

DEVELOPMENT AND CONSERVATION CONTROL COMMITTEE

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

PRESENT: Councillor Dr JPR Orme – Chairman
Councillor NIC Wright – Vice-Chairman

Councillors	Dr DR Bard	RE Barrett
	JD Batchelor	RF Bryant
	Mrs PS Corney	SM Edwards
	R Hall	Mrs SA Hatton
	Mrs JM Healey	Mrs EM Heazell
	Mrs CA Hunt	SGM Kindersley
	RB Martlew	Mrs JA Muncey
	Mrs CAED Murfitt	CR Nightingale
	EJ Pateman	A Riley
	Mrs DP Roberts	Mrs DSK Spink MBE
	JH Stewart	RJ Turner
	Dr JR Williamson	SS Ziaian-Gillan

Councillors NN Cathcart and Dr SA Harangozo attended the meeting by invitation.

Apologies for absence were received from Councillors Mrs J Dixon, Mrs A Elsby, HC Hurrell, MJ Mason, DH Morgan, NJ Scarr and TJ Wotherspoon.

1. MINUTES OF PREVIOUS MEETINGS

The Committee authorised the Chairman to sign the Minutes of the meetings held on 6th October 2004 and 3rd November 2004 as correct records.

2. S/0710/04/O - WILLINGHAM

DELEGATED APPROVAL as amended by plans date stamped 5th October 2004 and 27th October 2004, 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 securing payment of an appropriate contribution for local education provision, rescission of planning permission reference S/2362/03/F, and the Conditions referred to in the report.

3. S/2113/04/F - WILLINGHAM

APPROVAL contrary to the recommendation contained in the report from the Director of Development Services. Noting that similar extensions already existed in the immediate vicinity, Members considered that the visual impact of the present proposal would be minimal, given its modest size and its location among scattered dwellings. They further considered that its impact on the countryside would be insignificant because of the restricted views of the development and that, therefore, there would be no conflict with Policy HG13 of the South Cambridgeshire Local Plan 2004.

4. S/2122/04/F - WILLINGHAM

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

5. S/1137/04/F - CROYDON

REFUSED, contrary to the recommendation contained in the report from the Director of Development Services. Members considered that the site was not an appropriate one for tele-working, given its proximity to neighbouring dwellings and the potential for additional traffic generation and was, in any event, out of character with the immediate vicinity.

6. S/2131/04/F - OAKINGTON

APPROVAL for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein. Members asked that a letter be sent to the Local Highways Authority asking that it consider tarmacking the current access, which had a gravel surface, stones from which get onto the cyclepath

Councillor SM Edwards declared a personal interest in this item as a horse rider.

7. S/2153/04/F - LITLINGTON

REFUSED, contrary to report. Noting that the proposal was outside the village framework, Members considered that it would have an adverse impact on the rural character of the countryside, and would therefore conflict with Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE9, HG12 and EN30 of the South Cambridgeshire Local Plan 2004. Members authorised Enforcement Action.

8. S/6236/04/RM - CAMBOURNE

APPROVAL of the use of the existing Haul Road for an additional temporary period up to 31st March 2005, pending completion of the new Haul Road east of Great Cambourne.

9. S/1937/04/F- COMBERTON

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

10. S/2394/03/O - COTON

DELEGATED APPROVAL, for the reasons set out in the report from the Director of Development Services, subject to the application being referred to the Secretary of state, and not being called in by him for determination, and subject also to the prior completion of a Section 106 Legal Agreement securing the provision of affordable housing and to the Conditions referred to in the report.

11. S/1093/04/O - COTTENHAM

REFUSED for the reasons set out in the report from the Director of Development Services. Members expressed their support for this family enterprise, but regretted that this application had been submitted prematurely.

12. S/1079/04/F - FOWLMERE

APPROVAL, as amended by drawings date stamped 29th September 2004, for the reasons set out in the report from the Director of Development Services and subject to safeguarding Conditions including the implementation of the proposed scheme for surface water drainage.

13. S/1970/04/F - FOWLMERE

APPROVAL for the reasons set out in the report dated [3rd November 2004](#) (Item 33 refers), subject to safeguarding Conditions. This item had been presented to Committee again upon the instructions of the Head of Legal Services, in his capacity as Monitoring Officer, following representations received by him.

