

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 19 January 2022 at 10.00 a.m.

PRESENT: Councillor Henry Batchelor – Chair
Councillor Peter Fane – Vice-Chair

Councillors: Dr Tumi Hawkins Deborah Roberts
Heather Williams Dr Richard Williams
Eileen Wilson Dr Claire Daunton
Anna Bradnam

Officers in attendance for all or part of the meeting:

Nigel Blazeby (Delivery Manager), Mary Collins (Senior Planning Officer),
Laurence Damary-Homan (Democratic Services Officer), Trovine Montiero
(Built Environment Team Leader), Jay Patel (Trees Assistant), Stephen
Reid (Senior Planning Lawyer), Dean Scrivener (Senior Planning Officer),
Michael Sexton (Principal Planner), Nick Yager (Senior Planning Officer)
and Alice Young (Senior Planner)

Councillors Graham Cone and John Williams were in attendance as local Members

Councillor Dr Martin Cahn was in attendance remotely

1. Chair's announcements

With the absence of the Chair of the Committee, the Vice-Chair, Councillor Henry Batchelor, assumed the role of Chair for the meeting; Councillor Peter Fane was nominated as Vice-Chair for the meeting and this was approved via affirmation by the Committee.

The Chair made several brief housekeeping announcements and noted that Councillor Dr Martin Cahn could not vote on any applications as he was attending virtually. The Chair also acknowledged and expressed condolences for the death of Parish Councillor for the Linton Ward Enid Bald, stating that she was a valuable, active member of both her community and the planning process of the area and that she would be greatly missed.

2. Apologies

Councillors Pippa Heylings, Geoff Harvey and Judith Rippeth sent Apologies for Absence.

3. Declarations of Interest

- With respect to Minute 5 (21/02795/S73), Councillor Dr Tumi Hawkins declared that she was a local Member and Parish Councillor for Caldecote
- With respect to Minute 6 (20/05199/REM), Councillor Dr Claire Daunton declared that she had been quoted in the report as local Member.
Councillor Daunton stated that she would step out as Member of the

- Committee for the duration of the item and instead speak as local Member
- With respect to Minute 7 (20/05251/OUT), Councillor Tumi Hawkins declared that she was local Member for Little Gransden but had not been present at the meeting to discuss the application. Councillor Hawkins declared that she had subsequently discussed it with the Chair and Clerk of the Parish Council but would be coming to the matter afresh
 - With respect to Minute 8 (21/02117/FUL), Councillor Eileen Wilson declared that, as local Member for Cottenham, she had received emails regarding the application but had not discussed it with anyone and was coming to the matter afresh
 - With respect to Minute 9 (21/04447/OUT), Councillor Henry Batchelor declared, in line with his prior declaration when the item had come to the Committee previously, that he was local Member for Linton and had discussed the application with neighbours of the site and the Parish Council; these discussions were only around matters of process and thus Councillor Batchelor was not precluded from taking part in the debate or vote on the item
 - With respect to Minute 12 (Enforcement Report), Councillor Eileen Wilson noted that there was reference to the Smithy Fen site and stated that, as local Member, she had been in conversation regarding the site

4. **Minutes of Previous Meeting**

The Minutes of the Previous Meeting were not available

5. **21/02795/S73 - Land East Of Highfields Road, Highfields, Caldecote**

The Delivery Manager provided an update on the application, stating that a concern had arisen due to the omission of three approved drawings from the original outline permission at the time of the publication of the report. These drawings were subsequently published as part of the outline permission but, as they had not been publicly available previously ahead of consideration of the Section 73 application and report, the Delivery Manager advised the Committee that it would be appropriate to defer the application and hear it at the next meeting when all of the required information had been available for public consultation.

The Chair proposed the deferral of the item. Councillor Deborah Roberts seconded the proposal and, via affirmation, the Committee **deferred** the application.

**Councillor Dr Claire
Daunton withdrew from the
Committee to address the**

Committee as local Member

6. 20/05199/REM - Ida Darwin Hospital, Fulbourn Old Drift, Fulbourn

The Senior Planning Officer, Dean Scrivener, presented the report and offered an update. The update was regarding an email which confirmed the discharge of some of the conditions of the OUT permission for the site: conditions 14, 17, 28, and 32.

The Committee was addressed by a number of public speakers. David Cottee, of Fulbourn Forum, spoke in opposition of the application. Mr Cottee was asked questions on concerns about drainage and his answers detailed the fact that he had seen waterlogging and minor flooding of the eastern end of the site and also informed the Committee that, in his view, it would be possible to resolve the issues with further drainage mitigation strategies. The pump in the east of the site was also mentioned; it was noted that the pump had been used at one stage but was not part of the proposals in the application. Mark Gatehouse (drainage consultant) and Garry Goodwin spoke on behalf of the applicant. Members asked questions on drainage concerns and the issues of ownership of the pump on site. Answers detailed the proposed drainage scheme and stated that the pump was in the ownership of the NHS at the time.

