

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 14 February 2024 at 10.00 a.m.

PRESENT: Councillor Dr. Martin Cahn – Chair
Councillor Peter Fane – Vice-Chair

Councillors: Ariel Cahn Bill Handley
Geoff Harvey Dr. Tumi Hawkins
Peter Sandford Heather Williams
Dr. Richard Williams Henry Batchelor

Officers in attendance for all or part of the meeting:

Vanessa Blane (Senior Planning Lawyer), Christopher Braybrooke (Principal Planning Compliance Manager), Laurence Damary-Homan (Democratic Services Officer), Tom Davies (Urban Designer), Jane Green (Built and Natural Environment Manager), Michael Hammond (Area Team Leader), John McAteer (Planning Officer), Trovine Monteiro (Built Environment Team Leader), Tam Parry (Principal Transport Officer [Cambridgeshire County Council]), Melissa Reynolds (Senior Planner), Michael Sexton (Area Team Leader) and Rebecca Smith (Delivery Manager)

Councillor Sunita Hansraj was in attendance as local Member.

Russell Brown, Chair of the Greater Cambridge Design Review Panel, was in attendance as a guest.

1. Chair's announcements

The Chair made several housekeeping announcements. Following these, the Chair invited officers to advise on an update on the recommendation for application 23/01581/FUL – Manor Farm, Horningsea (Minute 7). Officers informed the Committee that the Officer's recommendation had been revised and was now to defer the application. This was to allow officers to formally consult the Council's Section 106 Officer to ascertain what financial contributions may arise from the development given the floor space created is more than 1,000sqm, in the event that the officer recommendation is overturned. Officers advised that the S106 information was not contained within the officer report and therefore not available for Members consideration.

Following the update from officers, Councillor Dr Martin Cahn, seconded by Councillor Dr Lisa Redrup, proposed that the Committee vote to defer the application. Members discussed whether the decision on deferral was best made at the start of item 7 of the agenda or prior to proceeding with the business of the agenda, as proposed by Councillor Dr Martin Cahn. Members had different opinions on the matter and, as such, the Chair requested it be put to an electronic vote.

By 8 (Councillors Dr Martin Cahn, Henry Batchelor, Ariel Cahn, Bill Handley, Dr Tumi Hawkins, Dr Lisa Redrup, Peter Sandford and Heather Williams) votes to 3 (Councillors Peter Fane, Geoff Harvey and Dr Richard Williams), the Committee voted to decide on the deferral of application 23/01581/FUL – Manor Farm, Horningsea at the start of the meeting as per Councillor Dr Martin Cahn's proposal. Members requested that officers review the situation that had led to the update to their recommendation.

By affirmation, the Committee agreed to **defer** application 23/01581/FUL – Manor Farm, Clayhithe Road, Horningsea.

2. Apologies

Apologies for absence were received from Councillor Eileen Wilson. Councillor Henry Batchelor was present as a substitute.

3. Declarations of Interest

With respect to Minute 6, Councillor Dr Martin Cahn declared that he was a local Member but had not held any discussions regarding the application and was coming to the matter afresh. Councillor Dr Cahn also declared that he had met the agent of the applicant, who was due to address the Committee, but that this was in a non-professional capacity and that the application had not been discussed.

With respect to Minute 8, Councillor Geoff Harvey declared that he was a resident of Great Abington but had no knowledge of the application prior to it being brought to the Committee and that he was coming to the matter afresh.

With respect to Minute 9, Councillor Heather Williams declared that the property was opposite to the residence of a family member, and as such she would withdraw from the Committee during the discussion of the application.

4. Minutes of Previous Meeting

Councillor Dr Martin Cahn, seconded by Councillor Heather Williams, proposed that the Committee defer the approval of the Minutes to allow Members to have further time to review. By affirmation, the Committee deferred the approval of the Minutes of the meeting held on 17 January 2024.

