Planning Officer), Ian Senior (Democratic Services Officer), Charles Swain (Principal Planning Enforcement Officer), Alison Twyford (Senior Planning Officer) and Andrew Winter (Senior Planning Officer)

Councillors Robin Page, Peter Topping and John Williams (in his capacity as applicant) were in attendance, by invitation.

1. APOLOGIES

Councillor Sebastian Kindersley sent Apologies for Absence. Councillor Hazel Smith attended as his substitute.

2. DECLARATIONS OF INTEREST

An interest was declared as follows:

Councillor Lynda Harford

Non-pecuniary interest in respect of Minute 13 (S/2462/15/PO) as the Cambridgeshire County Councillor whose Electoral Division of Bar Hill includes the parish of Girton.

Councillor Tim Scott

Non-pecuniary interest in respect of Minute 11 (S/0595/15/FL) as having been a Barton Parish Council member at the time that Parish Council discussed the application. Councillor Scott was no longer a member of Barton Parish Council and was considering the matter afresh.

3. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 4 November 2015.

4. S/1344/14/FL - GREAT EVERS DEN (OSP148, CHURCH STREET)

Councillor Paul Tebbit (Great and Little Eversden Parish Council), Councillor Robin Page (local Member) and County Councillor Sebastian Kindersley (whose Electoral Division of

Gamlingay covers the parish of the Eversdens) addressed the meeting. Councillor Tebbit said he expected the provision of public open space to be of benefit to the community. He welcomed the incorporation of a Mortgagee-in-Possession (MIP) clause into the Legal Agreement. Councillor Page said the application should be deferred pending further investigation into the availability of an alternative site. County Councillor Kindersley referred to the benefits flowing from this application, not least the affordable housing itself.

Expanding on Councillor Kindersley's comment about the MIP clause, the Senior Lawyer said that, in the event of mortgage default, and so long as no other Registered Provider (RP) acquired them from the defaulting RP, South Cambridgeshire District Council would be offered first option to purchase the properties on no less favourable terms and at no less favourable valuation than was sufficient to defray the funder's exposure.

Following further discussion by Committee members, and a resolution not to defer determining the application until February 2016, the Planning Committee **resolved to give 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 (detailed wording being delegated to officers)
 - i) securing
 - a. the houses as affordable subject to exemptions in favour of secured lenders
 - b. the sum of £10.17 per square metre of adoptable on-site public open space
 - c. £69.50 per dwelling for waste receptacles
 - d. £1,500 monitoring fee
 - ii) incorporating the Mortgagee-in-Possession exemptions, it being stated clearly that, in the event of mortgage default, and so long as no other Registered Provider (RP) acquired them from the defaulting RP, South Cambridgeshire District Council would be offered first option to purchase the properties on no less favourable terms and at no less favourable valuation than is sufficient to defray the funder's exposure;
2. the Condition requiring low level lighting agreed by Members at the Planning Committee meeting on 4 March 2015; and
3. other safeguarding Conditions.

5. S/1396/15/FL - WHITTLESFORD (SPINNEY HILL FARM, NEWTON ROAD)

Members visited the site on 1 December 2015.

Simon Patnick (applicant's agent), Councillor Arthur Greaves (Whittlesford Parish Council) and Councillor Peter Topping (local Member) addressed the meeting. Mr Patnick commended the sustainable aspects of the application, which extended beyond just transport issues. Councillor Greaves highlighted the proposal's location in the Green Belt and the lack of suitable public transport. Car parking was also limited. Councillor Topping said that there was an expectation that burials would be conducted locally rather than district-wide. He described the proposal as inappropriate and in an unsustainable location.

While there was some support for the principle of development, Members voiced concern based on sustainability, transport issues, and appropriateness given the site's proximity to

the M11.

'The Committee **endorsed** officers' reason for refusing the application as set out in the report from the Planning and New Communities Director **and as verbally updated by the planning officer at the meeting.**

6. S/2277/15/FL – FULBOURN (73 STATION ROAD)

Members visited the site on 1 December 2015.

Councillor John Williams (applicant) addressed the Committee.

