

## South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on  
Wednesday, 8 March 2023 at 10.00 a.m.

PRESENT: Councillor Peter Fane – Chair  
Councillor Geoff Harvey – Vice-Chair

Councillors: Ariel Cahn Dr Martin Cahn  
Peter Sandford Heather Williams  
Dr Richard Williams Dr Lisa Redrup  
Helene Leeming

Officers in attendance for all or part of the meeting:

Vanessa Blane (Senior Planning Lawyer), Christopher Braybrooke (Principal Planning Compliance Officer), Dominic Bush (Planning Officer), Phoebe Carter (Senior Planner), Beth Clark (Planning Officer), Laurence Damary-Homan (Democratic Services Officer), Michael Hammond (Principal Planner), Phil McIntosh (Interim Delivery Manager), Luke Mills (Principal Planner [Strategic Sites]) Tom Ruzala (Asset Information, Definitive Map Officer [Cambridgeshire County Council]) and Alice Young (Senior Planner)

Councillor Natalie Warren-Green was in attendance as local Member.

Councillor Bill Handley was in attendance remotely.

### 1. Chair's announcements

The Chair made several brief housekeeping announcements.

### 2. Apologies

Councillors Henry Batchelor, Dr Tumi Hawkins and William Jackson-Wood sent Apologies for absence. Councillors Helene Leeming and Dr Lisa Redrup were present as substitutes. Councillor Bill Handley was present virtually and thus would not vote on any applications.

### 3. Declarations of Interest

With respect to Minute 6, Councillor Peter Fane declared that he was a member of Cambridge Past, Present and Future but had not been part of any discussion pertaining to the application. Councillor Heather Williams declared that she was a member of the Greater Cambridge Partnership Assembly.

With respect to Minute 8, Councillor Heather Williams declared that she knew the supporting public speaker, Ray Manning, but had held no discussions regarding the application.

With respect to Minute 9, the Chair declared that all Members had received communications regarding the application but had held no discussions and would be approaching the matter afresh.

#### **4. Minutes of Previous Meeting**

By affirmation, the Committee authorised the Chair to sign the Minutes of the meeting held on 08 February 2023 as a correct record.

#### **5. P120 - Application to stop up part of Public Footpath No. 12, Sawston and Public Footpath No. 9, Babraham and replace them with a Public Bridleway and two Public Footpath Connections**

The Asset Information, Definitive Map Officer (Cambridgeshire County Council) presented the report. Members enquired as to if there would be access to the bridleway from Plantation Road and were informed that the applicant had stated that there would be access, but this access would be informal and was not part of the application and therefore access would be down to the discretion of the landowner. Clarity was provided over the conditions laid out in the Reserved Matters permission linked to the application and what they secured, including upgrades to the grass section of part of the proposal and provisions for any footpath closures in the case of works being undertaken. Access to Stanley Webb Close was discussed and the Committee was informed that the landowner did not intend to open access to the footpath due to the road being unadopted which resulted in concerns that increased foot traffic could lead to increased management costs for residents. Further clarity was provided over surface materials and the considerations regarding equestrian access.

Concerns were raised over the lack of guaranteed access from Plantation Road, but it was noted that it was not part of the application; the Definitive Map Officer stated that he hoped the landowner would change their position over time and allow public access but that this was outside of the remit of the Public Path Order. Members stated that they would like to see access from Plantation Road secured but would not vote against the application to ensure that the public benefit of the application could be fully realised. Councillor Dr Martin Cahn, seconded by Councillor Dr Lisa Redrup, proposed that the Committee move to a vote and this was agreed by affirmation.

By affirmation, the Committee approved the making and confirmation of a Public Path Order and agreed to the Recommendations listed in the report from the Asset Information, Definitive Map Officer.

#### **6. 22/03363/FUL - Dale Manor Business Park, Sawston**

The Senior Planner, Alice Young, presented the report and provided a number of updates. Measurements in paragraphs 6.42 and 10.17 were corrected to state a height of 14.3m to cope level and 17.015m to the roof top plant. The wording of condition 10 was to be altered to make it a compliance condition, ensuring that the details of the submitted Construction Environmental Management Plan were followed. Officers were granted delegated authority to make minor changes to the trigger points of the conditions. The Chair noted that a site visit for the application had been held on 07 March 2023. Clarity was provided on the relationship between Building Regulations and policy CC/3 of the South Cambridgeshire Local Plan 2018. The Committee was informed that conditions secured details of carbon efficiency and that a Building Regulations application would be submitted at a later date if the Committee were to approve the application- the relevant Building Regulations at the time would apply to any relevant application. A question was raised on the maintenance of the site post-development and the Committee was informed that condition 3 required the submission of a landscape maintenance and management