Councillor Mrs DP Roberts did not vote.

14. S/1975/04/F - FULBOURN

APPROVAL for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein. The Decision Notice would include an Informative concerning the detailing of the extraction facilities.

15. S/2030/04/F - FULBOURN

DEFERRED for a site visit.

16. S/1977/04/F - FULBOURN

APPROVAL for the reasons set out in the report from the Director of Development Services and subject to Conditions 2-5 referred to therein and Condition 1 being amended to read "...on or before 1st January 2006"

Councillor JH Stewart and Councillor Dr J Williamson declared personal interests as members of the Primary Care Trust (Councillor Dr Williamson as the Council's appointed representative)

17. S/2204/04/F - GAMLINGAY

APPROVAL for a one year extension of the period for submission of Reserved Matters.

18. S/2144/04/PNA - GIRTON

RESOLVED to raise an objection to this Prior Notification on grounds of siting because of being detrimental to the amenity of neighbours.

19. S/1931/04/F - GREAT SHELFORD

APPROVAL, as amended by drawing no. 03043-22B date stamped 21st October 2004, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

20. S/2011/04/F - GREAT SHELFORD

REFUSED, contrary to the recommendation contained in the report from the Director of Development Services. Due to the position of the door and windows in the proposed annexe building, and their proximity to neighbouring properties, there would be serious overlooking of those neighbouring properties by the proposed development.

21. S/1662/04/F - HIGHFIELDS CALDECOTE

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

22. S/2002/04/F - HASLINGFIELD

DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, subject to dwellings being set back, the provision of 3 parking spaces on each plot, and the Conditions referred to in the report.

Councillor R Hall declared a personal interest by virtue of his acquaintance with the occupier of no. 4 Butler Way, and did not vote.

Councillor CR Nightingale declared a personal interest by virtue of his acquaintance with the occupier of no. 2 Butler Way, and did not vote.

23. S/1997/04/F - HISTON

APPROVAL, as amended by letter dated 9th November 2004 and plan date stamped 16th November 2004, for the reasons set out in the report from the Director of Development Services and subject to the Condition referred to therein.

24. S/1801/04/F - HINXTON

DEFERRED for a site visit and further negotiations with the applicant.

Mrs B Fagg from Hinxtton Parish Council addressed the meeting.

25. S/1172/04/CIRCULAR 18/84 - LONGSTANTON

RESOLVED that South Cambridgeshire District Council raise no objection to a continued temporary period of use until 31st December 2006, subject to the Conditions attached to the 1999 application. Longstanton Parish Council had re-visited the application on Monday 8th November 2004 and, based on the improving situation at Oakington Immigration Centre, had withdrawn its objections.

26. S/2074/04/F - MELBOURN

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

27. S/1961/04/F - SAWSTON

DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and an additional Condition controlling noise emitted from any B1(C) light industrial premises on the site, precise wording and method of control to be agreed with Local Members.

28. S/1203/04/F - STAPLEFORD

REFUSED contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members expressed concern about the scale, height, character, position and visual impact of the proposal upon the Green Belt, the loss of the stylistic and hierarchical relationship between the existing dwelling, Middlefield, a Grade II* Listed Building, and the House on the Hill, the impact of the development on the setting of Middlefield, and conflict with Policies GB2 and HG15 of the South Cambridgeshire Local Plan 2004.

Councillor Mrs EM Heazell declared a personal interest by virtue of her "nodding" acquaintance with the female occupiers of both the application site and the site adjacent to

it.

29. S/2091/04/F - GULDEN MORDEN

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

30. S/1698/04/F - STEEPLE MORDEN

REFUSED for the reasons set out in the report from the Director of Development Services. However, while opposing the application on this particular site, Members were keen to express their support for the type of development in principle.

Tony Turner, Vice-Chairman of Steeple Morden Parish Council, addressed the meeting.

31. S/1966/04/RM - STEEPLE MORDEN

DELEGATED APPROVAL of Reserved Matters, subject to the receipt of no materially new objections to the amended drawings, and securing the provisions of works to the Mill, and to safeguarding Conditions and informatives suggested by the Chief Environmental health Officer.

Tony Turner, Vice-Chairman of Steeple Morden Parish Council, addressed the meeting.

32. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

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

- Decisions notified by the Secretary of State
- Summaries of recent decisions of interest
- Appeals received
- Local Inquiry and Hearing dates scheduled before the next meeting on 5th January 2005
- Advance notification of Local Inquiry and Informal Hearing dates, subject to postponement or cancellation

The Deputy Director of Development Services informed Members about the workload currently being placed on the Planning Inspectorate. As a result, it could no longer guarantee that appeals would be heard within a year after the Local Planning Authority making its original decision.

33. TO CONSIDER CONFIRMING ORDERS IN BASSINGBOURN, CROYDON AND WHITTLESFORD

The Committee considered a report on three Tree Preservation Orders made on 19th July 2004 in Bassingbourn, Croydon and Whittlesford.

RESOLVED That Tree Preservation Orders 03/04/SC ('Crail', High Street, Croydon), 04/04/SC (Elbourn Way, Bassingbourn) and 06/04/SC (The Maynards, Whittlesford) be confirmed without modification.

34. CAMBOURNE: LACK OF DEVELOPER APPROVAL FOR AFFORDABLE HOUSING SCHEMES

The Committee considered a report highlighting difficulties being encountered by the Council's Registered Social Landlord (RSL) partners in securing developer approval of their housing schemes, and the consequential impact on funding.

The developers had assured officers and the Leader of the Council that they would issue their formal approval after an internal meeting on 3rd December 2004. It was also agreed that, in future, developers would issue conditional approval if they had concerns that went beyond their powers under the Section 106 Legal Agreement. However, such concerns could be allayed by Housing Associations engaging with developers on design issues at an earlier stage.

Officers had been encouraged by these assurances, and were now recommending that no further action be taken by the Council at this stage.

RESOLVED That no further action be taken by the Council at this stage, but that Members should review the decision in the event that the developers fail to adhere to their assurances given to officers and the Leader of the Council.

35. CAMBOURNE - HODGKINSON'S LAND (RESIDENTIAL DEVELOPMENT) AND TRAILER COMPOUND SITES

The Committee considered a report highlighting the difficulties being encountered in securing the trailer compound, which the developers should have provided, under the terms of their Section 106 Legal Agreement, upon the occupation of 300 dwellings.

The developers had assured officers and the Leader of the Council that they had a contract with Mr Hodgkinson, site owner, for him to provide the trailer compound with the developers' help. However, they had refused to allow the Council to see that contract, so it had not been possible to assess its appropriateness in the context of the Section 106 obligation. This was unfortunate, as the site was outside the area covered by the Section 106 Legal Agreement and was not therefore covered by the operating requirements set out therein. The Head of Legal Services had advised that to withhold planning permission for the adjacent residential land would be inappropriate, as that land was also outside the area covered by the Section 106 Agreement. As the trailer park had still to be provided, any withholding of planning permission should apply to applications made on the land covered by the Section 106 Agreement, not land outside that area. Therefore, any withholding of planning permission should apply to applications elsewhere in Cambourne, rather than on the Hodgkinson site. The developers had argued that the granting of planning permission for the Hodgkinson site would trigger the provision of the trailer compound by virtue of the contractual arrangements between the developers and Mr Hodgkinson. There were no outstanding applications for market housing in the main part of Cambourne, but several were in the process of being negotiated. Providing that the developers progress the trailer compound, Members noted that there should be no effect on the eventual issue of planning permission for their market housing sites.

The developers and Council officers had agreed that the Head of Legal Services should negotiate a separate Section 106 Legal Agreement, or similar, with the developers' solicitor. The developers had estimated that, once all of the outstanding legal and planning issues had been addressed satisfactorily, it would take about three months to provide the trailer park.

Officers therefore changed their recommendation from that contained in the report from the Director of Development Services and, accordingly, the Committee

RESOLVED

- (1) that the planning permission for Hodgkinson's Land residential be issued, (both because it is illegal to tie it to the Section 106 Agreement and because its issuing will enable the provision of the trailer compound; and
- (2) that no further planning permissions for market housing be issued on land covered by the Section 106 Legal Agreement dated 20th April 1994 and relating to the bulk of Cambourne until the matters required to secure the provision and operation of the trailer compound have been finalised.

The Meeting ended at 4.40 p.m.