The Committee was addressed by local Members, Councillors Graham Cone, John Williams and Dr Claire Daunton. Councillors Cone and Williams expressed support for the application overall but raised reservations over drainage. Councillor Daunton objected to the application as it stood and raised concerns over cycle and bin storage, outdoor space for affordable housing and general design; Members questioned Councillor Daunton and received answers on the aforementioned concerns.

In the debate, Members discussed the following topics:

- The Village Design Guide- the Built Environment Team Leader and the Senior Planning Officer offered clarity and described how the site's design was in keeping with the Village Design Guide
- Waste- the Senior Planning Officer informed the Committee that condition 11 of the application dealt with the waste concerns and that condition 14 of the Outline permission had already been discharged

Drainage and the management of the ponds were extensively discussed. Drainage was addressed by the Senior Planning Officer and the drainage consultant from the Lead Local Flood Authority (Harry Pickford). The Senior Planning Officer informed the Committee that condition 19 of the Outline permission required a drainage management strategy be submitted prior to application; the Chair stated that the addition of a drainage condition would be inappropriate at the Reserve Matters stage but suggested that an informative could be added. The Senior Planning Lawyer advised that a fallback position, in the case of the management company failure to maintain the ponds, could not be found in the s106 agreement of the Outline permission; he advised the Committee that a condition could be added to ensure that s106 agreement had a fallback position. It was advised that the Committee grant delegated authority for officers, in consultation with the Chair and Vice-Chair.

The Committee approved, via affirmation, the inclusion of an informative for the applicant to review the drainage scheme after the completion of phase one of the development and prior to the commencement of the construction of phase two; officers were granted delegated authority to write the official wording in consultation with the Chair and Vice-Chair.

The Committee approved, via affirmation, the inclusion of a condition that required an investigation into the s106 agreement to assess the fallback strategy in the case of the management company failing to maintain the ponds. Officers were granted delegated authority to write the precise wording of the condition and also negotiate the terms of a fallback arrangement.

With the addition of the informative and condition, the Committee (excluding those Members who could not vote on the application) **approved**, by affirmation, the application in accordance with the officer's recommendation in the report.

**Councillor Dr Claire
Daunton rejoined the
Committee**

7. 20/05251/OUT - Land North West Of 7 Primrose Walk, Little Gransden

The Senior Planning Officer, Mary Collins, presented the report and noted the objection from Little Gransden Parish Council. The Committee was addressed by the agent of the applicant, Darren Heffer, who answered a question on the logistics of the unadopted access road serving dual purpose as a public right of way. The register for self-build properties was also discussed. Sylvia Sullivan addressed the Committee on behalf of Little Gransden Parish Council, who objected to the application, and fielded questions on the condition of the access road/ public right of way. An open green space on the site was also discussed. Councillor Dr Tumi Hawkins addressed the Committee as local Member and answered questions on why the land had not been previously developed. Following the public speaking section, the Delivery Manager noted that some of the issues raised were not Planning issues and thus were not material considerations. The Chair clarified to the Committee that what the site could be was not part of the application and therefore was not up for discussion.

In the debate, the Committee discussed the following topics:

- The access road/ public right of way
- The benefits of the application
- The impact on visual amenity and local character
- Land usage
- If the proposal would provide infill
- The design of the application
- The green space on site- the Delivery Manager informed the Committee that the site was not designated as open space and was within the Village Development Framework so the loss of the informal green space and subsequently advised that the loss of the green space would not be an appropriate reason for refusal

The Committee noted that the Planning balance was what had to be decided upon. The Senior Planning Lawyer reiterated that the item was an Outline application and offered further clarity on what the application was proposing.

In light of the debate, the Chair proposed and the Committee agreed to the following reasons for refusal:

- Impact on/ loss of visual amenity
- Impact on local character
- Access to the property
- Contravention of policies HQ/1 (design principles) and S/11 (infill)

The Delivery Manager advised that the proposed reasons for refusal were acceptable as they were material Planning considerations. The Committee granted delegated authority to officers, in consultation with the Chair and Vice-Chair, to write official wording of the reasons for refusal.

By 7 votes to 2 (Councillors Henry Batchelor and Peter Fane), the Committee **refused** the application contrary to the officer's recommendation laid out in the report.

8. **21/02117/FUL - The Jolly Millers, 73 High Street, Cottenham**

The Senior Planner presented the reported and noted the consultation response received from Cambridge & District CAMRA. Councillor John Loveluck addressed the Committee on behalf of Cottenham Parish Council, who objected to the application. Questions to Councillor Loveluck from Members of the Committee were focused on the market value of the property, the demand and subsequent viability for pubs in the village and parking concerns.

