

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 6 September 2017 at 10.00 a.m.

PRESENT: Councillor Pippa Corney – Chairman
Councillor David Bard – Vice-Chairman

Councillors: Anna Bradnam (substitute) Brian Burling
Sebastian Kindersley David McCraith
Charles Nightingale Deborah Roberts
(substitute)
Tim Scott Robert Turner
Aidan Van de Weyer Nick Wright (substitute)
(substitute)

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), Stephen Kelly (Joint Director for Planning and Economic Development), John Koch (Planning Team Leader (West)), Ian Senior (Democratic Services Officer), Sarah Stevens (Development Management Project Implementation Officer), James Stone (Principal Planning Officer), Charles Swain (Principal Planning Enforcement Officer) and David Thompson (Principal Planning Officer)

Councillors Nigel Cathcart and Ray Manning were in attendance, by invitation.

1. APOLOGIES

Councillors John Batchelor, Kevin Cuffley, Philippa Hart and Des O'Brien sent Apologies for Absence. Their respective substitutes were Councillors Aidan Van de Weyer, Charles Nightingale, Anna Bradnam and Nick Wright.

2. DECLARATIONS OF INTEREST

Councillor David McCraith declared a non-pecuniary interest in respect of Minute 5 (S/1901/16/OL - Meldreth (Land at Eternit UK, Whaddon Road)). He had attended Parish Council meetings at which this application had been discussed. His attendance there had been as an observer only, and he was now considering the matter afresh.

Councillor Tim Scott declared a non-pecuniary interest in Minute 7 (12/17/OL - Toft (immediately adjacent to the boundary with Comberton Parish) (Bennell Farm, West Street)). He had previously made statements indicating his opposition to this application. Having consulted the Principal Planning Lawyer, and considered the concepts of pre-disposition and pre-determination, Councillor Scott decided to withdraw from the Chamber after making a short statement about this application, take no part in the debate, and refrain from voting.

Councillor Nick Wright declared a non-pecuniary interest in Minute 6 (S/2647/15/OL - Papworth Everard (Land To The East Of Old Pinewood Way & Ridgeway)). He had previously made statements indicating his opposition to this application. Councillor Wright withdrew from the Chamber after making a short statement about this application, took no part in the debate, and did not vote.

3. MINUTES OF PREVIOUS MEETINGS

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 2 August 2017.

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 9 August 2017, subject to the following:

Minute 6 - S/1606/16/OL – Cottenham (Land at Oakington Road)

An amendment was needed to show that Councillor Lynda Harford's statement was made as a local Member for Cottenham, not as Housing Portfolio Holder. The relevant paragraph now read as follows:

“Councillor Wotherspoon spoke first for Councillor Lynda Harford in her capacity as a local Member. Councillor Harford was unable to support the Parish Council's position, but did say that speed cushions should not be installed on the proposed roundabout at the junction of Oakington Road and Rampton Road.”

4. S/3145/16/FL - WILLINGHAM (LAND AT BELSAR FARM)

The case officer highlighted the fact that the site was outside the village framework. It was within policy in terms of house numbers permitted in a single development in this category of village. The impact on the landscape was a major concern. There had been a policy shift since submission of the application.

Councillor Ray Manning (a local Member) addressed the meeting. He referred to the proposal's adverse impact on the Fen edge. The exception site to the east of the proposal had not set a precedent but was now seemingly being cited as justifying the current application. Councillor Manning urged the Committee to refuse the application, or at least defer it for further information, including about drainage. He said that Willingham Parish Council was of a similar opinion. In response, the case officer said that drainage would form part of a Reserved Matters application, but reminded Members that capacity was not a material planning consideration.

Councillor Brian Burling (speaking as another local Member) said that his main worry related to discharge from Over Water Recycling Centre.

The Chairman (speaking as the third local Member) expressed sympathy with Willingham Parish Council, and shared concern about drainage. However, she could not identify a good reason to refuse the application.

Opening the Committee debate, Councillor Deborah Roberts said that encouraging progress on housing trajectory and the draft Local Plan could render this application unsupportable “within months”. She argued that any appeal against refusal could well be heard after South Cambridgeshire District Council could once again demonstrate a five-year supply of housing development land.

