

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 9 December 2020 at 10.00 a.m.

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

Councillors: Anna Bradnam Dr. Martin Cahn
Peter Fane Dr. Tumi Hawkins
Deborah Roberts Heather Williams
Dr. Richard Williams Nick Wright

Officers in attendance for all or part of the meeting:

Sharon Brown (Assistant Director (Planning Delivery)), Christopher Carter (Delivery Manager - Strategic Sites), David Norris (Principal Planning Officer), Kate Poyser (Principal Planner), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer) and Jonathan Tully (Internal Audit)

1. Chair's announcements

For the benefit of members of the public viewing the live webcast of the meeting, the Chair introduced Committee members and officers in attendance.

He explained that this meeting of the Planning Committee was being held virtually and asked for patience bearing in mind the challenges posed by the technology in use and by the new meeting skills required.

The Chair confirmed that the Planning Committee would continue with the practice of recording votes unless a resolution could be reached by affirmation. He explained the process he would follow in a virtual meetings environment.

He confirmed that the meeting was quorate but informed members of the public that, if a Committee member was absent for any part of the presentation of or debate about an agenda item then that member would not be allowed to vote on that item.

2. Apologies

Councillor Judith Rippeth sent Apologies for Absence.

3. Declarations of Interest

Councillor Deborah Roberts declared a non-pecuniary interest in Minute 6 (S/4252/19/FL - Fowlmere (Cherry Tree Field, Shepreth Road)). As a member of Fowlmere Parish Council, Councillor Roberts had been present at meetings at which this application had been discussed but was considering the matter afresh. The Chair added that all those Committee members at the current meeting who had previously considered this application on 11 November 2020 should be deemed as considering the matter afresh. The only Member present who had not been present at the meeting in November was

Councillor Pippa Heylings.

Councillor Dr. Tumi Hawkins declared a non-pecuniary interest in Minute 5 (20/02568/FUL - Bourn (Former Gestamp Factory, Bourn Airfield)), Councillor Dr. Hawkins had been present at meetings where this application had been discussed but was considering the matter afresh.

Councillor Nick Wright declared a non-pecuniary interest in Minute 5 (20/02568/FUL - Bourn (Former Gestamp Factory, Bourn Airfield)), Councillor Wright knows the farming family which owns Bourn Airfield.

4. Minutes of Previous Meeting

By affirmation, the Committee authorised the Chair to sign, as a correct record, the Minutes of the meeting held on 11 November 2020, subject to the following:

Minute 11 – Enforcement Report

Add “Councillor Heather Williams had concerns about the year-to-date figures and open and close dates being out of kilter with previous years.”

Councillor Pippa Heylings had not been present at the meeting on 11 November 2020 and was therefore not part of the affirmation.

5. 20/02568/FUL - Bourn (Former Gestamp Factory, Bourn Airfield)

The Delivery Manager (Strategic Sites) outlined the circumstances that had led to there now being an additional period of consultation ending on 29 December 2020.

Upon the proposal of Councillor Heather Williams, seconded by Councillor Nick Wright, and upon the Chair’s casting vote, the Committee resolved not to defer the application but, instead, to debate the issues and give officers delegated authority to determine the application, in accordance with the Committee’s wishes, subject to no issues being raised during the additional consultation period ending on 29 December 2020. Should such issues be raised, the application would be referred back to Committee for reconsideration.

(Councillors Bradnam, Roberts, Heather Williams, Richard Williams and Wright voted to defer, Councillors John Batchelor, Cahn, Fane, Hawkins and Heylings voted to determine the application. Councillor Batchelor, as Chair, cast his vote in favour of determining the application at the current meeting.)

The case officer reported that the Local Highways Authority had withdrawn its objection. Accordingly, Members should consider Condition 1 in the report as deleted and the remaining Conditions to be renumbered accordingly.

Jeremy Aitchison (applicant’s agent), Mike Beadman (applicant) and Councillor Des O’Brien (Bourn Parish Council) addressed the meeting. In response to a question of clarification from Councillor Deborah Roberts, Councillor O’Brien said that Bourn Parish Council would be raising issues before the end of the public consultation period.