plan, with the duration of the management strategy to be agreed at a later date. The Senior Planner informed the Committee that water management details were to be secured, as specified in condition 7, and that condition 2 would secure BREAM compliance as and when appropriate. Queries were raised over the relationship of the site with the proposed CSET transport plan and concerns were raised over the direct link between CSET and the Section 106 (S106) contributions. Members were informed that the design of the site had incorporate the CSET proposals but that these proposals could change- the Chair noted that the status of CSET was not a material consideration for the application. A question was raised on the Principle of Development and the change of allocation on the site; officers confirmed that the departure from residential use was acceptable as the entirety of the site was no longer deemed appropriate for housing and thus would not be brought forward into the next Local Plan as part of the housing allocation. The Committee noted that consent had been provided for employment use of the site.

The Chair used his discretion to vary the order of public speakers. The Committee was addressed by the agent of the applicant, Emma Woods. A question of clarity was raised on the S106 contributions and the agent stated that the contribution had been recommended by Cambridgeshire County Council and that the developers understood the contribution would be used for sustainable transport, with the Highways Authority allocating it to schemes they deemed appropriate. A question was raised the colour of the cladding on the development and the Committee was informed that the developer would use a lighter coloured cladding, in response to recommendations from consultation. The Committee was addressed by an objector, Sarah Nicholas of Cambridge Past, Present and Future. Members asked questions of clarity over the visual impact of the development on views in the surrounding area. The Committee noted that the development would have some visual impact on the surrounding area.

In the debate, Members commended the principle of development. The Committee felt that it was a good use of brownfield land, would enhance the growth of the area and that the development would fit in well with the surrounding context. The concerns over the impact on views in the surrounding area were noted, but it was felt that the design of the building was better than some of the existing buildings in the area and that the development would not be intrusive, instead it held the potential to improve aesthetics of the area. Queries were raised in relation to the S106 contribution and the direct link to the CSET proposals. Some Members expressed a desire to change the wording of the Heads of Terms to include wider sustainable transport measures, in the event CSET did not come forward, to ensure appropriate sustainable transport mitigation was provided- the agent of the applicant indicated that the applicant would be content for such a change to be implemented. Councillor Heather Williams, seconded by Councillor Dr Richard Williams, proposed that the wording of the Heads of Terms be amended. The Committee agreed by affirmation that, if it were minded to approve the application, that the wording in the Transport Obligation in the Heads of Terms be amended to read as follows:

“A financial contribution of £323,505 to be used towards CSET or alternative sustainable transport infrastructure in agreement with the Highway Authority”

By unanimous vote, the Committee **approved** the application in accordance with the officer’s recommendation, and subject to the conditions and satisfactory completion of a Section 106 Agreement, as laid in the report from the Joint Director of Planning and Economic Development.

**7. 22/04540/S73 - Former Barrington Cement Works, Haslingfield Road, Barrington**

The Principal Planner presented the report and confirmed that the application was to vary conditions of an existing Section 73 permission to allow the delivery of existing Full permissions. The Committee was addressed by the agent of the applicant, Liz Fitzgerald. The Committee noted the lack of objections listed in the report. By affirmation, the Committee agreed to the vote as proposed by Councillor Dr Martin Cahn and seconded by Councillor Dr Richard Williams.

By affirmation, the Committee **approved** the application in accordance with the officer's recommendation, and subject to the conditions, laid out in the report from the Joint Director of Planning and Economic Development.

## **8. 22/04011/FUL - The Bungalow, Haden Way, Willingham**

The Senior Planner, Phoebe Carter, presented the report. Members enquired as to how long the property had been occupied without the agricultural tie that was conditioned in a previous permission, dating back to 1975, and expressed concern that this had not been enforced. The Committee was informed that the condition had only come to light in the lifespan of the application and that the landowner was not aware of the condition at the time of purchase, with the condition not being found during Land Searches. Further clarity over the status of the agricultural tie condition and the history of use of the existing dwelling and former piggery was given. A query was raised on encroachment into the countryside and development outside of the Village Development Framework was raised, with the removal of Permitted Development Rights as part of the permission being noted. Members were informed that the proposal would improve the energy efficiency of the building and were assured that any further development would require a new application which would be assessed on its merits. Members enquired as to the weight that could be given to the condition on the existing dwelling as a consideration in making a decision on the application. The Senior Planning Lawyer advised that a decision could be made but that it would have been preferable for the Applicant to seek to remove the condition via a separate planning application, prior to this application being determined. The Senior Planner stated that the applicant was not willing to withdraw the application and seek to remove the condition via a separate application. The Chair noted the legal advice and the Committee proceeded to determine the application.

