

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 26 August 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 Dr. Richard Williams
Eileen Wilson (substitute) Nick Wright

Officers in attendance for all or part of the meeting:

Fiona Bradley (Interim Team Leader, Development Management),
Christopher Carter (Delivery Manager - Strategic Sites), Alistair Funge
(Planning Enforcement Officer), Stephen Reid (Senior Planning Lawyer),
Jane Rodens (Senior Planner) and Ian Senior (Democratic Services Officer)

Councillor Geoff Harvey was in attendance, by invitation.

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

Councillors Judith Rippeth and Heather Williams sent Apologies for Absence. Councillor Eileen substituted for Councillor Rippeth.

3. Declarations of Interest

Councillor Anna Bradnam declared a non-pecuniary interest in Minutes 8 and 9 (20/01463/HFUL and 20/01464/LBC - Little Wilbraham (5 Primrose Farm Road) by virtue of being friends with the applicant and a colleague of Councillor Dr. Claire Daunton. Councillor Bradnam confirmed that she had not discussed this application with either of them, and was considering the matter afresh.

Councillor Dr. Martin Cahn declared a non-pecuniary interest in Minute 5 (S/4191/19/FL - Orchard Park (Western Side Of Land Parcel COM4, Neal Drive) because he had taken part, where appropriate, in meetings between Orchard Park Community Council and the developer where this application had been discussed. His wife was a member of the Planning Committee at Histon and Impington Parish Council, where this application had also been discussed. Councillor Cahn was considering the matter afresh.

Councillor Pippa Heylings declared a non-pecuniary interest in Minute 5 (S/4191/19/FL - Orchard Park (Western Side Of Land Parcel COM4, Neal Drive) because she had taken part, where appropriate, in meetings between Orchard Park Community Council and the developer where this application had been discussed. Councillor Heylings was considering the matter afresh.

Councillor Eileen Wilson declared a non-pecuniary interest in Minute 6 (S/4451/19/FL - Rampton (Land at the rear of 5 High Street) because she had discussed the application with Ward colleague Councillor Neil Gough. Councillor Wilson was considering the matter afresh and reminded those present that her Ward of Cottenham included the Parish of Rampton.

4. Minutes of Previous Meetings

By affirmation, the Committee authorised the Chair to sign, as a correct record, the Minutes of the meeting held on 25 June 2020 subject to an amendment to show that Councillor Richard Williams was absent from the meeting for part of Item 8 only, and was present, not absent, for Items 9, 10 and 11.

By affirmation, the Committee authorised the Chair to sign, as a correct record, the Minutes of the meeting held on 8 July 2020.

5. S/4191/19/FL - Orchard Park (Western Side Of Land Parcel COM4, Neal Drive)

The presenting officer made a detailed presentation focussing on, among other things

- Land ownership
- Visibility splays
- The pedestrian link
- Proposed additional wording in Condition 5
- Viability, and an alternative planning obligation
- Reference to 'Appeal A' as summarised in the report
- Landscaping
- Travel plan
- Car parking

The Senior Planning Lawyer expanded on the question of viability. Although this was a long-term investment, there remained a £2.8 million deficit requiring the Committee to identify its priorities. Cambridgeshire County Council was forward funding a cycleway along Histon Road. However, the developer was not able to contribute both to that project and to community facilities. The Senior Planning Lawyer therefore had drafted two alternative planning obligations under Section 106 of the Town and Country Planning Act 1990.

Members noted that, were they to opt for a financial contribution to community facilities instead of the cycleway, then Cambridgeshire County Council as Local Highways Authority would object to the application.

Paul Watson (applicant's agent), Councillor Chan (Orchard Park Community Council), and Councillor Martin Cahn (a local Member) addressed the meeting.

Councillor Pippa Heylings (a local Member) proposed an amendment and addition as set out in 2 (a) and (b) of the Committee decision below. This was seconded by Councillor Anna Bradnam and, upon a vote being conducted by roll call, the Committee approved both the amended Condition and additional Informative by eight votes to one with one abstention.

(Councillors John Batchelor, Bradnam, Cahn, Fane, Hawkins, Heylings, Wilson and Wright voted in favour. Councillor Roberts voted against. Councillor Richard Williams abstained.)

During the ensuing debate, Members focussed on the following

- Density
- Viability
- The absence of affordable housing
- Orientation of the building
- Design
- Impact on the existing community and implications for future community cohesion
- Housing mix
- Car parking, including in the context of South Cambridgeshire District Council's aspiration of meeting its carbon zero target

The Senior Planning Lawyer emphasised the importance of considering the current application on its merits, and not being influenced by other factors, including the indication that the appeal against refusal of a previous application could be withdrawn.

By eight votes to two (with Councillors Deborah Roberts and Richard Williams voting against), 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 securing
 - a. A 15-year clawback mechanism in relation to affordable housing
 - b. Implementation and maintenance of a car club scheme
 - c. Developer Contributions towards community facilities (but excluding the cycleway contribution sought by Cambridgeshire County Council)

2. The Conditions and Informatives set out in the report, subject to

- (a) Condition 5 being re-worded as follows

The pedestrian link on land within the Applicant's ownership, between Neal Drive and Chieftain Way, as shown on the approved Site Plan OP/170/2 Rev 1 shall be constructed and made available for public use prior to first occupation of the approved development. The pedestrian link within the Applicant's ownership, shall thereafter be retained in accordance with the approved plans and shall remain accessible to the general public at all times unless otherwise agreed in writing with the Local Planning Authority. The pedestrian link within the Applicant's ownership shall be maintained to a

standard sufficient for public use as proposed.