The Joint Director for Planning and Economic Development urged caution. He summarised the process to be followed, and likely timescales, following publication of the Local Plan Inspector's report. He could not speculate as to the degree of modification that might be required, or the complexity of the ensuing public consultation. The Joint Director for Planning and Economic Development Informed Members that it would be deemed unreasonable were the Committee to refuse the application on the basis of what *might* happen.

Councillor Anna Bradnam suggested that, in effect, the exception site to the east of the proposal had established a new village framework. However, the Chairman countered by saying that, in view of South Cambridgeshire District Council's current inability to demonstrate a five-year land supply, the concept of the village framework did not exist at all.

Councillor Sebastian Kindersley said that, in accordance with Policy H/10 of the draft Local Plan, all of the proposed dwellings should be affordable. The case officer pointed out that the application was for 40% of the dwellings to be affordable.

The Joint Director for Planning and Economic Development referred to paragraph 50 of the report, and told Members that their reference point in the current circumstances was paragraph 14 of the National Planning Policy Framework, and not local exception site policy.

During the remainder of the debate, Councillors discussed:

- The impact on landscape
- Possible undermining of the Council's exception site policy
- Environmental implications, including flood risk
- protection of the Fen edge

The Development Management Project Implementation Officer said that the site was well enough screened to address the issue of Fen edge protection: the Council's Landscape Officer had not raised any objection. The site did not benefit from any special designation.

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 provision of onsite affordable housing, the provision and management of public open space, community facilities, education contributions and healthcare contributions, detailed in Appendix 1 to the report from the Joint Director for Planning and Economic Development; and
2. Conditions and Informatives based on the draft Conditions and Informatives referred to in the said report.

5. **S/1901/16/OL - MELDRETH (LAND AT ETERNIT UK, WHADDON ROAD)**

The case officer referred to the highways assessment suggesting that the junction was at 50% capacity. The issue of contaminated land could only be addressed fully at the Reserved Matters stage.

Philip Kratz (representing the objectors), Gareth Davis (applicant's agent) accompanied by John Stapleton (representing the Eternit Social Club), Councillor Richard Goddin (Meldreth Parish Council, and also speaking for Whaddon Parish Council), Councillor Spenceley (Bassingbourn Parish Council), Councillor Philippa Hart (local Member) and Councillor Nigel Cathcart (a local Member for Bassingbourn) addressed the meeting.

Philip Kratz argued that the proposal was not sustainable socially. It failed to provide an appropriate mix of housing tenure. It was car-dependent. The proposal was on a greenfield site encroaching on the countryside. There would be a loss of employment. The site was isolated from Meldreth. The harm caused by the proposed development would be such as to significantly and demonstrably outweigh the benefit of new housing.

Messrs. Davis and Stapleton made the following points:

- The proposal would secure a new stretch of footpath between the existing footpath and the social club
- The proposal *was* sustainable
- It was a *brownfield* site
- Road safety audits had been carried out
- The proposal complied with the National Planning Policy Framework

Councillor Goddin expressed concern about:

- Sustainability of the site
- Connectivity with surrounding villages
- The lack of public transport
- The increased pressure on community infrastructure
- The lack of detail on road safety issues
- Who should pay for the remediation of the contaminated land – the polluter or community

Councillor Spenceley used photographs to highlight road safety and capacity concerns, including the impact on Kneesworth, and the lack of visibility at the road junctions.

Councillor Philippa Hart (local Member but not serving on the Committee at this meeting) declared a disclosable pecuniary interest in the interests of transparency. Councillor Hart's family business, Roger Hart Farms, farmed, as tenants, land belonging to Marley adjacent to the application site, and Councillor Hart lived with her family within half a mile of the site. Councillor Hart made the following points:

- when Meldreth residents were asked via public consultation for their views on this proposal, 80% of the respondents were against it going ahead.
- Were it not for the fact that South Cambridgeshire District Council could not currently provide a five year housing land supply, an application in this location on this site for this proposed use would never be acceptable.
- When Marley took on the site at Meldreth with its history of manufacturing amongst other things asbestos they took on the commercial liability of its inevitable eventual decontamination. Those costs were now seemingly being indirectly passed to the local community in being required upon "viability" grounds to accept a reduced allocation of affordable homes. The offer of 25% affordable housing was inadequate.
- committee members need to be satisfied that the offer of a new technology building and up to 25 new jobs can actually be conditioned. Had Marley chosen, rather than residential development, to develop the proposed site for a use consistent with creating employment then the extent of the decontamination operation would have been commensurately less and therefore less costly.
- In view of the other speculative developments coming forward in Meldreth and Melbourn, if planning permission is given for this site, it would be the thin end of the wedge, leading to further unplanned development in this no man's land, and the establishment of a large settlement way outside our village framework.