The Committee was addressed by a neighbour who supported the application, Ray Manning. Members asked questions of clarity over ownership of the access road and the agricultural tie. Councillor Neil Harris of Willingham Parish Council spoke on behalf of Willingham Parish Council who objected to the application. In response to a question, Councillor Harris informed that Committee that the Parish Council objected to the application as it was outside of the Village Development Framework and due to the fact that the agricultural tie condition was still in place.

In the debate, Members expressed views that the application would improve the site. Further discussion around the agricultural tie condition was held. The Interim Delivery Manager informed the Committee that there were provisions in the Local Plan (policy H/19) to relax conditions like the one in question on a case by case basis and that there was no obligation for the applicant to remove the condition before applying for a new permission on the site. The Committee noted that the Local Plan supported one for one dwelling replacements outside the Village Development Framework (policy H/14). Members noted the concerns of the Parish Council regarding the agricultural tie and concerns over precedent setting, but the Committee was content that a precedent would not be set and that a judgement could be made on the merits of the application.

By unanimous vote, the Committee **approved** the application in accordance with the officer's recommendation, and subject to the conditions, laid out in the report from the Joint Director of Planning and Economic Development.

**9. 23/00113/FUL - Land North of Pathfinder Way, Northstowe**

The Principal Planner (Strategic Sites) presented the report and informed the Committee that a late representation had been received which provided clarity on the one-way access road between Stirling Road and Pathfinder Way and the impact on parking spaces; Members were informed that there would be no change to existing parking provision and that orientations of parking spaces shown indicatively within the planning application were incorrect. Further update was given on further documentation which had been submitted during the determination period, including an updated transport statement, ownership certificate, design and access statement and drainage strategy. The Committee was also informed that a representation had been received which suggested that a more suitable site, which was also owned by the Council, was available. In relation to the representation, the Principal Planner (Strategic Sites) stated that paragraph 10.1 and the analysis of the appropriateness of the site still stood.

The Committee was addressed by a resident in support of the application, Peter Cope. Councillor Paul Littlemore of Northstowe Town Council spoke on behalf of the Town Council who supported the application. Councillor Littlemore responded to a question on parking provision and confirmed that the Town Council felt that there was a suitable amount of parking spaces for the site and that if events resulted in a demand for further parking, this would be covered by condition 8 (Event Management Plan). The Committee was also addressed by the local Member, Councillor Natalie Warren-Green, who supported the application.

In the debate, Members shared some concerns over design but due to the temporary nature of the structure these concerns were mitigated. The Committee expressed a desire for further cycle storage to be added but noted that officers felt that cycle storage provisions was sufficient.

By unanimous vote, the Committee **approved** the application in accordance with the officer's recommendation, and subject to the conditions, laid out in the report from the Joint Director of Planning and Economic Development.

**10. 22/05313/HFUL - 19 Foxton Road, Barrington**

The Chair informed the Committee that the local Member, Councillor Aidan Van de Weyer, had sent communications expressing his support for the application. The Planning Officer, Beth Clark, presented the report and provided update regarding incorrect height measurements listed in paragraphs 3.2 and 10.7 of the report. The highest part of the solar panels was listed as 22cm in the report, but this was corrected to state a measurement of 45cm at their tallest point. Members stated that they were pleased to see the contribution to clean energy being mentioned in the presentation and had no further comment on the application.

By unanimous vote, the Committee **approved** the application in accordance with the officer's recommendation, and subject to the conditions, laid out in the report from the Joint Director of Planning and Economic Development.

**11. 22/04758/HFUL - 64 Gables Close, Meldreth**

The Planning Officer, Dominic Bush, presented the report. The Committee made no comment on the application and moved to the vote.

By unanimous vote, the Committee **approved** the application in accordance with the officer's recommendation, and subject to the conditions, laid out in the report from the Joint Director of Planning and Economic Development.

## 12. **Enforcement Report**

The Principal Planning Compliance Manager presented the report and informed the Committee that the figures from February were unavailable at the time of publication. Thanks were conveyed to the Principal Planning Enforcement Officer, John Shuttlewood, for all his work with the Committee.

The Committee **noted** the report.

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

The Interim Delivery Manager introduced the report. The Committee requested that Committee decisions that were subject to appeal be flagged in future reports. Discussion was held around non-determination appeals, with Members requesting information on the reasons for non-determination and the approach the Authority would take towards these cases. A request was raised to include details of the approach when the cases came back in future reports. Other specific cases were discussed by the Committee.

The Committee **noted** the report.

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**The Meeting ended at 14:50**

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