

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 8 December 2021 at 10.00 a.m.

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

Councillors: Dr. Martin Cahn Peter Fane
Geoff Harvey Dr. Tumi Hawkins
Judith Rippeth Deborah Roberts
Heather Williams Dr. Richard Williams
Eileen Wilson

Officers in attendance for all or part of the meeting:
Nigel Blazeby (Planning Delivery Manager), Phoebe Carter (Planning Officer), Laurence Damary-Homan (Democratic Services Officer) Will Holloway (Principal Enforcement Officer), Karen Pell-Coggins (Senior Planning Officer), Stephen Reid (Senior Planning Lawyer), Jane Rodens (Principal Planner) and Michael Sexton (Principal Planner)

1. Chair's announcements

The Chair made several brief housekeeping announcements.

2. Apologies

There were no Apologies for Absence.

3. Declarations of Interest

For Item 5 (20/01564/FUL- Land to The South East Of Burton End, West Wickham):

- Councillor Geoff Harvey declared a non-pecuniary interest and stated that, as Member for the Balsham ward, he had been present at Parish Council meetings in which Item 5 was discussed. Councillor Harvey informed the Committee that he would be approaching the matter afresh.
- Councillor Henry Batchelor declared a non-pecuniary interest on the Item as he was the County Councillor for West Wickham and West Wratting and stated that he would be approaching the matter afresh.

For Item 8 (20/05251/OUT- Land North West of Primrose Walk, Little Gransden), Councillor Dr Tumi Hawkins informed the Committee that she was the ward Member for Little Gransden and would be reading a statement on behalf of the Parish Council on Item 8.

In respect of Item 9 (20/04706/FUL- 60 Impington Lane, Impington):

- Councillor Dr Martin Cahn declared a non-pecuniary interest on Item 9 as he knew one of the objectors. Councillor Cahn stated that he would withdraw as a Member

of the Committee for the discussion of this Item and instead speak on the Item as the local Member.

- Councillor Pippa Heylings (another local Member) informed the Committee that she had been involved in conversations with Histon & Impington Parish Council over the application, but stated that she had not been in any communication with the developers or applicants and would be approaching the matter afresh.

4. Minutes of Previous Meeting

Councillors Pippa Heylings and Deborah Roberts abstained from the vote to approve the Minutes as they were not present at the meeting in question. The rest of the Committee authorised, by affirmation, the Chair to sign the Minutes of the meeting held on 10 November 2021 as correct record.

5. 20/01564/FUL - Land To The South East Of Burton End, West Wickham (Parish of West Wrattling)

The Senior Planning Officer presented the report and noted the written submissions received from the Agent and the Architect. The Committee was addressed by the Agent who fielded questions from Members. When questioned on the water usage of the solar farm, specifically for cooling of the panels, the Agent could not provide estimates. The Agent, in response to a question, also stated that there would be no obstacle to returning the land to full agricultural use but did note that this potential had been there for many years and it was unlikely that the current owner would take steps to return to land to active cultivation. It was clarified by the Agent that the dual usage of the site by grazing sheep on the land was an attempt to bring some agricultural usage back to the land, the example of a similar scheme in Norfolk was cited, but Members expressed doubts over the practicality of this. Concerns were raised over the challenges posed by livestock licensing requirements, the need for rotation and to rest the land, as well as the availability of sheep to graze the land as the area was not known for significant livestock cultivation. Members also questioned the limited exploration of alternative sites, to which the Agent responded by informing the Committee that there was a lack of other suitable sites in the area, notably the brownfield sites assessed were not appropriate due to their proximity to residential areas. Concerns were raised over the vehicular access for construction, with Members noting that the site was inappropriate for HGV usage. The Agent clarified that smaller vehicles would be used in construction, in particular vans would be utilised, and stated that there would be little to no need for vehicular access once the site was completed and operational.

