

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 1 April 2009 at 2.00 p.m.

PRESENT: Councillor Mrs PS Corney – Chairman
Councillor RJ Turner – Vice-Chairman

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| Councillors: | Mrs VM Barrett | Mrs PM Bear |
| | BR Burling | Mrs JM Guest |
| | Mrs SA Hatton | SGM Kindersley |
| | MB Loynes | CR Nightingale |
| | Mrs DP Roberts | Mrs HM Smith |
| | PW Topping | JF Williams |

Officers in attendance for all or part of the meeting:

Nigel Blazeby (Team Leader (West)), Gary Duthie (Senior Lawyer), Gareth Jones (Corporate Manager, Planning & Sustainable Communities), Ray McMurray (Principal Planning Officer (East)), Melissa Reynolds (Team Leader (East)), David Rush (Development Control Manager), Ian Senior (Democratic Services Officer), Paul Sexton (Principal Planning Officer (West)) and Charles Swain (Enforcement Officer)

Councillors RT Summerfield and NIC Wright were in attendance, by invitation.

Apologies for absence were received from Councillor TD Bygott.

143. GENERAL DECLARATIONS OF INTEREST

Councillor SGM Kindersley declared a general personal interest as a Cambridgeshire County Councillor.

144. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 4 March 2009.

Members briefly discussed the wording of Minute no. 136 (S/1862/08/F – Duxford - Red Lion Hotel, 42 Station Road East) but accepted legal advice that it should remain as drafted.

145. S/0261/09/RM - GAMLINGAY (22A WEST ROAD)

Martin Page (the applicant's agent) was present but opted not to address the meeting.

The Committee gave officers **delegated powers to approve** the application subject to the Conditions referred to in the report from the Corporate Manager (Planning and Sustainable Communities), an extra Condition requiring the conservation of wildlife (including tower mustard) habitats along the protected roadside verge and to the completion of a unilateral agreement in relation to a public open space contribution in accordance with Policy SF/10 of the adopted Local Development Framework 2007.

146. S/0198/09/F - IMPINGTON (MEREWAY FARM, MILTON ROAD)

David Shaw (the applicant's agent) addressed the meeting.

The Committee **approved** the application, subject to the Conditions attached to planning consent S/1017/06/F (as modified).

Councillor Mrs HM Smith declared a personal interest as a member of Milton Parish Council, which had discussed this application. She stated that she was considering the matter afresh.

147. S/1948/08/F - MILTON (MEADOW FARM, ELY ROAD)

Charmain Hawkins (the applicants' agent) addressed the meeting.

Prior to considering this application, the Committee attended a site visit on 1 April 2009. The Committee **approved** the application contrary to the recommendation in the report from the Corporate Manager (Planning and Sustainable Communities), subject to the prior completion of a Section 106 Legal Agreement requiring the annexe to be occupied as ancillary accommodation to the main dwelling. Members agreed the reason for approval as being the very special personal circumstances, which outweighed the inappropriateness of development in the Green Belt as defined in Policy GB/1 of the South Cambridgeshire Local Development Framework 2007.

Councillor Mrs HM Smith declared a personal interest as a member of Milton Parish Council's Planning Committee, who had been present when that Committee had discussed this application. She had received information, and had been invited to visit the site. Councillor Smith stated, however, that she had declined that invitation until the formal site visit made by members of the district council's Planning Committee, and was considering the matter afresh.

148. S/0069/09/O - SAWSTON (MILL LANE)

The Committee gave officers **delegated powers to approve** the application, subject to comments from the Council's Landscape Officer, Conditions referred to in the report from the Corporate Manager (Planning and Sustainable Communities), extra Conditions controlling the use of external lighting on site and requiring the implementation of an ecological assessment, and completion of a Section 106 Legal Agreement securing A1301 cycle and pedestrian improvements and contributions to footpath improvements.

Councillors Mrs SA Hatton and CR Nightingale voted to refuse the application.

149. S/0108/09/F - SAWSTON (MILL LANE)

The Committee gave officers **delegated powers to approve** the application, subject to comments from the Council's Landscape Officer, Conditions referred to in the report from the Corporate Manager (Planning and Sustainable Communities), extra Conditions controlling the use of external lighting on site and requiring the implementation of an ecological assessment, and completion of a Section 106 Legal Agreement securing A1301 cycle and pedestrian improvements and contributions to footpath improvements.