The Committee **approved** the application subject to the Conditions set out in the report from the Planning and New Communities Director.

7. S/2109/15/OL- LINTON (1 HORSEHEATH ROAD)

Kate Kell (objector) addressed the meeting. She questioned the accuracy of the plans in assessing the distance between the nearest of the proposed dwellings and the most affected window in her own property.

Upon a vote being taken, the Committee **deferred** the application for a site visit.

8. S/2003/15/FL- LITTLE SHELFORD (25 CHURCH STREET)

Members visited the site on 1 December 2015.

The Committee **deferred** the application for more information and another site visit.

9. S/2334/15/FL- GREAT ABINGTON (6 CHALKY ROAD)

Members visited the site on 1 December 2015.

The Committee noted that this application had been **withdrawn** from the agenda.

10. S/1691/15/FL- GREAT ABINGTON (8 CHALKY ROAD)

Members visited the site on 1 December 2015.

The Committee noted that this application had been **withdrawn** from the agenda.

11. S/0595/15/FL - BARTON (46 HIGH STREET)

Members visited the site on 1 December 2015.

James Lusher (applicant's agent) and Councillor Margaret Penston (Barton Parish Council) addressed the Committee. Councillor Penston described the site as too small for the development, which was deemed therefore to be inappropriate and out-of-keeping.

Members expressed contrary comments about the appropriateness of the proposal's design. There was also a query about the development's impact on the Conservation Area.

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 requiring
£666.6666 towards the refurbishment of the skate ramp
£3333.3333 towards the improvement of play facilities
£69.50 towards waste receptacles;
2. the Conditions and Informative referred to in the report from the Planning and New Communities Director; and
3. an additional Condition requiring details of the solar panels to be fitted to the roof of the new dwelling.

12. S/2383/15/FL- ELSWORTH (10 SMITH STREET)

The Committee **approved** the application subject to the Conditions referred to in the report from the Planning and New Communities Director.

13. S/2462/15/PO - GIRTON (6-8 GIFFORDS CLOSE)

The Committee **approved** the application subject to the prior completion of a revised Legal Agreement under Section 106 of the Town and Country Planning Act 1990 discharging the **terms of the** existing Section 106 Agreement.

14. S/2341/14/FL - WILLINGHAM (LAND TO THE NORTH OF DANIELS CLOSE,) *LATE ITEM*

This report had not been included in the agenda published on 24 November 2015. Therefore, it had not been in the public domain for a length of time sufficient to comply with Access to Information requirements. The Chairman admitted this report to the agenda as a late item due to its urgency. The Authority believed that consideration of the matter could not be deferred until the next scheduled meeting of the Planning Committee due to the risk of the selected Registered Provider not progressing the scheme.

Planning application S/2341/14/FL had been referred to Planning Committee on 1 April 2015, and the Committee gave officers delegated powers to approve the application subject to a Section 106 legal agreement securing affordable housing amongst other obligations. Members were now being asked to consider the inclusion of a 'Mortgagee in Possession' (MiP) clause into the proposed Section 106 agreement to enable the Registered Provider to borrow against the development and so fund future schemes in its programme. This planning decision was brought to Members' attention, as it was a departure from national and local policy that affordable housing should be provided on rural exception sites in perpetuity, and so must be made as an exception to policy, with details only being delegated to officers to resolve. As the development has now commenced, members are also being asked to consider an updated list of conditions further to those agreed by Planning Committee on 1 April 2015.

The Committee

1. **approved** the request to insert the Mortgagee-in-Possession clause into the Legal Agreement made under Section 106 of the Town and Country Planning Act 1990 for application S/2341/14/FL at Daniels Close, Willingham;
2. gave officers **delegated powers to agree** the detailed wording, subject to no significant objections from Willingham Parish Council or the local Members;

3. **resolved** that, in the event of mortgage default, and so long as no other Registered Provider (RP) acquired them from the defaulting RP, South Cambridgeshire District Council would be offered first option to purchase the properties on no less favourable terms and at no less favourable valuation than is sufficient to defray the funder's exposure.

15. ENFORCEMENT REPORT

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

16. 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 1.40 p.m.
