

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Monday, 18 December 2023 at 10.00 a.m.

PRESENT: Councillor Dr Martin Cahn – Chair

Councillors: Ariel Cahn
Judith Rippeth
Heather Williams
Eileen Wilson
Bill Handley
Peter Sandford
Dr Richard Williams
Dr Lisa Redrup

Officers in attendance for all or part of the meeting:

Cuma Ahmet (Principal Planner), Vanessa Blane (Senior Planning Lawyer), Tom Chenery (Senior Planner), Mary Collins (Senior Planner), Laurence Damary-Homan (Democratic Services Officer), Alan Fitz (Area Education Officer [Cambridgeshire County Council]), Michael Sexton (Area Development Manager), Rebecca Smith (Delivery Manager) and Alice Young (Principal Planner)

Councillor Peter Fane was in attendance remotely and Councillor Anna Bradnam was in attendance remotely as a local Member.

1. Chair's announcements

With the usual Vice-Chair, Councillor Peter Fane, attending the meeting online, the Chair proposed that Councillor Peter Sandford be appointed as Vice-Chair for the meeting. The proposal was seconded by Councillor Judith Rippeth and agreed to by the Committee, by affirmation. The Chair then made a number of brief housekeeping announcements. The Chair, seconded by Councillor Heather Williams, proposed a variance in the order of business to take items 8 & 9 (21/05642/FUL & 21/05634/LBC – Guilden Morden) as items 5 & 6. The Committee agreed to the variance in the order of business by affirmation.

2. Apologies

Apologies for Absence were received from Councillors Geoff Harvey and Dr Tumi Hawkins. Councillor Dr Lisa Redrup was present as a substitute.

3. Declarations of Interest

With respect to Minute 5, Councillor Eileen Wilson declared that she was a local Member and would withdraw from the Committee to speak as local Member.

With respect to Minute 6, Councillor Judith Rippeth declared that she was a local Member but had not been involved in any discussions regarding the application and was coming to the matter afresh.

With respect to Minutes 8 & 9, Councillor Heather Williams declared that she was the local Member and would withdraw from the Committee to speak as local Member.

4. **Minutes of Previous Meeting**

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

5. **20/04906/OUT - Agricultural Building And Land To The Rear Of 38 Histon Road, Cottenham**

Councillor Eileen Wilson withdrew from the Committee, in-line with her Declaration of Interest.

The Principal Planner, Cuma Ahmet, presented the report and clarified that application 20/04906/OUT was an outline planning application for 34 new units (all matters reserved except for access) which the Committee resolved to grant at the meeting held on 14 September 2024, with the matter returning to Committee to determine 2 subsequent amendments to the previous resolution which were:

- 1- An amendment to the original red line application boundary.
- 2- An amendment requested by Cambridgeshire County Council as the Education Authority to the Education Contribution (Secondary Education) S106 Heads of Terms.

Members enquired as to how the Cambridgeshire County Council Education department had come to the conclusion that Section 106 contributions towards secondary education was no longer required, despite the forecast deficit of places at Cottenham Village College. Officers, including Cambridgeshire County Council's Area Education Officer, clarified the reasons for the withdrawal of the request for contributions for secondary education and referred to paragraphs 9.7-9.13 of the report.

The Committee was addressed by Councillor Tim Jones of Cottenham Parish Council who represented the Parish Council and their objection to the proposal. Councillor Eileen Wilson addressed the Committee as local Member and welcomed the proposed footpath, but raised concerns over the lack of pedestrian crossing and the availability of secondary school places in the local area.

In response to a Member question, officers clarified that the original outline consent had been granted without a proposed footpath and the scheme in front of the Committee was an alternative proposal which did include a footpath. Officers confirmed that the condition to require details of the access road and pedestrian crossing had been included in the proposal as condition 39. Further detail on the targeted opening of a new secondary school at Darwin Green and the forecast expansion of Northstowe Secondary College was also given.

In the debate, Members expressed a view that it was unusual for the County Council to withdraw a request for S106 funding. Some Members felt that as the County Council had withdrawn their request it would be inappropriate to require secondary education contributions through the Section 106 Agreement and, as such, the application should be approved. Others felt that the schools cited as meeting the demand for secondary school places (Northstowe and Darwin Green) were not close enough to Cottenham and that the removal of S106 contributions to secondary education was not acceptable. Officers advised that, as the County Council had withdrawn its request for S106 funding for secondary education, the original S106 agreement attached to the existing outline consent could not be completed. Some Members stated that they were not happy with the proposal

but felt there were no grounds for refusal.

By 4 (Councillors Dr Martin Cahn, Ariel Cahn, Bill Handley and Dr Lisa Redrup) votes to 1 (Councillor Dr Richard Williams), with 2 abstentions (Councillors Judith Rippeth and Peter Sandford) and 1 Member not voting (Councillor Heather Williams, 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 out in the report from the Joint Director of Planning and Economic Development.

Councillor Eileen Wilson rejoined the Committee.

6. 23/02320/S73 - Waterbeach Court, Denny End Road, Waterbeach

Minute 6 was taken as the eighth item of business, as per the agreed variance of the order of business.

The Chair advised that a site visit had been held on 6 December 2023 and the Senior Planner, Tom Chenery, presented the report and clarified, in response to a question, that the existing certificate of lawfulness would not allow the applicant to proceed with the proposal without the granting of permission for the application.

