

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 10 April 2019 at 10.00 a.m.

PRESENT: Councillor John Batchelor – Chairman
Councillor Pippa Heylings – Vice-Chairman

Councillors:	Dr. Martin Cahn	Peter Fane
	Anna Bradnam (substitute)	Brian Milnes
	Judith Rippeth	Peter Topping
	Heather Williams	Nick Wright

Officers in attendance for all or part of the meeting:

John Koch (Planning Team Leader (West)), Eileen Paterson (Planning Delivery Manager), Karen Pell-Coggins (Principal Planning Officer), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer), Michael Sexton (Senior Planning Officer), Charles Swain (Principal Planning Enforcement Officer) and Rebecca Ward (Principal Planning Officer)

Councillor Neil Gough was in attendance, by invitation.

1. APOLOGIES

Councillors Bill Handley and Deborah Roberts sent Apologies for Absence. Councillor Anna Bradnam was present as substitute for Councillor Handley.

2. DECLARATIONS OF INTEREST

Councillor John Batchelor declared a Non-disclosable Pecuniary Interest in Minute 5 (S/2487/18/RM - Linton (Land to the North and South of Bartlow Road)). Councillor Batchelor's son, Councillor Henry Batchelor, had a business relationship with the developer. In view of the legal advice he had received, Councillor John Batchelor would withdraw to the public gallery, take no part in the debate, and would not vote. However, South Cambridgeshire District Council's Monitoring Officer had granted Councillor John Batchelor a dispensation allowing him to address the Committee as a local Member.

3. RECORDED VOTING

Upon the proposal of Councillor Brian Milnes, seconded by Councillor Judith Rippeth, the Committee unanimously agreed that all substantive votes at the current Planning Committee meeting should be recorded by name and / or number and name

4. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 13 March 2019.

5. S/2487/18/RM - LINTON (LAND TO THE NORTH AND SOUTH OF BARTLOW ROAD)

Members visited the site on 9 April 2019.

Councillor John Batchelor declared a Non-disclosable Pecuniary Interest because his son, Councillor Henry Batchelor, had a business relationship with the developer. In view of the

legal advice he had received, Councillor John Batchelor withdrew to the public gallery, took no part in the debate, and did not vote. However, South Cambridgeshire District Council's Monitoring Officer had granted Councillor John Batchelor a dispensation allowing him to address the Committee as a local Member. Councillor Pippa Heylings (Planning Committee Vice-Chairman) took the Chair and, by affirmation of the Committee, Councillor Brian Milnes was appointed Vice-Chairman for this item.

Following a short introduction from the case officer, Councillor Nick Wright asked why this application was not being considered as a departure from the Development Plan. The Principal Planning Lawyer said that he was satisfied that the principle of development had been established when the Outline application had been granted planning consent. The case officer added that the application had been advertised as a departure in any event.

Mr. and Mrs. Pearse (objectors), Councillor Enid Bald (Linton Parish Council) and Councillor John Batchelor (a local Member) addressed the meeting.

The ensuing debate revolved around housing mix, design, flood risk, landscape and renewable energy. Officers drew Members' attention to the matters dealt with at the Outline stage, and reminded them that they should focus on Reserved Matters. Housing mix had already been agreed, and the question of renewable energy had been conditioned as part of the Outline planning consent and would be compliant with Policy CC/3 of the Local Plan 2018.

By eight votes to one, the Committee **deferred** the application for review by the Design Enabling Panel in respect of the scale, layout, appearance and landscaping of the scheme. The Committee asked officers to consider further issues concerning flood risk in the area abutting the site, and biodiversity.

(Councillor John Batchelor, having withdrawn from the Committee for this item, did not vote. Councillor Peter Topping voted against deferral.)

6. **S/4747/18/OL - COTTENHAM (ELM TREE FARM, HAY LANE)**

Members visited the site on 9 April 2019.

The case officer reported that the Fire and Rescue Service had no objection to the proposal but had requested that a Condition be attached to the planning consent, if granted, requiring the inclusion of fire hydrants within the site.

Meghan Bonner (applicant's agent) and Councillor Neil Gough (a local Member speaking also on behalf of Councillor Eileen Wilson, the other local Member) addressed the meeting. The case officer read out a statement from Councillor Frank Morris, Chairman of Cottenham Parish Council).

The Principal Planning Lawyer referred to paragraph 94 of the officer's report, telling Members to disregard the reference to full occupation.

The Committee voted unanimously to give officers **delegated authority** to approve the application subject to

1. There being no further representations being received on material planning grounds which had not already been submitted and considered before the expiry of the consultation period following amendments to the application site red line boundary;

2. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 for the extinguishment of existing user rights in respect of the applicant's existing site at High Street, Cottenham;
3. A Condition requiring the provision of fire hydrants on the site;
4. The Conditions and Informatives set out in the report from the Joint Director of Planning and Economic Development, with the final wording of any amendments to these to be agreed in consultation with the Chairman and Vice-Chairman of the Planning Committee prior to the issue of a Decision Notice; and
5. Referral of the application to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2009 as a departure from the Development Plan.