Councillor Hart urged refusal.

Councillor Hart read out a statement on behalf local County Councillor Susan van de Ven. The statement referred to:

- The recent loss of public transport
- The inability of such a loss to be compensated for by community transport
- The provision of real-time timetabling would simply be a reminder of a sustainability that no longer existed

Committee members briefly discussed the subject of community transport.

Councillor Cathcart addressed the Committee by emphasising the site's isolation, and its severe impact on three existing villages. He said that development of this type should form part of a strategic plan instead.

Councillor David McCraith (in his capacity as a local Member) agreed with Councillor Cathcart, and expressed disappointment that the highways assessment did not, in his opinion, take account of *future* impact.

A representative of the organisation responsible for undertaking the traffic assessment summarised the process that had been followed. Committee members concluded that there was a difference between road safety and the capacity of those roads.

Committee members then had a discussion, including with an Environmental Health Officer, about contaminated land and, in particular, asbestos, remediation timescales, and who should pay.

During the course of the ensuing debate, the following points were made:

- Being simply an outline application, it would be unreasonable to expect this proposal to be delivered such as to have a beneficial effect on the Council's five-year land supply
- The proposal was unsustainable by virtue of its isolation, remoteness, and impact on neighbouring villages
- The harm significantly and demonstrably outweighed the benefits
- The development would be dependent on the use of private cars
- Loss of greenfield land
- Loss of employment
- The cost of remediation and its adverse impact on the percentage of affordable housing on offer
- viability

The Committee **refused** the application contrary to the recommendation in the report from the Joint Director for Planning and Economic Development. Members agreed the reasons for refusal as being the proposed development's lack of sustainability (its isolation from the village of Meldreth, its distance from village facilities, and the absence of public transport) and encroachment into the countryside.

6. **S/2647/15/OL - PAPWORTH EVERARD (LAND TO THE EAST OF OLD PINEWOOD WAY & RIDGEWAY)**

The case officer reminded Committee members that Counsel's Opinion was that, in legal terms, it could only be reasonable for the Local Planning Authority to give the least possible weight to consideration of the future use of the Papworth Hospital site. In other words, in planning terms, Papworth Hospital was not a material consideration. An additional representation had been received saying that village facilities were inadequate to support further development.

The Joint Director for Planning and Economic Development referred to the e-mail mentioned at the Planning Committee meeting on 2 August 2017. The e-mail was sent by him to Councillor Mark Howell, one of the local Members. In connection with allocations in the Local Plan, the Joint Director for Planning and Economic Development had met with the local NHS Trust to discuss the Papworth Hospital site. He emphasised that the discussion was in general terms only and that, in particular, no planning application had been submitted. He told Committee members that the weight they could give to Papworth Hospital was minimal.

Robert Butcher (objector), Colin Brown (applicant's agent), and Councillor Chris Howlett (Papworth Everard Parish Council) addressed the Committee.

Mr Butcher's main concerns related to traffic congestion caused in part by relocation of Papworth Hospital to the Biomedical Campus at Addenbrookes in Cambridge.

Colin Brown described the proposal as being on a sustainable location. Delivery was likely to begin in 2019. The Reserved Matters application and Legal Agreement under Section 106 of the Town and Country Planning Act 1990 were both ready.

Councillor Howlett said the proposed development would not integrate well into the existing village. It would have an adverse impact on Caxton Gibbet roundabout. The Parish Council was concerned about the loss of the village's main employer.

Councillor Wright listed the following points:

- The proposal's lack of sustainability
- The loss of a major employment opportunity
- Traffic concerns
- Local opposition
- Adverse impact on residents' amenity
- The proposal would add no value to the existing village

Councillor Mark Howell (the other local Member but not present at the meeting) had indicated that that the application departed from assurances given to Papworth Everard in the past.

