

## **South Cambridgeshire District Council**

Minutes of a meeting of the Planning Committee held on  
Wednesday, 11 November 2020 at 10.00 a.m.

**PRESENT:** Councillor John Batchelor – Chair

Councillors:	Anna Bradnam	Dr. Martin Cahn
	Peter Fane	Dr. Tumi Hawkins
	Judith Rippeth	Deborah Roberts
	Heather Williams	Dr. Richard Williams
	Nick Wright	

Officers in attendance for all or part of the meeting:

Christopher Carter (Delivery Manager - Strategic Sites), Rebecca Claydon (Planner), Tom Gray (Planning Officer), David Norris (Principal Planning Officer), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer), Michael Sexton (Senior Planning Officer) and Toby Williams (Principal Planner)

Councillor John Williams was in attendance, by invitation.

### **1. Chair's announcements**

For the benefit of members of the public viewing the live webcast of the meeting, the Chair 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.

Because this meeting was taking place on 11 November (Remembrance Day) the Chair would adjourn the meeting at 11.00am so that those present could observe two minutes' silence.

### **2. Apologies**

Councillor Pippa Heylings sent Apologies for Absence.

By affirmation, the Committee appointed Councillor Peter Fane as Vice-Chair of the meeting.

### **3. Declarations of Interest**

Councillor John Batchelor reminded those present that he was a local Member for both Linton and Great Abington. He declared non-pecuniary interests in Minute 7 (S/3387/19/RM - Great Abington (Land rear of Strawberry Farm, Pampisford Road)) and Minute 9 (20/01369/HFUL - Linton (24 Mill Lane)) because, as a local Member, he had been present at Parish Council meetings in both villages where the applications had been discussed. However, Councillor John Batchelor had taken no part in those discussions and was considering both matters afresh.

Councillor Peter Fane declared a non-pecuniary interest in Minute 8 (20/02128/HFUL - Great Shelford (9 Halatte Gardens)). Councillor Fane is a member of Great Shelford Parish Council and one of the immediate neighbours to the application site is a friend of his and was formerly a fellow Parish Councillor. Councillor Fane opted to take no part in the debate and not to vote. He reserved the right though to address the meeting as a local Member. For this one application, Councillor Fane would step down as Vice-Chair of the meeting and be replaced by Councillor Anna Bradnam.

Councillor Deborah Roberts declared a non-pecuniary interest in Minute 10 (S/4252/19/FL - Fowlmere (Cherry Tree Field, Shepreth Road)). As a member of Fowlmere Parish Council, Councillor Roberts had been present at the meeting at which the application had been discussed but was considering the matter afresh.

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

The Committee authorised the Chair to sign, as a correct record, the Minutes of the meeting held on 14 October 2020 subject as follows:

#### **Minute 4 – Minutes of previous meetings**

In relation to the Minutes of the meeting held on 26 August 2020, the addition of the following wording:

“Councillor Heather Williams had not been present at that meeting and was not part -of the affirmed authorisation for the Chair to sign the Minutes.”

### **5. S/4279/19/FL - Great Shelford (Land adjacent to Mores Meadow)**

The Head of Housing Strategy welcomed the application but added that a Mortgagee-in-Possession clause could not guarantee that the properties would remain affordable in perpetuity. The Senior Planning Lawyer explained that the District Council had the right to appoint a Registered Provider to act on its behalf and thus avoid any possibility of the Right To Buy. If properties had to be sold in order to remedy any default payments, then the number of properties sold would be limited to that necessary to service the debt.

Mike Nettleton (broadly supportive of the proposal) and Councillor Barbara Kettel (Great Shelford Parish Council) addressed the meeting.

Upon the proposal of Councillor Heather Williams, seconded by Councillor Deborah Roberts, and by affirmation, the Committee **agreed** to re-word

- (i) The recommendation to delete the reference to “in perpetuity”; and
- (ii) the provision in the Section 106 Agreement to require South Cambridgeshire District Council to use all reasonable endeavours to identify a Registered Provider willing to take possession of the relevant properties in the event of the Mortgagee-in-Possession clause being triggered, South Cambridgeshire District Council itself only taking possession should it not be possible to find a Registered Provider; and

Following a brief debate, and by affirmation, the Committee **approved** the application subject to

- (1) the inclusion of a Mortgagee-in-Possession clause as part of the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990
  - a. ensuring that the properties remain affordable
  - b. securing the future maintenance and management of various elements of on-site open space
- (2) rewording of the Legal Agreement to require South Cambridgeshire District Council to use all reasonable endeavours to identify a Registered Provider willing to take possession of the relevant properties in the event of the Mortgagee-in-Possession clause being triggered, South Cambridgeshire District Council itself only taking possession should it not be possible to find a Registered Provider; and
- (3) the Conditions and Informatives set out in the officer report presented to the Planning Committee on 10 June 2020.

(Councillor Nick Wright did not vote)

## 6. **20/02450/FUL - Fulbourn (Barnsbury House, Cox's Drove)**

John Mason (applicant's agent) and Councillor John Williams (a local Member) addressed the meeting.

Committee members sought and received clarification of several concerns, including management of the House in Multiple Occupation, which was covered by a licence issued by South Cambridgeshire District Council's Environmental Health Section.

Following a very brief debate and 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.

**7. S/3387/19/RM - Great Abington (Land rear of Strawberry Farm, Pampisford Road)**

c The Chair corrected a statement made in the report, and informed Members that this application was being presented to the Planning Committee because it had refused the previous Reserved Matters application on 26 May 2020 (S/1213/19/RM), and the Delegation meeting (not Councillor John Batchelor as stated) had therefore referred the application back to the Committee.