The Committee was addressed by a public objector, Ross Nicholas, who opted to share his time with another public objector. Councillor Anna Bradnam addressed the Committee as local Member in opposition to the application and, in response to a question, clarified that she had shared the details of the site licence to provide context of the licensing requirements to provide recreational space, despite licensing requirements being outside of planning considerations.

In the debate, Members expressed a view that the proposal was harmful and noted the objections in the report and from the public speakers. Comment was made that the proposal was inconsistent with the site licence, but the Committee noted that this was not a planning consideration. The Committee agreed with the reasons for refusal laid out in the officer's recommendation.

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

Councillor Judith Rippeth left the meeting.

7. 23/03837/FUL - 9 Longstanton Road, Oakington

Minute 7 was taken as the ninth item of business, as per the agreed variance of the order of business.

The Chair advised that a site visit had been held on 6 December 2023. The Principal Planner, Alice Young, presented the report and provided update that the access to the site via the secondary road served 4 existing dwellings, rather than 5 as listed in paragraph 2.2 of the report. In response to questions, officers clarified that:

- 9 Longstanton road would retain space for two car parking spaces, mitigating the loss of amenity by virtue of the loss of the garage.

- There was sufficient space to accommodate a cycle parking structure at 9 Longstanton Road if the application wanted to erect one.
- Conditions secured cycle parking for the proposed dwelling.
- The applicant intended to retain the trees on site.

In the debate, Members commented that the objection from Local Highway Authority had been overcome and that the site visit had shown that the access was appropriate; officers clarified why they viewed the access as acceptable. The Committee noted the lack of objection from other consultees and Members expressed support for 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.

8. 21/05642/FUL - Hooks Mill, Potton Road, Guilden Morden

Minute 8 was taken as the sixth item of business, as per the agreed variance of the order of business.

Councillor Heather Williams withdrew from the Committee, in-line with her Declaration of Interest.

The Chair advised that a site visit had been held on 6 December 2023 and the Senior Planner, Mary Collins, presented the report. In response to Member questions, officers advised that:

- Condition 22 was to be maintained in perpetuity and any change of use would require an application for a variance of the condition.
- There was one parking space provided per unit.
- Barn 3 fell down in extreme weather and was not unlawfully demolished.
- That a condition could be added to secure the provision of the proposed bin and cycle storage pre-occupation and to secure its retention thereafter.

The Committee was addressed by the applicants, Adrian and Trina Lewis. Councillor Heather Williams addressed the Committee in support of the application.

In the debate, Members stated that the site visit had been useful and that the barns were clearly in a state of disrepair, with demolition being appropriate. Comment was made that the proposed designs were sympathetic to the Heritage of the site and that the proposal was a good and appropriate solution to the problem.

The Committee agreed, by affirmation, to add a condition to secure the provision of covered bin and cycle storage, in accordance with the approved details, prior to the first occupation of the holiday lets and to secure their retention thereafter.

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

9. 21/05634/LBC - Hooks Mill, Potton Road, Guilden Morden

Minute 9 was taken as the seventh item of business, as per the agreed variance of the order of business.

The Senior Planner, Mary Collins, presented the report.

The Committee was addressed by the applicants, Adrian and Trina Lewis. Councillor Heather Williams addressed the Committee in support of the application.

In the debate, Members expressed support for the application.

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.

Councillor Heather Williams rejoined the Committee.

10. Compliance Report

The Delivery Manager presented the report and clarified that all the cases listed in Appendix 3 covered all appeals against decisions by the Greater Cambridge Shared Planning Service and as such it included data from appeals in the City of Cambridge. Members were advised that a new reporting format was being worked on and, when introduced, it would provide further detail and breakdown of the data. In response to a question, officers advised that case priorities had been introduced for new cases opened since November 2023 and officers had not retrospectively attached priority to cases that had been open prior to November. Members requested that information be provided on if any open cases that were more than 6 months old were priority A. Officers clarified that the levels of priority had been defined in the Enforcement Policy and provided definitions of the categories. Members requested that definitions of the priorities be included in future reports.

The Committee **noted** the report.

11. Appeals against Planning Decisions and Enforcement Action

The Delivery Manager introduced the report. In response to a question on appeal APP/W0530/W/23/3314131, officers advised that the appeal was with the Planning Inspectorate and that the Council was awaiting a decision. Officers advised that the number of appeals, including appeals that had been open for a long period of time, was a result of delays at the Planning Inspectorate and that the Council could not influence this. Officers agreed to come back with responses to Member enquiries around appeals APP/W530/W/23/3322754 and APP/W0530/W/22/3309726. Officers advised that future reports would include summaries of the outcome of some appeals and the lessons that could be learned from the appeals.

The Committee **noted** the report.

12. Exclusion of Press and Public

The Chair proposed that the press and public be excluded from the meeting to allow for the consideration of Minute 13, in accordance with the provisions of Section 100(A)4 of the Local Government Act 1972, exempt information as defined in paragraph 3 of Part 1, Schedule 12A of the Act, as amended. The proposal was seconded by Councillor Peter Sandford and the Committee **agreed to the exclusion of press and public** by affirmation.

13. Appeal Update - APP/W/0530/W/21/3287502

By virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 this Minute is subject to the exclusion of press and public.

The Meeting ended at 1.28 p.m.
