

## **South Cambridgeshire District Council**

Minutes of a meeting of the Planning Committee held on  
Tuesday, 27 July 2021 at 10.00 a.m.

**PRESENT:** Councillor Pippa Heylings – Chair  
Councillor Henry Batchelor – Vice-Chair

**Councillors:** Dr. Martin Cahn Dr. Claire Daunton (substitute)  
Peter Fane Geoff Harvey  
Dr. Tumi Hawkins Heather Williams  
Dr. Richard Williams Eileen Wilson

Officers in attendance for all or part of the meeting:

Christopher Carter (Delivery Manager - Strategic Sites), Lorraine Casey (Area Development Manager), Aaron Coe (Senior Planning Officer), Mary Collins (Planning Officer), Mike Huntington (Principal Planning Officer), Stephen Reid (Senior Planning Lawyer), Ian Senior (Scrutiny and Governance Adviser / Democratic Services) and Charlotte Spencer (Planning Officer).

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

The Chair made several brief housekeeping announcements.

### **2. Apologies**

Councillors Judith Rippeth and Deborah Roberts sent apologies for absence. Councillor Dr. Claire Daunton substituted for Councillor Rippeth.

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

Councillor Henry Batchelor declared a pecuniary interest in minute 5 (21/02400/REM - Waterbeach (Northern Woods, Waterbeach Barracks and Airfield, Parcel 1, Denny End Road)) because his employer had an ongoing business relationship with the applicant. Having sought and received legal advice, Councillor Henry Batchelor would withdraw from the Chamber for the duration of this item, take no part in the debate, and would not vote.

Councillor Dr. Tumi Hawkins declared a non-pecuniary interest in minute 7 (20/04702/OUT - Caldecote (Land at the back of 4 and 6 East Drive, Highfields Caldecote)) as the local District Councillor and as a member of Caldecote Parish Council. Councillor Hawkins had been present at meetings where the application had been discussed but was considering the matter afresh.

### **4 (a) Minutes of Previous Meeting**

Members noted that minutes of the meeting held on 14 August 2021 would be presented to the Planning Committee meeting to be held on 11 August 2021.

### **4 (b)**

#### 4 (c) Access to documents and information

At the Chair's invitation, the Delivery Manager (Strategic Sites) referred Committee members to an e-mail that had been received from Daniel Fulton of the Few's Lane Consortium (FLC) highlighting problems in accessing documents on the South Cambridgeshire District Council website prior to this meeting. He said that the Committee would need to decide whether it could proceed to determine two items as a result and, for Members' information, stated as follows:

- **21/02400/REM - Waterbeach (Northern Woods, Waterbeach Barracks and Airfield, Parcel 1, Denny End Road)**  
The application had been received on 21 May 2021 and public consultation had expired on 17 June 2021.
- **20/03339/FUL - Toft (Land West of 80 West Street)**  
The application had been received on 26 August 2020 and the final round of consultation had expired on 26 February 2021.
- **21/01633/CL2PD - Comberton (24 West Street)**  
No consultation had taken place because this was an application for a Certificate of Lawfulness. Comberton Parish Council had been notified and had commented.

All three applications had been in the public domain therefore for some time.

The access difficulty had been caused by a piece of security software used by South Cambridgeshire District Council to keep documents safe. Special arrangements were made so that Daniel Fulton of FLC could view such documents that he wanted to view. Nobody else had indicated that they had had difficulty accessing the documents. Officers considered that the risk of a challenge being made against decisions made at this meeting was minimal, especially given the special arrangements made for FLC's benefit. If representations were made following this meeting, those items involved could be referred back to Committee.

The Senior Planning Lawyer confirmed that South Cambridgeshire District Council had a Statement of Community Involvement that allowed late comments to be made. Planning officers would consider whether those comments raised issues justifying the matters referred to being taken back to Committee.

During the ensuing short debate, Councillor Dr. Tumi Hawkins (who was also the Lead Cabinet Member for Planning Policy) said that the Council would be failing in its duty if it did not protect its assets and data, and stated her belief that the Council had taken all reasonable steps to make sure that FLC could examine the documents.

By nine votes to one, the Committee **voted to determine** at this meeting the three applications referred to above in Waterbeach, Toft and Comberton.

#### 5. **21/02400/REM - Waterbeach (Northern Woods, Waterbeach Barracks and Airfield, Parcel 1, Denny End Road)**

As detailed at Minute 3, Councillor Henry Batchelor withdrew from the Chamber and Councillor Peter Fane acted as Vice-Chair for this item.

Robert Wilkinson (the applicant's agent) addressed the meeting. The Delivery Manager (Strategic Sites) read out a statement from Waterbeach Parish Council setting out several objections to the proposal. The case officer said that such objections had broadly been addressed in the report and proceeded to make a detailed presentation.