7. S/3729/18/FL - BABRAHAM (SITE H/1:B - LAND NORTH OF BABRAHAM ROAD)

Members visited the site on 9 April 2019.

The case officer reported that agreement had been reached in relation to the Legal Agreement under Section 106 of the Town and Country Planning Act 1990.

David Osborn (objector), Meghan Bonner (applicant's agent), Councillor Stuart Laurie (Babraham Parish Council) and Councillor David Bard (Sawston Parish Council) addressed the meeting.

Members debated several issues, such as design, affordable housing and the "pepper potting" of such, density, housing needs, implications for the neighbours and local schools, and traffic.

The Principal Planning Lawyer, responding to a Member, undertook to revisit the question of the Section 106 financial contribution in respect of education, in order to clarify, in consultation with the Chairman and Vice-Chairman of the Planning Committee, whether that money should be directed to Babraham or Sawston.

By seven votes to three, the Committee gave officers **delegated authority** 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 in line with the Heads of Terms attached as Appendix 3 to the report from the Joint Director of Planning and Economic Development. Officers would agree with the Chairman and Vice-Chairman of the Planning Committee a framework for cascading, if necessary, the contributions in respect of education and recreation.
2. The Conditions and Informatives set out in the report from the Joint Director of Planning and Economic Development, with the final wording of any amendments to these to be agreed in consultation with the Chairman and Vice-Chairman of the Planning Committee prior to the issue of a Decision Notice.

(Councillors John Batchelor, Bradnam, Cahn, Fane, Heylings, Milnes, and Rippeth voted in favour of delegated approval. Councillors Topping, Heather Williams and Wright voted against.)

8. S/4099/17/OL - AGRITECH

The Committee considered a report seeking its endorsement of, and agreement to, a number of procedural planning matters associated with the proceedings for the Agri-Tech appeal.

Following a short debate, and by eight votes to nil, with one abstention, the Planning Committee

1. **endorsed** the range of policies applicable to the reasons for the refusal contained within the South Cambridgeshire Local Plan 2018 as set out in the Statement of Case;
2. **endorsed** the decision to no longer pursue reason for refusal number 2 as part of the Inquiry proceedings;
3. **endorsed** the officer interpretation of the missing text associated with reason for refusal number 6, namely between the words "...to allow the..." and "...therefore be contrary..." to add the words "...*Local Highway Authority to fully assess the scheme and the proposal would...*" so that Reason number 6 would then read as follows

Motorists would access the proposed development via the A1301 and a single access junction. The road network in this locality is already congested, as acknowledged in the submitted Transport Assessment (TA). A stage 1/2 Road Safety Audit has not been carried out on all the submitted drawings to allow the Local Highway Authority to fully assess the scheme and the proposal would therefore be contrary to: paragraphs 7, 17 and 32 of the National Planning Policy Framework 2012 and Policies DP/1, DP/3 (1b), DP/4 and TR/2 of the South Cambridgeshire Development Control Policies DPD 2007.

4. **Agreed** to allow officers to pursue the submission of the Statement of Common Ground and proofs of evidence as required in accordance with Counsel's advice; and
5. **Granted** officers authority to agree to a set of planning conditions and planning obligations as part of the Inquiry proceedings.

(Councillors John Batchelor, Cahn, Fane, Heylings, Milnes, Topping, Heather Williams and Wright voted in favour. Councillor Bradnam abstained. Having left the meeting prior to this item, Councillor Judith Rippeth did not vote.

9. CAMBRIDGE WATER RECYCLING CENTRE - ODOUR ASSESSMENT

The Committee **received and noted** a report summarising the findings of the 'Odour Impact Assessment for Cambridge Water Recycling Centre (2018) (Appendix A to the report), and the Technical Note on interpretation of 'Odour Impact Assessment for Cambridge Water Recycling Centre' (October 2018) (Appendix B), for the purposes of considering planning applications in the vicinity.

10. ENFORCEMENT REPORT

The Committee received and noted an Update on enforcement action.

Councillor Dr. Martin Cahn mentioned the further tree felling expected as part of the ongoing A14 works. The landscaping plans presented before the works commenced had shown as unaffected two areas where trees had been removed. Councillor Cahn asked whether there had been a breach of planning consent for which enforcement action could be taken. The Principal Planning Enforcement Officer responded by saying that South Cambridgeshire District Council could not enforce on this matter however the A14 working group should continue to work closely with the contractor Highways England to minimise any adverse visual and environmental impact. The Committee was also informed that the Landscaping officer was currently investigating the tree felling against the approved drawings which have now been provided.

11. 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 2.40 p.m.