During the ensuing debate, Committee members made the following points:

- The proposal was unsustainable
- There were negative implications for the landscape and character of the immediate area
- It was necessary to strike a balance between housing and employment
- Traffic congestion resulting from an increase in car movements
- Implications of the future dualling of the A428 west from the Caxton Gibbet roundabout
- The impact on neighbouring parishes
- Site not identified in the Local Plan
- Papworth Everard is a minor rural centre within the development hierarchy
- Visual impact

Officer comments were as follows:

- Members should take into account a recent approval given at Highfields Caldecote, which was less sustainable than Papworth Everard

- A balance had been achieved
- The proposal was acceptable in terms its distance from the primary school and village facilities
- South Cambridgeshire District Council's methodology led to a finding that the proposed development was sustainable
- To be a material consideration, landscape had to benefit from a particular local or national designation
- There was no evidence base for objection on the grounds of traffic

The Committee **refused** the application contrary to the recommendation in the report from the Joint Director for Planning and Economic Development. Members agreed the reasons for refusal as being:

1. Sustainability, and scale of the proposed development in relation to the extent of the existing village; and
2. Landscaping and visual impact

7. S/1812/17/OL - TOFT (IMMEDIATELY ADJACENT TO THE BOUNDARY WITH COMBERTON PARISH) (BENNEL FARM, WEST STREET)

The case officer summarised the allocation of funding provided by the applicant as part of the off-site commuted sum.

Malcolm Wright (objector), Nicky Parsons (applicant's agent) and Stephen Munday (Executive Principal, Comberton Village College), Councillor Martin Yeadon (Toft Parish Council) and Councillor Nick Taylor (Comberton Parish Council) addressed the meeting.

Malcolm Wright said that the proposed development was ill-conceived and in an inappropriate location. There were no special circumstances to justify such development.

Nicky Parsons said that the proposal was policy compliant, and offered community benefits above and beyond the scale of development. Stephen Munday said that Comberton Village College supported the proposal.

Councillor Yeadon said the Legal Agreement under Section 106 of the Town and Country Planning Act 1990 should address land value and the amount of amenity space.

Councillor Taylor was concerned about traffic, and was clear that land to the west of the access road should remain free of housing development.

Committee members had received a written statement from Councillor Dr. Tumi Hawkins (local Member) that made the following points:

- There was a need to address the number and height of proposed dwellings
- character of the site must be protected
- The commitment to affordable housing was welcome
- The area allocated for the now not needed football pitch should be returned to Green Belt, or designated permanently as public open space
- The parish of Toft should receive a fairer share of Section 106 monies
- Should the application be approved, the local Members for both Toft and Comberton should be consulted before finalising the Section 106 Agreement

Councillor Tim Scott spoke as local Member for the adjacent Parish of Comberton. He made the following points:

- As much Section 106 money as possible should be made available to Toft and Comberton Parish Councils
- Medical facilities needed to be resourced so as to be able to cope with the additional residents
- Green Belt needed protection
- House heights should be reduced so as to create a development more sensitive at this edge-of-village development
- The question of public open space had to be resolved
- Traffic congestion was a concern
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**Councillor Tim Scott left the meeting at this stage and was
 not present during the ensuing debate about
 Application S/1812/17/OL, or Agenda Items 8 and 9**

The case officer confirmed that discussion with the applicant would take place to determine the allocation of Section 106 monies.

During the ensuing debate, Committee members made the following points:

- the two Parish Councils should be included in discussions about the Section 106 Agreement
- 'white land' to the west of the access road should be returned to Green Belt
- The site was allocated in the Local Plan
- Dwellings should be no higher than two storeys

This had been David Thompson's last presentation to Planning Committee as Principal Planning Officer prior to him leaving to take up a position with another Authority. Committee members joined the Chairman in wishing him well for the future.

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

3. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the provision of 40% affordable housing, and financial contributions to
 - a. Libraries and lifelong learning
 - b. Real time passenger information
 - c. Sports
 - d. Indoor community space
 - e. Household waste bins
 - f. Monitoring fee
 - g. Healthcare

detailed in Appendix 1 to the report from the Joint Director for Planning and Economic Development; and

4. Conditions and Informatives based on the draft Conditions and Informatives referred to in the said report.

8. ENFORCEMENT REPORT

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

9. 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 3.46 p.m.