5. Year One Review of the Greater Cambridge Design Review Panel (GCDRP) and the Incorporation of the Disability Consultative Panel into the GCDRP

The Built Environment Team Leader presented the report. Members thanked officers for the report and the work undertaken, as well the members of the Greater Cambridge Design Review Panel (DRP). In response to Member questions, officers clarified that the initial "Full Review" involved a site visit, which the "Subsequent Review" did not, hence the difference in prices. Officers also informed the Committee that the DRP had annual reviews in place to allow continuous learning and improvement of the service, and that this would include the review of some case studies of schemes that had been reviewed by the DRP.

Further discussion was held on a number of topics.

Incorporation of the Disability Consultative Panel (DCP) into the DRP

Members enquired as to if the removal of the DCP, dedicated to accessibility matters, would result in less schemes receiving consultation on disability considerations. Officers informed the Committee that the incorporation of the DCP into the DRP would allow developers to have their schemes reviewed from an accessibility perspective, as well as others, by the DRP at no extra cost and that the incorporation of the DCP was expected to cover the cost of disability consultations without reducing the amount of disability consultation provided. Members commented that the Accessibility Forum felt somewhat remote from the application process. Officers advised that the Terms of Reference for the Accessibility Forum were under construction and that Member input into the process would be welcomed by officers. The Committee was informed that the Forum was envisaged to highlight recurring accessibility themes across various developments, rather than be a review mechanism for numerous individual schemes.

Russell Brown advised that the DRP could look at broad, design-based accessibility matters but, given that final details of proposed schemes were not usually presented at the DRP stage, the Panel was only one part of the review for accessibility matters and that it was important that other stages of the application process also dealt with such matters.

Membership of the DRP

Reflecting on paragraph 8 of the Terms of Reference for the DRP (Appendix 3), Members commented that more lay membership in the Panel would be valuable with respect to matters of accessibility and design. With regards to accessibility, Members held concerns that those with lived experience of disability may be precluded from being Panel members if they did not have professional accreditation, despite the expertise that they had garnered through their lived experience. Officers advised that a number of those who were members of the DCP would also qualify to sit on the Panel if they chose to do so.

With regards to design, Members commented that opinions on aesthetics were subjective, and that more lay membership within the DRP could allow for more perspectives to be heard in the review process. The Committee noted officer comment that the DRP was there to provide expert advice to applicants that could also be taken on board by officers and decision makers, with the advice being able to hold up in an appeal against a planning decision, but Members reiterated the importance of having a variety of views on subjective matters of design and beauty.

Weighting of DRP advice in the decision-making process

The Committee sought clarity on the weight that should be given to comments of the DRP when making a decision. Members requested that there be a clear distinction as to what comments from the DRP were expert technical advice and what was subjective opinion. Officers advised that the DRP was an advisory body, rather than a statutory consultee. Russell Brown advised that the Panel viewed itself as being there to assist the decision makers in a democratic process and, as such, the Panel avoided bringing in subjective opinions where possible. He informed Members that the DRP provided technical scrutiny on some matters and

more broad advice on others, with the understanding that the Panel's role is to advise the Committee as decision makers. Russell Brown suggested that, when making a decision, Members review the comments of the DRP and assess how closely they align with the scheme presented to them, noting the amount of time between when the DRP issued the advice and when the scheme was brought to the Committee.

Members made a number of requests, for:

- Confidential information be provided on restricted agenda pages, rather than be redacted.
- Training to be given to Members on how to weight the advice of the DRP when assessing the planning balance in the decision-making process.
- Members to attend and observe sessions of the DRP, to further understand the process.
- Officers to review how to minimise the impact of late cancellations on the DRP.
- Panel members to be made aware of Village Design Guides when reviewing schemes, alongside the relevant policies in Neighbourhood Plans and the Local Plan.
- The Chair of the DRP to attend Committee meetings to offer advice in-meeting, where appropriate.

The Committee **noted** the report.

6. 22/01632/FUL - Orchard Park Parcels Com4 And L2, Topper Street, Orchard Park

The Chair noted that a site visit had been held on 7 February 2024 and the Area Team Leader, Michael Hammond, presented the report. Members asked a number of questions of clarity regarding various topics.

Litter

Members enquired as to how litter could be managed, in response to the concern over litter from Orchard Park Community Council's response in the report, and if condition 24 could be amended to include a requirement to confirm details of litter management. Officers advised that such a change was acceptable and presented to Members that a criteria h "the management and control of litter" could be added to the condition.

