

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 10 June 2020 at 10.00 a.m.

PRESENT: Councillor John Batchelor – Chair
Councillor Pippa Heylings – Vice-Chair

Councillors: Anna Bradnam
Sue Ellington
Brian Milnes
Deborah Roberts
Nick Wright

Dr. Martin Cahn
Peter Fane
Judith Rippeth
Heather Williams

Officers in attendance for all or part of the meeting:

Annemarie de Boom (Consultant Urban Design Officer), Christopher Carter (Delivery Manager - Strategic Sites), Dr Jon Finney (Development Control Engineer City and South, Cambridgeshire County Council), Richard Fitzjohn (Senior Planning Officer), David Hamilton (Landscape Design Officer), Mike Huntington (Principal Planning Officer), Trovine Monteiro (Consultancy Unit - Team Leader), Tam Parry (Northstowe Transport Planning Officer), Charlotte Peet (Planning Officer), Stephen Reid (Senior Planning Lawyer), Jane Rodens (Senior Planner), Dean Scrivener (Planning Project Officer), Ian Senior (Democratic Services Officer) and Michael Sexton (Senior Planning Officer)

Councillors Tom Bygott, Dr. Douglas de Lacey and Dr. Tumi Hawkins were in attendance, by invitation.

1. CHAIRMAN'S ANNOUNCEMENTS

For the benefit of members of the public viewing the live webcast of the meeting, the Chairman 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

There were no Apologies for Absence.

3. DECLARATIONS OF INTEREST

In relation to Minute 5 (S/4383/19/DC - Waterbeach (Waterbeach Barracks, Denny End Road)):

- Councillor Anna Bradnam declared a non-pecuniary interest having discussed the application with Waterbeach Parish Council but was now considering the matter afresh.
- Councillor Dr. Martin Cahn declared a non-pecuniary interest because, until December 2019, he had been a member of a regional advisory committee of the Royal Town Planning Institute of which one of the consultants involved with this application had also been a member.
- Councillor Judith Rippeth declared a non-pecuniary interest having discussed the application with Waterbeach Parish Council and with the applicants. Councillor Rippeth declared that she was now considering the matter afresh.

Councillor Heather Williams pointed out that each of the Committee members present at this meeting had been present at the meeting on 26 May 2020 when Application S/3732/19/FL in Madingley (Belvoir Cottage, The Avenue) (Minute 5) had been on the agenda. Following the planning officer's presentation and an address by Councillor Tom Bygott in which opposed the application, the Committee deferred further consideration to allow the applicant to make representations (the applicant's agent had withdrawn as a public speaker the day before the meeting because, at that time, nobody else had registered. Following a short debate, the Chair took it as read that each of the Committee members present at both the meetings on 26 May 2020 and 10 June 2020 was now declaring a non-pecuniary interest and considering the matter afresh.

In relation to Minute 7 (S/4279/19/FL - Great Shelford (Land adjacent to Mores Meadow)) Councillor Peter Fane declared a non-pecuniary interest. As a member of Great Shelford Parish Council, he had been present at Parish Council meetings at which this application had been considered.

In relation to Minute 10 (S/4081/19/FL - Fowlmere (Hideaway, Lynch Lane)), Councillor Deborah Roberts declared a non-pecuniary interest as a member of Fowlmere Parish Council. Councillor Roberts was considering the matter afresh.

4. MINUTES OF PREVIOUS MEETINGS

The Committee authorised the Chair to sign, as a correct record, the Minutes of the meeting held on 13 May 2020 subject to Councillor Dr. Tumi Hawkins being added to the list of those having been in attendance at the meeting.

The Committee authorised the Chair to sign, as a correct record, the Minutes of the meeting held on 20 May 2020.

5. S/4383/19/DC - WATERBEACH (WATERBEACH BARRACKS, DENNY END

ROAD)

The case officer gave a comprehensive presentation of the Design Guide. He and supporting officers addressed several issues raised by Committee members.

Jane Williams (objector), Caroline Foster (on behalf of the applicant) and Councillor Kate Grant (Waterbeach Parish Council) addressed the meeting. During the public speaking part of the meeting, several Members raised concerns about landscape and the apparent failure to consider the Waterbeach Neighbourhood Plan. The Delivery Manager (Strategic Sites) informed Members that the Neighbourhood Plan was still only a pre-submission document and, as such, could not be given any weight. Nevertheless, Councillor Deborah Roberts proposed that a decision be deferred until officers had considered the effect of the draft Waterbeach Neighbourhood Plan. This proposal was seconded by Councillor Heather Williams. Upon a vote being conducted by roll call, the proposal was **defeated** by seven votes to four. Councillors Ellington, Roberts, Heather Williams and Wright voted to defer, Councillors John Batchelor, Bradnam, Cahn, Fane, Heylings, Milnes and Rippeth voted against deferral.