Councillors Mrs SA Hatton and CR Nightingale voted to refuse the application.

150. S/2110/08/F – WILLINGHAM (HEMPSALL FARM, IRAM DROVE)

Mr. Dadge (the applicant's agent) addressed the meeting.

Prior to considering this application, the Committee attended a site visit on 1 April 2009.

The Committee gave officers **delegated powers to approve** the application subject to the Conditions referred to in the report from the Corporate Manager (Planning and Sustainable Communities) and to there being no material objections received as a result of outstanding consultations.

151. S/2033/08/F - WILLINGHAM (OASIS PLANT NURSERY, STATION ROAD)

Prior to considering this application, the Committee attended a site visit on 1 April 2009. The Committee **deferred** the application in order to obtain an independent consultant's report on the functional and financial need for a full-time worker to live on site. The Committee gave officers **delegated powers to refuse** the application if the independent advice indicated that there did not exist a need for a temporary dwelling to be positioned on the site.

152. PLANNING SUB-COMMITTEE – FUTURE ARRANGEMENTS FOR ENFORCEMENT AGAINST BREACHES OF PLANNING CONTROL

The Committee considered a report detailing options for the way in which South Cambridgeshire District Council should regulate all breaches of planning control in future.

Members noted that, in response to consultation, the Equality and Diversity Officer had indicated his agreement with the recommendation in the report as it was in accordance with the Council's Race Equality Scheme, where functions relating to planning applications, planning enforcement and appeals had been identified as having the most scope for promoting race equality. He had also stated that the proposal would go some way towards addressing community cohesion, which was a major theme of the re-drafted Gypsy and Traveller Strategy.

The Corporate Manager (Planning and Sustainable Communities) and Senior Lawyer reviewed their past experience of the Planning Sub-Committee. While the Senior Lawyer commended Option (c) to Members, he said that care would be needed in drafting a public speaking protocol that would focus minds on material considerations only. Member training would be helpful in identifying potentially emotive issues and making sure that such issues, if raised, were not taken into account in making a decision.

The Committee Vice-Chairman, speaking as Chairman of the Planning Sub-Committee, said that the Sub-Committee's terms of reference should be reviewed and that other local authorities should be consulted to determine how they deal with enforcement issues, including those on Travellers sites.

Members noted the evolution of the Planning Sub-Committee and agreed that further change was needed in order to develop public confidence in the way the Council dealt with enforcement matters in both the travelling and settled communities.

The Committee received a suggestion from a Member that the Sub-Committee should be disbanded, with all enforcement matters being dealt with by the parent Planning Committee. This would address the issues of "succession planning" and Member Training.

The Committee Chairman reminded Members that the Council would soon have to decide how to deal with temporary consents previously granted and due to expire in the next year or so. The Planning Sub-Committee allowed greater flexibility in considering the specialist arguments for and against the renewal of such consents, or their conversion to permanent planning permissions.

The Council should become more proactive in the area of enforcement against breaches in planning control.

The Committee **instructed** officers to revise the Planning Sub-Committee's terms of reference for consideration at the meeting on 6 May 2009 (if practicable) and develop a scheme of public speaking for members of the public wishing to address the Sub-Committee.

153. PUBLIC SPEAKING AT PLANNING COMMITTEE

The Committee considered a report on public speaking at its meetings, to which a revised protocol had been attached. The proposed revision sought to streamline the current document while not adding any new substantive matters.

The Committee **adopted** the amended public speaking protocol attached to the report from the Chief Executive.

154. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

The Committee **noted** a report on Appeals against planning decisions and enforcement action, and a summary of decisions relating to

- Mr H D'Abo – New country house, staff accommodation, barn, parkland and associated works – Mines Farm, Weston Green, Weston Colville – Appeal allowed.
- Mrs L R Maddison – Re-thatching of listed building – Lordship Cottage, Fardell's Lane – Elsworth – Listed Building Enforcement Notice quashed rendering determination of a listed building appeal unnecessary – Partial award of costs against the Council allowed

155. ENFORCEMENT ACTION - PROGRESS REPORT

The Committee **noted** a report on enforcement action ongoing as at 1 April 2009.

The Meeting ended at 4.25 p.m.