Traffic management

In response to a Member question, officers clarified that drop-offs and deliveries to the building would be made to the rear of the site, with no dedicated space being provided for this at the front of the building. Members noted the concerns of Orchard Park Community Council, listed in the report, regarding parking and traffic flow and enquired as to if it would be possible to provide funding for double-yellow lines to be introduced, if parking became problematic. The Principal Transport Officer advised that the Heads of Terms for the Section 106 agreement could be amended to designate £5,000 of the £80,000 Transport Obligation towards the provision of double-yellow lines, if required.

The Principal Transport Officer advised the Committee that the Transport Assessment Team (Cambridgeshire County Council) did not expect overspill parking to occur as a result of the proposed development and that the proposed level of car parking provision was deemed to be acceptable. Member concerns were raised over the levels of parking provision and the shortfall of spaces compared to the parking provision standards laid out Policy TI/3 of the South Cambridgeshire Local Plan 2018. In response to Member queries, the Principal Transport Officer provided details of the reasons behind the Transport Assessment Team's conclusion that the proposal was acceptable:

- The hotel element of the proposed development was likely to result in higher levels of parking, which was expected to be overnight parking more than daytime parking.
- Occupants of the aparthotel element of the proposal were expected to be less likely to use private motor vehicles and thus require parking spaces.
- Daytime parking was expected to occur at higher levels than overnight parking and predominantly serve non-accommodation facilities, such as the conference and leisure facilities.
- The applicant had produced modelling on expected car parking, incorporating data from other local developments of a similar nature (nearby Travelodge and Premier Inn, similar development in Eddington).
- Given the information provided, officers were satisfied that the different times of use and parking requirements for different elements of the proposal would lead to parking provision being sufficient and, as such, there was a low chance of overspill parking occurring on nearby streets.
- With the introduction of Civil Parking Enforcement in the District and the suggestion of allocating £5,000 of the S106 agreement, the Principal Transport Officer was content that, if overspill parking did occur, enforcement measures could be taken to mitigate harm.

Further discussion was held over the figures that had been used in the Transport Assessment Team's analysis and the comparisons with similar nearby developments. Officers clarified that there was no dedicated coach parking proposed to be included in the development and coaches serving the site were expected to utilise existing bus routes and stops, or the turning head in Neal Drive which was expected to be used by delivery vehicles. Discussion was held over condition 19 (Travel Plan) and the scope for the inclusion of a monitoring and feedback mechanism. Officers advised that condition 19 could be amended to include wording that would require parking surveys to be undertaken to monitor parking in the proposed development, with monitoring reports being given to the

Highway Authority to assess if there was need for the implementation of mitigation against overspill parking. Members were informed that this could be done by way of amending the existing condition or re-drafting the condition with a series of criteria. The Committee agreed that the re-drafting option was preferred.

Scale of development

Officers confirmed that the nearby Travelodge had a ridge height of 14.5m and the proposed development had a maximum ride height of 24.4m. Members noted that the Orchard Park Design Guidance Supplementary Planning Document (adopted March 2011) set a maximum building height of 15m, which the proposal greatly exceeded, and asked officers to clarify the concerns of the Landscape Officer which were laid out in the report. Officers advised that it was agreed that two verified views would be assessed and, whilst the Landscape Officer objected to the proposal, the Urban Design Team held no objections. Officers informed the Committee that their view was aligned with the Urban Design Team's comments and that the impact of the proposed development on the verified views had been mitigated enough for the proposal to be considered acceptable. Member comment was made that screening at the verified views relied on deciduous trees which would result in varied levels of screening due to seasonal variations.

Noise mitigation

In response to a Member question on noise mitigation to reduce the impact of the proposed development on neighbours post-occupation, officers advised that condition 31 dealt with the amenity of occupiers of the apart-hotel and hotel and did not relate to neighbour amenity. Members requested that a condition be added to require noise mitigation, through design and materials used in construction, that would protect neighbouring properties from unacceptable levels of noise from the proposed development post-occupation. Officers advised that the addition of such a condition would be acceptable.

