

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

Minutes of a meeting of the Planning Committee held on  
Wednesday, 5 August 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
	Sebastian Kindersley	Des O'Brien
	Deborah Roberts	Tim Scott
	Ben Shelton	Robert Turner

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), Gary Duthie (Senior Lawyer), Andrew Fillmore (Principal Planning Officer), Tony Pierce (Interim Development Control Manager), Ian Senior (Democratic Services Officer), Charles Swain (Principal Planning Enforcement Officer), John McCallum (Planning Officer), Rob Mungovan (Ecology Officer), Rebecca Ward (Senior Planning Officer) and Andrew Winter (Senior Planning Officer)

Councillors Graham Cone, Philippa Hart, Mervyn Loynes and John Williams were in attendance, by invitation.

### **1. APOLOGIES**

There were no Apologies for Absence.

### **2. DECLARATIONS OF INTEREST**

Declarations of interest were declared as follows:

Councillor Brian Burling	Non-pecuniary interest in respect of Minute 10 (S/0642/15/FL) in Over as a member of Over Parish Council present at the meeting where this application had been discussed. Councillor Burling was considering the matter afresh.
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Councillor Sebastian Kindersley	Non-pecuniary interest in respect of Minute 9 (S/0975/15/FL) in Gamlingay as having been present at the meeting of Gamlingay Parish Council where this application had been discussed. Councillor Kindersley was considering the matter afresh.
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### **3. MINUTES OF PREVIOUS MEETING**

The Committee authorised the Chairman to sign the Minutes of the meeting held on 1 July 2015 as a correct record.

### **4. S/2273/14/OL - FULBOURN (LAND AT TEVERSHAM ROAD)**

Richard Townley (objector), Paul Derry (applicant's agent) accompanied by Steven Kosky,

Mary Drage (Fulbourn Parish Council), and Councillors Graham Cone and John Williams (local Members) addressed the meeting.

Describing the application as opportunistic, Mr. Townley regretted the lack of green open space within the proposed development, and said the site, which had a county wildlife designation, was unsafe for housing because of its high water table. He considered the proposed development to be unsustainable. The applicant's agents pointed out that the site had been excluded from the county wildlife designation. Reminding Members about the Council's lack of a five-year housing land supply, they cited some of the benefits of the development as being the delivery of 110 dwellings and bringing a piece of land into the public realm. Mary Drage described the proposal as unsustainable in a village community, and expressed concern about its impact on ecology and bio-diversity. The proposed raised walkways posed safety a safety issue. She said there had been no consultation locally. Councillor Graham Cone's concerns included the impact on the village, Affordable Housing, flooding and increase in traffic. Councillor John Williams urged the applicant not to appeal should the Committee refuse the application.

A Committee member pointed out that the outline application was not policy compliant in terms of Affordable Housing, and that some of the ecology on site might have statutory protection. The Ecology Officer said that, in fact, few of the plants there were legally protected but that, as a general, rule, the aim should be to conserve them. Other Committee members raised concerns about the deliverability of the development within a five-year timescale, its likely impact on wildlife habitats, the nature of the site as wetland, land drainage issues, piling, and protection of the nearby chalk stream. The Local Plan Inspectors had yet to reach a final decision about the proposed Memorandum of Understanding between South Cambridgeshire District Council and Cambridge City Council relating to five-year housing land supply.

The Planning Committee **refused** the application because it did not represent sustainable development, and conflicted with the requirements of the National Planning Policy Framework, for the following reasons:

1. the proposed development's adverse visual impact on the landscape character, setting of Fulbourn Conservation Area and ecological and open space interests resulting in demonstrable and significant harm which, on balance, outweighed the benefits which would have arisen from delivering up to 110 dwellings (30% of which would have been affordable at a 50/50 rented to shared ownership split) in a village well served by services and facilities and with good access to public transport links; and
2. The absence of a clear timetable, thus giving rise to uncertainty that the scheme, in its entirety, could be delivered within a five-year period.

#### **5. S/2944/14/FL- SHEPRETH (FILLCUP FIELD, MELDRETH ROAD)**

Theresa Smith (objector), Tom Naylor (applicant), Councillor Richard Handford (Shepreth Parish Council) and Councillor Philippa Hart (local Member) addressed the meeting.

Theresa Smith said this "Eco-negative" proposal would adversely affect the community. Tom Naylor said the proposal was policy compliant, citing the instruction to local planning authorities in the National Planning Policy Framework that a presumption be made in favour of sustainable development. Councillor Handford said local residents had concerns about smell, environmental impact, light, transport, mitigation, and the need for traffic calming. Councillor Hart reiterated her comments set out in paragraphs 59 to 66 of the report from the Planning and New Communities Director.

Committee members raised concerns about environmental health, safety and light pollution. A further issue was the possible impact on the Site of Special Scientific Interest.

The Committee gave officers **delegated powers to approve** the application, subject to the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 relating to the agreed HGV routing and the Conditions referred to in the report from the Planning and New Communities Director, with an additional Informative requiring the establishment, at the applicant's expense, of a regular and formal liaison process between the operator and Shepreth Parish Council.