Councillors Anna Bradnam and Judith Rippeth (both of them local Members) welcomed the Design Code and commended the developers for the manner in which they had engaged with the community and with Waterbeach Parish Council. Councillor Rippeth added that the Committee was considering a new town rather than an extension to the village. Councillor Bradnam welcomed the opportunities that the new town would offer.

Further comments included

- An argument that Members had not been presented with all the information they needed before making a decision, such information including significance of the Waterbeach Neighbourhood Plan
- Disappointment, despite the comments of local Members, that the developers had failed to capture the imagination of residents
- Concern should Conditions be discharged prior to a Design Code having been adopted

Upon a vote being conducted by roll call, and by seven votes to nil with four abstentions, the Committee **approved** the amended Waterbeach New Town West Key Phase 1 Design Code. Councillors John Batchelor, Bradnam, Cahn, Fane, Heylings, Milnes and Rippeth voted to approve the Design Code. Councillors Ellington, Roberts, Heather Williams and Wright abstained.

6. S/3732/19/FL - MADINGLEY (BELVOIR COTTAGE, THE AVENUE)

Members had visited the site on 11 February 2020.

Mark Tavaré (applicant's agent) and Councillor Tom Bygott (a local Member) addressed the meeting.

The Committee debate focussed on the following topics

- Development within the Green Belt
- Landscaping
- The removal of Permitted Development Rights
- The potential for the applicant to implement Permitted Development Rights and planning permission at the same time

Councillor Pippa Heylings proposed additional conditions requiring landscaping and retention and maintenance of the hedge along the northern boundary of the proposal site. This proposal was seconded by Councillor Anna Bradnam and, by affirmation, **agreed** by the Committee with the final wording to be agreed by officers in consultation with the Chair and Vice-Chair of the Planning Committee.

Councillor Brian Milnes proposed that Permitted Development Rights Class A (enlargement or improvement of, or alterations to, a house) and Class E (the provision of buildings and other development within the curtilage of a house) be withdrawn. This proposal was seconded by Councillor Deborah Roberts and, upon a vote being conducted by role call, was **lost** by eight votes to three. Councillors Milnes, Roberts and Heather Williams voted to withdraw Permitted Development Rights. Councillors John Batchelor, Bradnam, Cahn, Ellington, Fane, Heylings, Rippeth and Wright voted against the proposal.

Upon a vote being conducted by roll call, and by ten votes to one, the Committee **approved** the application subject to

1. The Conditions set out in the report from the Joint Director of Planning and Economic Development; and
2. Additional conditions requiring landscaping and retention and maintenance of the hedge along the northern boundary of the proposal site, with the final wording being agreed by officers in consultation with the Chair and Vice-Chair of the Planning Committee.

Councillors John Batchelor, Bradnam, Cahn, Ellington, Fane, Heylings, Milnes, Rippeth. Heather Williams and Wright voted to approve the application. Councillor Roberts voted against.

7. **S/4279/19/FL - GREAT SHELFORD (LAND ADJACENT TO MORES MEADOW)**

The case officer summarised the Legal Agreement under Section 106 of the Town and Country Planning Act 1990 and referred Members to the Feasibility Assessment submitted with the application. The application site was one of ten sites that had been considered. Each of those ten sites was in the Green Belt. He informed Members that the Section 106 Agreement would secure the maintenance and management of the green open spaces, including the local area of play, and landscaping within the site. Referring to paragraph 66 of the report from the Joint Director of Planning and Economic Development, the case officer clarified that, while the Section 106 Agreement would require the affordable housing to remain as such in perpetuity, it would not secure them as Alms Houses. This could impact on rent levels.

Barbara Kettel (Stapleford Parish Council) addressed the meeting.

The Committee debate revolved around the following points

- While the application site lay within the Green Belt, intrusion into the countryside was not considered unreasonable in this case
- The harm caused by building in the Green Belt was outweighed by the benefit of additional affordable housing becoming available
- Concern at the lack of education provision in the Section 106 Legal Agreement

In response to Members' concern about development within the Green Belt, the Delivery Manager (Strategic Sites) said that officers had sought to strike a planning balance, He assured Members that approval of this application would not set a precedent.

There followed a brief discussion as to whether the landlord charity should be able to increase rents beyond 50% and up to 80% of market rates. The Senior Planning Lawyer advised the Committee against guaranteeing 50% for a specific period and, instead, suggested a form of wording that would allow a more flexible approach. Such approach in effect would require the rental of each of the Alms-houses to not exceed 50% of market rent unless South Cambridgeshire District Council agreed otherwise.

Councillor Heather Williams proposed that rental of each of the Alms-houses should not exceed 50% of market rent unless South Cambridgeshire District Council agreed otherwise. This was seconded by Councillor Judith Rippeth and, by affirmation, **agreed** by the Committee.