In the debate, Members reiterated the concerns conveyed to the Agent and explored further issues. A significant issue was the loss of viable agricultural land, with Members highlighting the fact that the site was Grade 2 agricultural land and that food supply and security was an important consideration. However, it was noted that the land had been disused for many years and that the proposed development would rectify this. The Committee also expressed disappointment over the lack of consideration for other appropriate sites for solar panels, particularly those that would not require development on greenfield/ agricultural sites. The issue of water usage was revisited, but it was concluded that, if the Committee was minded to approve the application, conditions could be put in place to mitigate this. Opinion was split over the impact on the landscape; some Members felt that the site would be at odds with the open countryside that surrounded it, whereas others felt that the site would not be overly visible. Councillor Dr Martin Cahn informed the Committee that he had visited the site and that he felt that the hangars in the vicinity were more at odds with the landscape and stated that, in his opinion, landscape concerns were not a material reason for refusal. The Committee expressed support for applications that

sought to introduce renewable energy sources to the region, but the balance between the development of renewables and the preservation of agricultural and rural land was the issue at hand for the application in question.

By 9 votes to 2 (Councillors Dr Tumi Hawkins and Dr Martin Cahn), the Planning Committee refused the application in accordance with the Officer's recommendation and reasons for refusal set out in the report from the Joint Director of Planning and Economic Development.

6. 21/03607/FUL - Land At Babraham Research Campus, High Street, Babraham

The report was presented by the Principal Planner who noted the supplementary update to the report. There were no speakers on the Item, but the Principal Planner acknowledged that a written submission in support of the application had been received.

Members thanked officers for the thorough report and commended the clearly laid out logic behind the weighting of the considerations in the report. The Committee expressed their general hesitance to approve developments on the green belt, but Members felt that, in this case, the benefits of the application outweighed the harms and, in this instance, the development of a greenfield site would not be brought forward as a reason for refusal for a variety of reasons. The siting of the development, in between two existing buildings, meant that the Committee felt that openness of the area would not be compromised in a manner that would give reason to refuse the application and Councillor Dr Richard Williams, who had visited the site, emphasised this point. It was noted that further development on the site would likely be a much greater cause for concern. Members emphasised the importance of preventing unrestricted urban sprawl and incursion into the green belt, but the siting combined with the special nature of the application meant that the Committee's concerns were allayed for this application. A question was raised on whether this application could set a precedent for future developments to infringe on the green belt, but the Principal Planner quashed these concerns by informing the Committee that the previous applications at the site had been approved for special circumstances and highlighted the fact that it was likely that the area would become a special policy area in the future. Members agreed with the point on special circumstances, noting that the world-leading work undertaken at the Research Park was of great importance to the region and that the positive impacts of the site on the area, including stimulation of employment and the local economy, gave greater weight to the special circumstances of the application. A concern over the flood risk was raised, it was noted that part of the development was in flood risk zones 2 and 3, but the Principal Planner informed the Committee that the works in these zones would be for landscaping and periphery management, with the main built area being in zone 1. Members did question the extent to which solar panels would be implemented in the development, the Principal Planner informed the Committee that there was a likelihood that solar panels would be utilised on the buildings and noted that the application was focused on delivering a sustainable development, with conditions setting a BREAAAM target of "Very Good". Members acknowledged that serious consideration had been put into the sustainability of the site but felt, given the nature of the development, it should aspire to a BREAAAM target of "Excellent". Councillor Pippa Heylings, seconded by Councillor Heather Williams, proposed an amendment to condition G to change the BREAAAM requirements from "Very Good" to "Excellent". The amendment was approved via affirmation and condition G subsequently stated:

"Within 6 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREAAAM 'Excellent' as a minimum will be met. Where the certificate shows a shortfall in credits for BREAAAM 'Excellent', a statement shall be submitted

identifying how the shortfall will be addressed. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.”

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with policies CC/3 and CC/4 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

With the amendment to condition G, the Planning Committee **approved** the application by affirmation, subject to the conditions laid out in the report from the Joint Director of Planning and Economic Development. The Delivery manager informed the Committee that, due to the amendment to the condition, the approval would have to be referred to the Secretary of State.

7. **21/03628/FUL - 36 Apthorpe Street, Fulborn**

The Principal Planner presented the report with no updates. The applicant, Keith Carter addressed the meeting in support of the application. The Committee was informed by the applicant that the upkeep of St Martins Cottage was no longer viable for the owners, and when it was placed on the market for new ownership no new owners were forthcoming- largely due to the land maintenance commitments that came with the property. The applicant also stated that the proposed building would be constructed with sustainable building techniques and would have an eco-centric design. Councillor Graham Cone addressed the Committee in support of the application and noted the Parish Council's support. The issue of the Village Development Framework boundary was raised by both the applicant and local Member. Part of the proposed site fell outside of the boundary, and when questioned if he felt that the boundary was incorrect, the local Member stated that, in this instance, it did seem to be questionable as part of the site was outside of the boundary even though it was not in open countryside and was part of a resident's property.