**6. S/1170/15/FL - CAMBOURNE (6 GARSTONES)**

The Committee **deferred** this application for a site visit.

**7. S/0844/15/OL - BARTON (15 COMBERTON ROAD)**

David Thwaites (applicant's son) addressed the meeting. He said that the circumstances were such that his mother needed to be in more appropriate property. The dwelling she was currently in was in a poor state of repair with no mains sewerage or mains water.

The Committee noted that a Planning Court judgement, handed down on Friday 31 July 2015, had quashed the Government's policy of exempting small sites (ten or fewer dwellings or less than 1,000 square metres of floor space) from contributing towards the provision of Affordable Housing and pooled contributions, and its Vacant Building Credit policy,

The Committee gave officers **delegated powers to approve** the application, subject to the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990, the Conditions set out in the report from the Planning and New Communities Director, and an additional Condition requiring that an archaeological survey be carried out prior to the commencement of development.

**8. S/0482/15/FL - MELBOURN (56 MEDCALFE WAY)**

The Committee noted that a Planning Court judgement, handed down on Friday 31 July 2015, had quashed the Government's policy of exempting small sites (ten or fewer dwellings or less than 1,000 square metres of floor space) from contributing towards the provision of Affordable Housing and pooled contributions, and its Vacant Building Credit policy,

The Committee gave officers **delegated powers to approve** the application, subject to the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990, and the Conditions set out in the report from the Planning and New Communities Director.

**9. S/0975/15/FL - GAMLINGAY (8A LITTLE HEATH)**

Councillor Deborah Roberts withdrew to the public gallery, took no part in the debate, and did not vote.

Sara Swain (applicant) addressed the meeting.

Members noted, with a degree of discomfort, the difference in the applicant's status as between this application and the previous one.

The Committee **approved** the application, subject to the Conditions set out in the report from the Planning and New Communities Director (the definition of Gypsies and Travellers in Condition (b) being revised to state "...defined, in Planning Policy for Travellers Sites 2012, as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such."

**10. S/0642/15/FL - OVER (23 THE DOLES)**

The Committee **refused** the application contrary to the recommendation set out in the report from the Planning and New Communities Director. Members agreed the reasons for refusal as being that the close boarded fence would have an adverse visual impact on the amenity of the area.

**11. S/0810/15/OL - PAPWORTH EVERARD (LAND AT 84 ERMINE STREET SOUTH)**

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

**12. S/0259/15/FL - LINTON (LINTON INFANTS SCHOOL, CHURCH LANE)**

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

**13. S/0039/15/FL - COTTENHAM (THE LAKES, TWENTYPENCE ROAD)**

Joseph Greenhow (applicant's agent) addressed the meeting.

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

**14. URGENT WORKS NOTICE - SAWSTON (GREAT EASTERN DRYING SHED, HIGH STREET)**

The Committee considered a report seeking authority to carry out work at Great Eastern Drying Shed, High Street, Sawston, under Section 54 of the Planning (Listed buildings and Conservation Areas) Act as amended

Robert Parkinson from Heritage England addressed the meeting. He urged the Committee to support the officers' recommendation, which was consistent with national policy. He feared that the building would collapse otherwise. A grant made available recently should ensure that financial implications for South Cambridgeshire District Council would be minimal.

There was scepticism among some Members, but the Committee was assured that efforts had been ongoing for some time to secure the building's future. The Interim Development Control Manager said the Drying Shed had historic significance.

The Committee **authorised the issue of an Urgent Works Notice** in respect of the Great Eastern Drying Shed, High Street, and Sawston under Section 54 of the Planning (Listed buildings and Conservation Areas) Act as amended

**15. ENFORCEMENT REPORT**

The Committee **received and noted** an Update on enforcement action. The Chairman thanked Enforcement and Legal Officers for all their hard work.

Referring to land adjacent to Hill Trees, Babraham Road, Stapleford, the Senior Lawyer said that Proceedings had been served but that following the Grant of Letters of Administration being obtained by the administrators of the estate of the believed owner of the site, a will had now come to light seemingly leaving the Estate to persons other than those entitled to inherit under the rules of intestacy. A Defence had also been lodged to the Council's proceedings, and an attempt was being made to issue Judicial Review proceedings challenging the resolution to seek an injunction.

Referring to Plot 11, Orchard Drive, Smithy Fen, Cottenham, the Senior Lawyer summarised the case, and told Members that Judicial Review proceedings were underway, with permission having been given and grounds to resist being filed both by the Council and by the Secretary of State for Communities and Local Government as second defendant.

With reference to land at Arbury Camp / Kings Hedges Road, it was confirmed that a site inspection had taken place, and that appropriate steps were being taken to remedy the breaches of Conditions.

**16. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

The Committee **received and noted** a report on Appeals against planning decisions and enforcement action. The Chairman expressed concern that three Appeals had been received against non-determination.

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**The Meeting ended at 3.09 p.m.**

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