After taking advice from the Senior Planning Lawyer and Delivery Manager (Strategic Sites), the Chair proposed, seconded by Councillor Anna Bradnam, that the application be deferred. By affirmation, the Committee **deferred** the application until after the end of public consultation on 29 December 2020.

6. **S/4252/19/FL - Fowlmere (Cherry Tree Field, Shepreth Road)**

The Chair announced that, since the committee report had been written, letters had been received from solicitors acting on behalf of Fowlmere Parish Council in respect of the 'fallback' position namely, the previously agreed Class Q for two dwellings. Members had considered that issue to be crucial in approving the application on 11 November 2020. In reply to these letters, the applicant's solicitor had submitted responses that were completely contrary to the views expressed by the Parish Council's legal advisor. The detailed legal arguments in this correspondence required further consideration to enable Members to make a robust, informed decision. Officers therefore recommended that the application be deferred to the committee meeting in January 2021, to allow officers to provide Members with a report that fully considered the new points that had been raised.

In response to concern raised by Councillor Heather Williams, the Delivery Manager (Strategic Sites) said that, deferral would give rise to a technical risk of an appeal for non-determination, he was aware that the applicant was keen that this application should be determined by the Planning Committee.

Upon the proposal of Councillor John Batchelor, seconded by Councillor Pippa Heylings, and despite some Members' reservations about process, the Committee by affirmation **deferred** the application to enable officers to provide Members with a report that fully took into account all of the new points raised.

7. **Decision Notices - Process Review**

The Committee **received and noted** a report on the outcome of an Internal Audit investigation into the planning decision-making process.

The Head of Shared Internal Audit highlighted key aspects of the Internal Audit report contained in Appendix A.

Councillor Heather Williams said that, prior to being presented to the Planning Committee, the report had been shared with leaders of the Council's Liberal Democrat, Conservative and Labour Groups, and with the Convenor of the Independents. Her principal concerns related to those instances where public consultation periods had been extended in error, and the apparent need for training in the use of the new planning computer system.

The Assistant Director (Delivery) made a statement publicly apologising for the sequence of events that had culminated in the Internal Audit report. She made the following points:

- A review of the decisions process had been instigated and was on-going
- Additional user-prompts had been added into relevant screens on the computer software
- Specific and general issues encountered in issuing notification letters had been addressed
- There was a need for officers to understand the implications of their actions
- A 'Service Champions' Group had been established
- Staff training had already taken place but regular refresher training would be essential in the future
- There needed to be a clear process for authorising systems changes. In future, this ultimately would be the responsibility of the Assistant Director (Delivery) or Delivery Manager (Development Management).

Members welcomed the thorough nature of the Internal Audit investigation but recognised that further issues might yet come to light. Of immediate importance was to address the situation in which the computer software automatically allowed an additional consultation period.

The Head of Shared Internal Audit acknowledged the need to strike a balance between risk and efficiency. The Assistant Director (Delivery) confirmed that officers considered that to be significant in concluding the process review successfully.

8. **Enforcement Report**

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

Councillor Nick Wright regretted the fact that Smithy Fen, Cottenham did not feature in the report. He requested that the lawyer responsible for the legal aspects of the enforcement action there should attend the next meeting of the Planning Committee and that update reports should be received at each Committee meeting thereafter until the matter was resolved.

Councillor Heather Williams had ongoing concerns about the year-to-date figures and open and close dates being out of kilter with previous years.

Councillor Anna Bradnam requested that the details of the matter at Fen Road, Milton be updated to reflect that this site is in Milton and not Chesterton. Further, Councillor Bradnam sought clarity in respect of the requirements of the enforcement notice and when they would take effect. The Delivery Manager (Strategic Sites) advised that this information would be provided by the Enforcement Officer outside the meeting.

The Assistant Director (Delivery) outlined the steps being taken to strengthen both staffing levels and process within the enforcement team.

9. **Appeals against Planning Decisions and Enforcement Action**

The Committee **received and noted** a report on Appeals against planning decisions and enforcement action.

Councillor Heather Williams requested information relating to the two appeals listed for an Informal Hearing at Sawston. The Delivery Manager (Strategic Sites) undertook to provide copies of the relevant appeal statements.

The Meeting ended at 12.20 p.m.