The Committee debated the village boundary issue extensively. Members understood the frustrations over part of the property being outside of the boundary, noting that it was clearly not in open countryside and the development would not infringe on the greenbelt, but agreed that the proposed development would be outside of the Village Development Framework and was therefore against policy. Members noted that, if there were concerns over the boundary, it should have been addressed at an earlier date and the Committee had to make a decision based on the policies in place at the time. The Committee also discussed the harm to the Grade II Listed Building (St Martin's Cottage). Members were concerned by the applicant's claim that the building would fall into disrepair, but the Delivery Manager informed the Committee that there was no material evidence to back up the claim and, consequently, it would be very difficult to justify the approval of the application on the grounds of the potential for the Listed Building to fall into disrepair.

The Committee expressed a desire to approve the application due to a variety of reasons. The applicant was commended for submitting such an incredibly detailed, well thought through application that utilised innovative building techniques and would create a truly sustainable development. It was also noted that significant effort had been made to allay the Highways Authority's concerns. Members stated that it was rare for an application such as this to get overwhelming support from residents, the Parish Council and local Members. However, the Committee noted that the standards set for approval of developments outside of a village's Design Framework Boundary were very high and there

was not enough evidence to show that the application was truly special and exceptional. The Committee felt that, on balance of the material considerations for a Planning application, it would be inappropriate to approve the development due to the reasons laid out in the report.

By 10 votes to 1 (Councillor Dr Martin Cahn), the Planning Committee **refused** the application in accordance with the Officer's recommendation set out in the report from the Joint Director of Planning and Economic Development.

**Councillor Deborah Roberts
left the meeting and did not
take part in any further
debate or votes**

8. 20/05251/OUT - Land North West of Primrose Walk, Little Gransden

The Delivery Manager stated that not all of the additional consultations for the Item had been completed. Members were informed that the Delivery Manager was happy that the recommendation would ensure that everyone had the appropriate opportunity to make comment on the application, but it was acknowledged that Members may not feel comfortable making a decision and that deferral of the application was a possibility. Councillor Dr Tumi Hawkins alerted the Committee to the fact that the incomplete consultation was one of the concerns of the Parish Council.

The Chair, Councillor Pippa Heylings, proposed that the application be deferred until all public consultation had been completed. The Committee approved the proposal by affirmation and **deferred** the outline planning application.

**Councillor Dr Martin Cahn
withdrew from the
Committee, in line with his
statement in during Item 3
(Declarations of Interest), to
speak as the local Member
for Item 9**

9. 20/04706/FUL - 60 Impington Lane, Impington

The Planning Officer presented the report and offered an update regarding an informative from Anglia Water regarding the drainage system. If approved, the informative would have been attached to the report. An objector, Dr Simon Goddard, spoke on behalf of himself and a number of neighbours who objected to the application. Concerns were raised about the size of the development and the impact on privacy of neighbours, the proposed inclusion of a low-level chimney and the potential for the site to worsen flooding in the village. A drainage ditch that laid just outside of the site that was not assessed in the report was identified by the objector. Members asked questions of clarity of the objector. The Committee was also addressed by two agents of the applicant, Rob Preston (agent) and Paul Cosford (drainage consultant). The agents supported the application and fielded questions from the Committee. Members questioned the type of soil on the site to clarify the permeability of the ground and were informed that the site laid on a clay-sand-gravel horizon so levels of permeability varied across the site. The agents also clarified that the

chimney was likely to be in use and was not a purely aesthetic addition to the property. When questioned on the level of consultation with neighbours was raised, the agents clarified that they had only engaged in consultations that were a statutory requirement. The agents informed the Committee that the drainage ditch, raised by the objector, was not assessed and was not part of the proposed drainage scheme as there was no proof that the ditch had positive water outfall.

Councillor Dr Martin Cahn addressed the Committee as a local Member in opposition to the application and raised concerns about the drainage on the site and its potential impact on the area. When questioned, the local Member informed the Committee that drainage on the site was already an issue and the placement of a permeable hardstanding on impermeable ground would likely exacerbate this, noting that flooding in the village was already problematic and stated that he shared the concerns of residents over this application.