Water provision

Members raised concerns over the response from Anglian Water and their comments that the Cambridge Water Recycling Centre, which the proposed development was in the catchment of, did not have capacity for foul water flows from the development site. Officers advised that Anglian Water was legally obliged to take foul water from the proposed development and that the granting of environmental permits related to waste water was separate to the planning process.

The Committee was addressed by the agent of the applicant, Colin Brown, and answered a number Member of questions. In response, the agent clarified that the applicant had engaged in a number of meetings with Orchard Park Community Council, leafleted nearby dwellings and put up a website for the development. The agent commented that engagement was limited by response levels and that the applicant intend to continue to engage with the Community Council if the proposal was granted permission. The agent advised that the details of public use of leisure facilities were not finalised and discussions would continue to be held with the community regarding this. Comment was made that there was no facility for family changing rooms provided in the indicative plans and the agent agreed to feedback to the applicant the Committee's desire to see family changing rooms be included

in the final internal layout.

Councillor Sunita Hansraj addressed the Committee as local Member and raised concerns over parking. In response to Member questions, Councillor Hansraj advised that she felt that the £5,000 allocated to double-yellow lines and Civil Parking Enforcement would help the matter somewhat but that there were not enough Enforcement Officers available to effectively manage parking in the area. Councillor Hansraj also advised that she felt that the nearby Travelodge was a different type of business with different parking requirements, as such it was not a perfect comparison to the proposal, and stated that parking related to the Travelodge site was causing some parking issues in Orchard Park.

In the debate, comment was made that a lot of effort had gone into the application and design of the proposal. Some Members felt that a number of concerns had been addressed by the responses of officers and the suggested changes to conditions. Concerns were still maintained over parking provision and whilst some Members felt that the proposed changes to conditions could mitigate harm and allay these concerns, some felt that the concerns over parking were sufficient to warrant a reason for refusal. The objection of the Landscape Officer and the height of the building exceeding the 15m laid out in the Orchard Park Supplementary Planning Document was discussed. Some Members expressed the view that the responses of officers had resolved this concern and that, if there was harm, it was outweighed by the benefits of the proposal, whilst others felt that the scale and massing was inappropriate and as such amounted to a reason for refusal. Comment was made that the response from Anglian Water was frustrating and regrettable, but it was noted that this was not a material consideration.

By affirmation, with an abstention from Councillor Dr Richard Williams, the Committee agreed to an amendment to the Heads of Terms to allocate £5,000 of the £80,000 Transport Obligation to the provision of double-yellow lines/other parking mitigation measures in the area around the proposed developments, and also to the following changes to conditions:

- The addition of a criterion (h) in condition 24, requiring details of litter management.
- Amendment to condition 19, to read as follows:

“Prior to occupation of the development hereby permitted, a Travel Plan and Parking Management Plan shall be submitted and approved in writing by the Local Planning authority. The Plan shall specify:

 - A) The methods used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking;
 - B) How the car parking spaces are distributed and allocated to the users of the site;
 - C) How the car parking within the site is to be managed and enforced so that it only occurs within designated vehicular parking bays/locations;

- D) How the proposed measures are to be published to potential users;
- E) How the provisions of the Plan will be monitored for compliance and confirmed with the Local Planning Authority including monitoring reports for up to five years following first occupation;
- F) The inclusion of a feedback mechanism to the Local Planning Authority, allowing for the alteration of working methods / management prescriptions, should the monitoring deem it necessary.

The Travel Plan and Parking Management Plan shall be implemented and monitored as approved upon the occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of encouraging sustainable travel to and from the site in accordance with Policy TI/2 of the South Cambridgeshire Local Plan 2018.”

- The addition of a new condition regarding material finish and noise, to read as below (with officers delegated authority to ensure that the environmental noise standard in **bold** below was up to date and amended if necessary):

“The design and installation of the finishes of the building and noise mitigation measures shall be such that, when in operation, the cumulative noise level LAeq arising from the proposed development, measured or predicated at 1m from the façade of any residential premises shall be a rating level of at least 5dB(A) below the background noise level LAF90. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within **BS 4142: 2014**.