By affirmation, the Committee gave officers **delegated authority to approve** the application subject to

1. The prior completion of a Legal Agreement under the Town and Country Planning Act 1990 to ensure
 - (A) That the properties remain affordable in perpetuity and that the rents payable by occupiers of the Alms-houses shall not exceed 50% of market rent unless the charity landlord can satisfy South Cambridgeshire District Council that rents should be raised beyond that figure; and
 - (B) The future maintenance and management of various on-site areas of green space and landscaping around the residential development, including the central green space and Local Area of Play.
2. The conditions and informatives set out in the report from the Joint Director of Planning and Economic Development.

Although present, Councillor Brian Milnes had missed part of the debate because of technical issues. Therefore, he did not vote in relation to either the amendment or the substantive motion, and was not part of either affirmation.

8. S/3777/19/VC - CALDECOTE (LAND EAST OF HIGHFIELDS ROAD HIGHFIELDS CALDECOTE)

The Committee was informed that Certificate B had not been issued and that that omission would have to be remedied and followed by a consultation period of 21 days. Members noted that the applicant had been made aware of this requirement which was simply to ensure due process.

It was also appropriate and necessary to update Condition 23 to reflect the change in circumstances with the site specific Flood Risk Assessment (June 2015) and Drainage Strategy & SuDS Report (November 2018) working in conjunction with one another.

Councillor Dr. Tumi Hawkins (local Member) addressed the Committee and reported that Caldecote Parish Council had withdrawn its objection.

By affirmation, the Committee gave officers **delegated authority**

1. to issue a new planning permission conditional on the completion of a Deed of Variation (to attach the Section 106 from the 2017 outline consent to the current Section 73 application); and
2. to observe due process by issuing Certificate B and consult upon it for 21 days.

9. S/4302/19/FL - GIRTON (16 HIGH STREET)

Ann Bonnett (Girton Town Charity) and Councillor Dr. Douglas de Lacey (a local Member) addressed the meeting.

Members welcomed the positive changes made to the application since it had previously been considered by the Planning Committee,

By affirmation, the Committee **approved** the application subject to

1. A Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the tenure and affordability of the housing units; and
2. The Conditions and Informatives set out in the report from the Joint Director of Planning and Economic Development.

Councillor Ellington had missed the presentation from the case officer, did not vote and was therefore not part of the affirmation.

10. S/4081/19/FL - FOWLMERE (HIDEAWAY, LYNCH LANE)

Michael Wright (objector), Angus Jackson (applicant's agent) and Councillor Lawrence Wragg (Fowlmere Parish Council) addressed the meeting.

Members focussed on the proposal's mass and scale, and the cumulative adverse impact on the neighbouring property called Oakleigh House. One Member regretted the absence of a sunlight analysis.

Upon a vote being conducted by roll call and by seven votes to three, the Committee **refused** the application contrary to the recommendation in the report from the Joint Director of Planning and Economic Development. Members agreed that the proposal, by virtue of its mass, scale and overbearing nature, and in conjunction with an existing extension to the garage, would have an unacceptable adverse impact on the amenity of the neighbouring property known as Oakleigh House. The proposal therefore conflicted with Policy HQ/1 of the South Cambridgeshire Local Plan 2019. Final wording of the Decision Notice would be drafted by officers in consultation with the Chair and Vice-Chair of the Planning Committee.

Councillors John Batchelor, Cahn and Fane voted to approve the application. Councillors Bradnam, Heylings, Milnes, Rippeth, Roberts, Heather Williams and Wright voted to refuse. Councillor Ellington had left the meeting and did not vote.

11. **S/3858/19/FL - WHITTLESFORD (2 WHISKINS)**

By way of clarification, the case officer said that Councillor Peter McDonald, mentioned in paragraph 12 of the report from the Joint Director of Planning and Economic Development, had been commenting in his capacity not as the District Councillor for the adjacent ward of Duxford but instead as the Cambridgeshire County Councillor for the electoral division of Duxford, which includes the parish of Whittlesford.

Jonathan Wright addressed the meeting and objected to the proposal on behalf of one of the neighbours.

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.

Councillors Ellington, Rippeth and Roberts had left the meeting so were not part of the affirmation.

12. **ENFORCEMENT REPORT**

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

13. **APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

The Committee **received and noted** a report on appeals against planning decisions and enforcement action.

14. **DATES OF NEXT MEETINGS**

Those present **noted** that the next three Planning Committee meetings would take

place on Thursday 25 June 2020 at 10.00am, Wednesday 8 July 2020 at 10.00am, and Wednesday 22 July 2020 at 10.00am.

The Meeting ended at 5.25 p.m.