In the debate, Members discussed the following topics:

- The marketing history of the property and the impact of Covid-19
- The growth of the village and the demand for pubs
- The loss of pubs nationwide
- Concerns of overdevelopment
- Cycle parking and refuse space
- Parking concerns and the impact on visibility splays and traffic
- Access
- Impact on the character of the village
- Departure from the Neighbourhood Plan
- The principal of development
- Satisfaction of policy HQ/1

The Delivery Manager offered clarity over the content of the report, some of the topics discussed and the recommendation. In light of the debate, the Chair proposed and the Committee agreed to the following reasons for refusal:

- Principle of development
- Access, highway safety and parking provision
- Departure from the Neighbourhood Plan
- Impact on character

The Committee **refused** the application, through unanimous vote, contrary to the officer's recommendation laid out in the report. The Committee granted delegated authority to officers, in consultation with the Chair and Vice-Chair, to write official wording of the reasons for refusal.

9. **21/04447/OUT - Land Adjacent 35 Balsham Road, Linton**

The Senior Planning Officer, Nick Yager, presented the report and gave an update regarding condition 11. The Senior Planning Officer informed the Committee that condition 11 had been split to read:

"11. Prior to the instillation of a new surfacing material in relation to the access as indicated on the submitted plan, this is to be submitted to and agreed with the Local Planning Authority.

Reason: In the interests of highway safety.

Access- The access shall be a minimum width of 5m, for a minimum distance of 5m measured from the near edge of the highway boundary.

Reason: In the interests of highway safety.”

The Committee was addressed by a resident, Tony Dixon, in opposition of the application. The agent of the applicant, Darren Heffer, addressed the Committee and answered a question on the distance between the front of the building and the substation compound. Councillor Kate Kell addressed the Committee on behalf of Linton Parish Council in opposition to the application. Councillor Kell was asked questions on the electrical infrastructure through and adjacent to the site.

In the debate, the Senior Planning Lawyer offered clarity over the application, stating that it was not a resubmission of a previous application, as per paragraph 3 of the report, and was not the same application; instead it was a new Outline application. The Committee discussed the following topics:

- The size of the building and overdevelopment
- Residential amenity
- The loss of garden space (policy H/16)
- Overlooking on neighbouring properties
- Parking provision and highway safety
- Principal of development
- Conformity with the District Design Guide and Village Development Framework
- The impact of the substation adjacent to the plot

The Delivery Manager and Senior Planning Lawyer offered various points of clarity throughout the debate.

In light of the debate, the Chair proposed and the Committee agreed to the following reasons for refusal:

- Principal of development
- Parking provision
- Residential amenity
- Contravention of policy H/16 (upon request from the Delivery Manager, the Committee clarified that points b ii and iii were cited as a reason for refusal)

The Committee **refused** the application, via unanimous vote, contrary to the officer's recommendation laid out in the report. The Committee granted delegated authority to officers, in consultation with the Chair and Vice-Chair, to write official wording of the reasons for refusal.

10. **21/04592/HFUL - 19 Foxton Road, Barrington**

The Senior Planning Officer, Nick Yager, presented the report with no update. Members debated concerns of overlooking and proximity to other properties but were satisfied that these were not problematic and were not grounds for refusal.

By affirmation, the Committee **approved** the application in accordance with the officer's recommendation laid out in the report.

11. **TPO - Bourn Brook, Westfield Farm, Comberton**

The Trees Assistant presented the report with no update. In response to questions, the Trees Assistant stated that there were third party concerns that the trees were under threat but assessment found that there was not an immediate threat and that the TPO would be served the following week, if approved.

By affirmation, the Committee **approved** the issuing of a non-emergency provisional TPO in accordance with the officer's recommendation laid out in the report.

12. **Enforcement Report**

The Delivery Manager informed the Committee that the Principal Enforcement Officer could not be present at the meeting, thus any questions for him would be recorded and forwarded. Members discussed the Smithy Fen, with thanks being expressed towards officers for their work on the site, and Cardinal's Green cases.

The Committee **noted** the report.

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

The Delivery Manager noted the inclusion, in line with a prior request from the Committee, of the Appeals Awaiting Decisions section of the report. The Committee discussed a number of Appeals and both the Delivery Manager and Senior Planning Lawyer offered comment. A request was raised to include the Stapleford case in the next report. Members also discussed non-determination cases and a request was made to include information of what the officer recommendation would have been for applications that were being appealed on the basis of non-determination.

The Committee **noted** the report

The Meeting ended at 5.00 p.m.