Reason: To protect the amenity of the adjoining properties in accordance with Policy HQ/1 and SC/10 of the South Cambridgeshire Local Plan 2018.”

By 10 (Councillors Dr Martin Cahn, Peter Fane, Henry Batchelor, Ariel Cahn, Bill Handley, Geoff Harvey, Dr Tumi Hawkins, Dr Lisa Redrup, Peter Sandford and Heather Williams) votes to 1 (Councillor Dr Richard Williams), the Committee **approved** the application in accordance with the officer’s recommendation, and subject to the conditions and completed of a Section 106 agreement, as laid out in the report from the Joint Director of Planning and Economic Development and amended by the Amendment Sheet and the Committee.

7. **23/01581/FUL - Manor Farm, Clayhithe Road, Horningsea**

Application 23/01581/FUL – Manor Farm, Clayhithe Road, Horningsea was **deferred**, as agreed by the Committee in Minute 1.

8. **23/04804/HFUL - 24 South Road, Great Abington**

The Senior Planner presented the report and provided the following updates:

- The elevation plan had been corrected by the architect to accurately reflect that the roof of the existing house was half-hipped, not gabled, but this had no impact on the officer's recommendation.
- Great Abington Parish Council had submitted a late response, unanimously supporting the proposal subject to conditions relating to the control of construction vehicle parking, no use of passing bays for parking, and repair of any damage to the verges.
- The officer's recommendation was to approve subject to conditions as listed in the report, with an additional compliance planning condition relating to construction parking.

In response to a Member question on the wording of the additional condition, officers advised that a standard Traffic Management Plan condition (below) would be reworded to reflect the modest scale of development. Officers detailed that the following wording would be adapted in response to the context of the site:

"No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority.

The principal areas of concern that should be addressed are:

- Contractor parking, with all such parking to be within the curtilage of the site where possible.
- Movements and control of all deliveries (all loading and unloading should be undertaken off South Road where possible).

The development shall be carried out in accordance with the approved details.

Reason: To ensure that before development commences, highway safety will be maintained during the course of development."

Officers also clarified, in response to a question, that the proposal was compliant with the Great Abington Former Land Settlement Association Estate Neighbourhood Plan.

In the debate, Members expressed support for the application. The Committee agreed by affirmation to move to the vote, as proposed by Councillor Dr Martin Cahn and seconded by Councillor Peter Fane.

By affirmation, the Committee agreed to the addition of a Traffic Management Plan condition and granted delegated authority to officers to produce the final wording.

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

9. 23/03234/HFUL - 12 Silver Street, Litlington

Councillor Heather Williams withdrew from the Committee, in-line with her declaration of interest.

The Planning Officer presented the report and, in response to Member questions, gave clarity on what a Nissen style building entailed and confirmed that the proposal was to replace existing outbuildings with a new outbuilding.

The Committee agreed by affirmation to move to the vote, as proposed by Councillor Dr Martin Cahn and seconded by Councillor Peter Fane.

The Committee unanimously voted to **approve** the application in accordance with the officer's recommendation and subject to conditions, as laid out in the report from the Joint Director of Planning and Economic Development.

Councillor Heather Williams rejoined the Committee.

10. Compliance Report

The Principal Planning Compliance Manager presented the report. In response to discussion regarding the number of cases, the Committee was informed that the caseload had increased in 2023. Officers advised that there were a number of factors influencing this, including the increased ease for residents to raise compliance concerns through the online reporting system, the increased recording of the work undertaken by the Compliance Team and the varied nature of compliance matters and subsequent cases. In response to a Member question, the Principal Planning Compliance Manager agreed to review the electronic sending of compliance investigation details to Members (as described in paragraph 3 of the report). Responding to another question, officers advised that where works had been undertaken that were outside of permitted development rights, if the works were viewed as acceptable in principle but required permission, the owner would be requested to submit an application for retrospective permission. Where this was done, it was expected that an application would be submitted within 28 days in general, with exceptions applying depending on context. Clarity was provided over 4-and-10-year rules.

The Committee **noted** the report.

11. Appeals against Planning Decisions and Enforcement Action

The Delivery Manager introduced the report, and the Committee **noted** the report.

The Meeting ended at 2.38 p.m.