- (b) An additional Informative *that would satisfy the concerns raised by the landscape officer that the details submitted in relation to the soft and hard landscaping (as required by Condition 6) shall provide a high-quality landscape that overcomes the objections raised.*

final wording to be agreed by officers in consultation with the Chair and Vice-Chair of the Planning Committee.

6. **S/4451/19/FL - Rampton (Land at the rear of 5 High Street)**

Mr. Gadsby (objector) addressed the meeting.

Councillor Eileen Wilson (a local Member) highlighted the scarce amenities in Rampton giving rise to a high dependancy on private motor vehicles.

Other Committee members made points based on the following

- Viability
- The minimal impact on Listed Buildings and the Conservation Area
- Local opinion
- The South Cambridgeshire Local Plan 2018 and revised National Planning Policy Framework

The Delivery Manager (Strategic Sites) read out a statement from Councillor Neil Gough (the other local Member).

By eight votes to one, the Committee refused the application for the following reasons:

1. Principle of Development

The full planning application was located within the Development Framework of Rampton identified by Policy S/11 of the South Cambridgeshire Local Plan 2018 as an Infill Village within the adopted Local Plan. The Policy stated that residential development would be permitted in the village where there were two dwellings. If there were to be more than two dwellings, then they must be of very exceptional circumstance.

This development by virtue of its poor design, would create harm to the Rampton Conservation Area where it is situated, have a poor relationship with the neighbouring properties and harm their amenity.

Therefore, this was not a development of very exceptional circumstance and not in conformity with Policy S/11, S/7 and S/2 of the adopted South Cambridgeshire Local Plan 2018.

2. Impact on heritage assets

This application had been refused due to the less than significant harm that would be caused to the Rampton Conservation Area. The dwellings were not reflective of the character of the Conservation Area, the level of development was too intense for this site and their design did not reflect the historic core of the Conservation Area, nor did the dwellings reflect the previous uses of the site as a farm yard. The visibility of the buildings from around the site would remove the current openness which was a unique feature of this yard to such an extent that would cause harm to

the character of the Conservation Area.

The public benefit stated by the supporting information was not acceptable as it did not provide sufficient justification for development within the Conservation Area. The proposal was not in conformity with Policy NH/14 of the South Cambridgeshire Local Plan 2018, the National Planning Policy Framework (NPPF), Planning (Listed Buildings and Conservation Areas) Act 1990 and the Rampton Conservation Area Appraisal.

3. Character and Design of the Development

Policy HQ/1 of the adopted South Cambridgeshire Local Plan 2018 stated that development within the district must be reflective of the character of the area in which it was located, create a legible and place-responsive design, that created a sense of place and identity. Parking within the development should be well integrated.

This application would harm the Conservation Area as it was not reflective of the character of its surroundings. It would be visible from important views into the site and mainly The Green. Within the site the U-shaped development would create a cul-de-sac which was not a character of the Conservation Area.

When entering the site, parking being proposed would be dominant, which could be viewed from outside the site.

The application was not in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018 and the NPPF, both of which required a high standard of development reflective of the surrounding area.

4. Residential Amenity

Within Plot 1 bedroom four was smaller than the requirement in Policy H/12 of the adopted South Cambridgeshire Local Plan 2018. Plots 3 and 4 did not meet the requirement of creating a residential garden that was 15 metres from the rear elevation of the development to the rear common boundary, as stated in the District Design Guide.

The proposal would therefore cause harm to the future residents of the site and the amenity of the neighbouring properties. This application was not in conformity with Policies HQ/1, H/12 of the adopted South Cambridgeshire Local Plan 2018, the District Design Guide and the NPPF.

(Councillors John Batchelor, Bradnam, Cahn, Haswkins, Heylings, Richard Williams, Wilson and Wright voted to refuse the application. Councillor Fane voted to approve it. Councillor Roberts did not vote.)

7. **20/01463/HFUL - Little Wilbraham (5 Primrose Farm Road)**

In response to Councillor Pippa Heylings, the Delivery Manager (Strategic Sites) said that the Planning Committee and Local Planning Authority had to strike a balance between their support for energy efficiency measures and their statutory duty to protect heritage assets.

By affirmation, the Committee **approved** the application subject to the Conditions and Informatives set out in the report from the Joint Director of Planning and Economic Development.

(Councillor Deborah Roberts was not present for part of this item and did not vote.)

8. 20/01464/LBC - Little Wilbraham (5 Primrose Farm Road)

In response to Councillor Pippa Heylings, the Delivery Manager (Strategic Sites) said that the Planning Committee and Local Planning Authority had to strike a balance between their support for energy efficiency measures and their statutory duty to protect heritage assets.

By affirmation, the Committee approved the application subject to the Conditions set out in the report from the Joint Director of Planning and Economic Development.

(Councillor Deborah Roberts was not present for part of this item and did not vote.)

9. Enforcement Report

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

10. 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 2.50 p.m.