Matt Hare (applicant's agent), Councillor Bernie Talbot (Great Abington Parish Council) and Councillor John Batchelor (as a local Member) addressed the meeting.

The Committee accepted that the principle of development had already been established and that the developer had addressed satisfactorily the issues raised by Members in May.

By affirmation, the Committee **approved** the application, subject to the Conditions and Informative set out in the report from the Joint Director of Planning and Economic Development.

Standing Order no. 9 - Duration of meetings

During the following item (20/02128/HFUL - Great Shelford (9 Halatte Gardens), the Committee agreed by affirmation to continue the meeting beyond four hours.

**8. 20/02128/HFUL - Great Shelford (9 Halatte Gardens)**

Councillor Anna Bradnam was Vice-Chair for this agenda item.

Ian Kydd (objector), Councillor Barbara Kettel (Great Shelford pd) and Councillor Peter Fane (as a local Member) addressed the meeting. The Delivery Manager (Strategic Sites) read out a written statement on behalf of the applicant. The case officer provided an update to members regarding an assessment of the impact upon the nearby war memorial. The case officer referred to concerns raised by the occupiers of numbers 8 and 10 Halatte Gardens which did not raise any issues not already addressed in the report or in subsequent updates.

During the ensuing Committee debate, some Members referred to the following:

- Importance of the site
- Significance of the proposed extension
- The adverse impact on the neighbours
- Impact on the nearby war memorial
- Policy HQ/1
- The risk of setting a precedent
- The proposal being out of character

However, upon a vote being taken by roll call, and by six votes to three, the Committee **approved** the application subject to the Conditions set out in the report

from the Joint Director of Planning and Economic Development.

(Councillors John Batchelor, Bradnam, Cahn, Hawkins, Rippeth and Richard Williams voted to approve the application. Councillors Roberts, Heather Williams and Wright voted to refuse. Councillor Peter Fane did not take part in the debate or vote but did address the meeting as a local Member.)

**9. 20/01369/HFUL - Linton (24 Mill Lane)**

Henry Bennett (objector) and Councillor Enid Bald (Linton Parish Council) addressed the meeting. Statements in support of the application had previously been circulated to Committee members.

During the ensuing debate, Committee members made reference to the following:

- The size of the proposed extension
- The metallic roof
- Process and the accessibility on the Council's website of some key documents (which might warrant deferral)

The Senior Planning Lawyer said that, as planning officers were satisfied that all appropriate documents had been in the public domain, he could not recommend deferral.

Councillor John Batchelor (speaking as a local Member) pointed out that several extensions had already been made to this property and, while a further one would be acceptable, this proposal was not it. He sited the bulk, size and metal roof in a sensitive part of the village as his reasons for seeking a refusal. He added that Councillor Henry Batchelor (the other local Member) supported this view.

By eight votes to two, the Committee **refused** the application contrary to the recommendation in the report from the Joint Director of Planning and Economic Development. Members agreed the reason for refusal as being that, by virtue of the bulk, size, location and choice of materials, the proposal would have an unacceptable visual impact on the character and appearance of the Linton Conservation Area. The level of harm would be less than substantial but there were no clear public benefits that could be considered as outweighing that harm. The proposal would therefore fail to comply with the requirements of Policy HQ/1 and, as agreed subsequently by officers in consultation with the Planning Committee Chair and with the Vice-Chair of the meeting, NH/14 of the South Cambridgeshire District Local Plan 2018, the National Planning Policy Framework and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(Councillors Cahn and Hawkins voted to approve the application. Councillors John Batchelor, Bradnam, Fane, Rippeth, Roberts, Heather Williams, Richard Williams and Wright voted to refuse.)

**10. S/4252/19/FL - Fowlmere (Cherry Tree Field, Shepreth Road)**

Daniel Fulton (objector), James Fulton (applicant), Councillor Peter Burge (Fowlmere Parish Council) and Councillor Deborah Roberts (as local Member) addressed the meeting.

During the ensuing debate, Members focussed on the following

- The significance of the fallback position and Class Q approval that was given
- The relative merits of permitting a single building or two buildings on the site and the inclusion of more environmentally friendly features within the new home
- Visual impact
- Whether the proposal amounted to the conversion of an existing structure or the construction of a new dwelling
- Countryside policies in the South Cambridgeshire Local Plan 2018

The Vice-Chair observed that access was not an issue and that the application represented an imaginative and sustainable re-use of the site.

The Senior Planning Lawyer advised Members that need not concern themselves with the question of the 'red line' application site.

By eight votes to two, the Committee **approved** the application subject to the Conditions and Informative set out in the report from the Joint Director of Planning and Economic Development.

(Councillors John Batchelor, Bradnam, Cahn, Fame, Hawkins, Rippeth, Richard Williams and Wright voted to approve the application. Councillors Roberts and Heather Williams voted to refuse.)

## 11. **Enforcement Report**

The Committee **received and noted** an Update on enforcement action and a supplement summarising progress at Smithy Fen in Cottenham.

Councillors Anna Bradnam and Nick Wright had concerns about Fen Road, Milton and Smithy Fen, Cottenham respectively. The Delivery Manager (Strategic Sites) undertook to ask the Principal Planning Enforcement Officer to address these concerns and to contact Councillors Bradnam and Wright in due course.

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

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

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**The Meeting ended at 4.10 p.m.**

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