In the debate, Members noted that there were benefits to the application as it tried to provide housing in a village that is surrounded by green belt and had very little remaining space for infilling. It was noted that the proposal of a single storey dwelling was sensitive to the privacy of neighbours. However, the Committee stated that the single storey design required more surface area than a multi-storey building would and expressed concern over the impact of this on drainage. Members also felt that the proposed dwelling would have a negative impact on residential amenity as it would greatly reduce garden space and overdevelop the site. Subsequently, it was agreed that the siting, footprint and scale would be a reason for refusal.

The Committee expressed concern over the drainage on site, noting the comments of the objector and local Member. The Delivery Manager informed the Committee that, due to the lack of objection from the statutory consultees over the proposed drainage scheme, a refusal based on drainage concerns would be difficult to justify. However, the Delivery Manager stated that if the application was refused and subsequently went to appeal, an overturning of the drainage reason for refusal would not invalidate any other reasons for refusal. The Senior Planning Lawyer noted that there were previous examples of refused applications going to appeal on the basis of drainage concerns without objection from statutory consultees that triggered further investigation which subsequently validated drainage concerns. The Committee felt that there was not enough evidence to satisfy Members that drainage was not an issue. The geological conditions on the site, combined with the concern of residents and the lack of investigation into the drainage ditch outside of the site, lead the Committee to agree, by affirmation, to include drainage as a reason for refusal. Members stressed the importance of respecting expert advice but felt that, if refused, the application would undergo more thorough investigation at appeal and that the Committee had a duty to protect residents from adverse flooding arising from developments.

By 8 votes to 1 (Councillor Peter Fane), the Planning Committee refused the application contrary to the Officer's recommendation in the report from the Joint Director of Planning and Economic Development. Councillors Deborah Roberts and Dr Martin Cahn did not take part in the vote. The Committee agreed on the following reasons for refusal:

1- The proposal was of a siting, footprint and scale such that it would appear out of keeping with the prevailing character and appearance of the local area and as such would appear cramped and represent an over-development of the site. As such the proposal was contrary to South Cambridgeshire Local Plan 2018 policies HQ/1 and H/16 and NPPF and NPPG guidance on good design.

2- The proposal lies partly within an area that is susceptible to surface water flooding. The proposal has failed to justify that it would not exacerbate existing surface water flooding issues to land or property. As such, the proposal is contrary to policy CC/9 of the

South Cambridgeshire Local Plan 2018 and NPPF para. 159.

**Councillor Dr Martin Cahn
rejoined the Committee.
Councillor Dr Richard
Williams left the meeting**

10. 21/03443/CL2PD - 9 Station Road, Oakington And Westwick

The application was withdrawn by the applicant.

11. Enforcement Report

The Principal Enforcement Officer presented the report and offered a verbal update on the case at Haden Way, Willingham. There were reports received regarding utility works outside the red-edged area which was impacting on the highway; the Principal Enforcement Officer informed the Committee that this was not a District Council matter. A question was raised on the Smithy Fen case, which had been ongoing for a long time. Members stated that there was significant correspondence from residents over Smithy Fen and questioned whether the case was close to being resolved. The Principal Enforcement Officer stated that the site required a multi-agency approach and that SCDC Enforcement had fulfilled their requirements regarding the case and were awaiting response from the other agencies involved, therefore no specific timeline on the resolution of the Smithy Fen case could be given at the time. A request to hold a public meeting for the village when the case had been resolved was raised and the Principal Enforcement Officer noted the request.

It was noticed that the case regarding Cottage Nursery, Cardinal's Green, Horseheath was not included in the report and the Principal Enforcement Officer informed the Committee that it was an oversight to not include the case and that it would be included in the next report.

The Committee noted the report.

12. Appeals against Planning Decisions and Enforcement Action

The Delivery Manager provided an update on the Appeals report and offered updates on the Linton appeal for Condition 10- drainage which was allowed. A question was raised on the dismissed appeal on Condition 5- Landscaping at the Linton site; the Delivery Manager stated that he could not answer the question on what the outcome of the appeal would mean for how the developer could proceed at the site but assured Members that an update would be provided.

An update on the Appleacre, Fowlmere appeal was given by the Delivery Manager which provided clarity on the reasons for the outcome of the appeal and what it meant for the site.

The Committee noted the report.

The Meeting ended at 2.50 p.m.

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