During the ensuing Committee debate, Members agreed that the transport was of key importance as it was essential to achieve modal shift from the outset. The Delivery Manager (Strategic Sites) confirmed that the transport plan contained a monitoring mechanism that would enable the Council to monitor progress.

Members expressed concerns about

- density resulting in gardens being small and giving the development a very urban appearance
- the location of the affordable housing
- size, scale, and bulk
- the use of wood to delineate footpaths
- sustainability issues

In response to concern about the affordable housing element, the case officer informed the Committee that the Council's housing officers were satisfied with the proposed layout.

On a general point, Members noted that this was just the first parcel in what would be a new town rather than a village.

By seven votes to two, the Planning 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 Cahn, Daunton, Fane, Harvey, Hawkins, Heylings and Wilson voted to approve the application. Councillors Heather Williams and Richard Williams voted to refuse. Councillor Henry Batchelor was not present in the Chamber, took no part in the debate and did not vote.)

## **6. 20/03339/FUL - Toft (Land West of 80 West Street)**

The case officer updated the Committee about six further representations received since publication of the agenda, and revision of the National Planning Policy Framework having no impact on this application.

Dr. Richard Horne (objector) and Councillor Martin Yeadon (Toft Parish Council) addressed the meeting.

Councillor Dr. Tumi Hawkins pointed out that there was already an existing community store in the village and said that, notwithstanding further residential development nearby, a second store was not justified in a minor rural centre.

Committee members expressed concerns about

- sustainability
- design and appearance of the proposed store
- highway safety and the lack of a safe crossing point
- location

- noise
- potential loss of the village post office
- the loss of other businesses
- litter

The case officer confirmed that a recent change in the definition of use classes meant that it would be possible to restrict use of the building to that of retail.

By eight votes to two, the Planning cttee **refused** the application contrary to the recommendation in the report from the Joint Director of Planning and Economic Development. Members agreed that the refusal should be based on

1. The failure to demonstrate that Comberton can sustain an additional convenience food store and that it would not impact on the viability of other convenience stores providing a similar offering in the village: the proposal is therefore contrary to policies E/21 (Retail hierarchy) and E/22 (Applications for new retail development) of the South Cambridgeshire Local Plan 2018; and
2. A significant adverse impact on highway safety because of the proposed store's location opposite Comberton Village College and the lack of a safe crossing point.

(Councillors Cahn and Fane voted to approve the application. Councillors Henry Batchelor, Daunton, Harvey, Hawkins, Heylings, Heather Williams, Richard Williams and Wilson voted to refuse.)

## 7. **20/04702/OUT - Caldecote (Land at the back of 4 and 6 East Drive, Highfields Caldecote)**

Alan Melton (Clerk, Caldecote Parish Council) addressed the meeting.

In response to a question from Councillor Henry Batchelor, the Delivery Manager I(Strategic Sites) said that the Committee should consider the Village Framework to be a material consideration given that the plan showing the two dwellings within the framework was indicative only. Expanding on this, the Area Development Manager responsible for Caldecote referred Members to a 2016 Appeal decision relating to an application on land behind 30 East Road. At the time, South Cambridgeshire District Council could not demonstrate a five-year housing land supply but the Inspector gave this less weight than he gave to local character in allowing the Appeal, notwithstanding that the village framework was again an issue.

In response to Councillor Dr. Martin Cahn, the Delivery Manager (Strategic Sites) said that, while it would be possible to withdraw Permitted Development Rights should planning permission be granted, it was likely to be deemed unreasonable.

Councillor Dr. Tumi Hawkins (the local Member) concluded that it was the character of the proposed development that was unsuitable.

Following further debate surrounding the village framework, Village Design Guide and outline nature of the application, and by five votes to four, the Planning Committee **approved** the application subject to the Conditions set out in the report from the Joint

Director of Planning and Economic Development.

(Councillors Henry Batchelor, Cahn, Fane, Harvey, and Wilson voted to approve the application. Councillors Daunton, Hawkins, Heylings, and Richard Williams voted to refuse. Councillor Heather Williams did not vote.)

**8. 21/01633/CL2PD - Comberton (24 West Street)**

During the short debate, Members accepted the lawfulness of the proposal. However, they also recognised concern about future use, and made it clear that were the caravan to be used as a dwelling while on site then an enforcement issue would arise.

The Planning Committee unanimously **voted to agree** that a Certificate of Lawfulness be granted under Section 192 of the Town and Country Planning Act 1990 (as amended) for the construction of a concrete base for the siting of a caravan within an existing residential planning unit, erection of two-metre high gates and boundary fence and construction of a permeable gravel parking area.

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**The Meeting ended at 2.55 p.m.**

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