

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

At a meeting of the Development and Conservation Control Committee held on
Wednesday, 5 July 2006 at 10.00 a.m.

PRESENT: Councillor NIC Wright – Chairman
Councillor SGM Kindersley – Vice-Chairman

Councillors:	Dr DR Bard	RE Barrett
	JD Batchelor	Mrs PM Bear
	RF Bryant	Mrs PS Corney
	Mrs VG Ford	Mrs JM Guest
	R Hall	Mrs SA Hatton
	Mrs CA Hunt	RB Martlew
	Mrs CAED Murfitt	CR Nightingale
	Dr JPR Orme	EJ Pateman
	JA Quinlan	Mrs DP Roberts
	NJ Scarr	Mrs HM Smith
	Mrs DSK Spink MBE	RJ Turner

Councillors NS Davies, SM Edwards and MJ Mason were in attendance, by invitation.

Apologies for absence were received from Councillor TD Bygott, Mrs A Elsby, A Riley, JH Stewart and JF Williams.

Planning Targets

Prior to commencement of the meeting, the Chairman informed Members about the very positive feedback received from the Planning Inspectorate. The Inspectors had commended officers for meeting the planning standards set for the Authority. Councillor Mrs DSK Spink welcomed the response, as Planning and Economic Development Portfolio Holder, and added her own appreciation of the work undertaken by officers. While accepting the positive statements on behalf of the Development Services Department, the Deputy Director of Development Services stressed that the contribution of Members should not be under estimated.

1. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 7th June 2006.

2. MINUTES OF THE MEETING HELD ON 5 APRIL 2006

These Minutes were confirmed as a correct record on 10 May 2006. However, amendments relating to West Wrattling had not been reflected in the published version. The correct wording of the Minute should have been:

“.....S/0255/06/LB & S/0256/06/F WEST WRATTING

REFUSED contrary to the recommendation contained in the report from the Director of Development Services. Members felt that the development had caused harm to the setting of the Grade II Listed Building (The Old Hall) and the curtilage listed Vine House, contrary to Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy EN28 of the South Cambridgeshire Local Plan 2004.

RESOLVED to issue an Enforcement Notice. The Vice-Chairman Councillor Wright together with the two local Members to agree the extent of works to be covered by the Notice with a three month compliance period.

Councillor SJ Agnew declared a personal interest by virtue of his acquaintance with the owner's wife, a member of the same political party as Councillor Agnew.

Councillor Dr JPR Orme declared a prejudicial interest, by virtue of his acquaintance with one of the objectors, withdrew from the Chamber, did not contribute to the debate and did not vote. Councillor NIC Wright took the Chair for this item.

Councillor NJ Scarr had not attended the site visit, and did not vote."

RESOLVED that the corrected text be incorporated into the Minutes of the Development and Conservation Control Committee meeting held on 5 April 2006.

3. **S/2494/04/F - WEST WRATTING**

APPROVAL, as amended by the Stage 1 Safety Audit dated 12th December 2005, for the reasons set out in the report and subject to the Conditions referred to therein (Condition 18 being amended to reflect the 10 year period referred to in paragraph 46 of the report), to an additional Condition stating that there should be no external lighting other than in accordance with an agreed scheme, and to the prior completion of a Section 106 Legal Agreement requiring a routing agreement to prevent Large Goods Vehicles travelling through the villages of Great and Little Wilbraham and Fulbourn unless collecting grain from farms within or in the locality of these villages, the provision of traffic signals on the bridge, a commuted sum for the maintenance of the traffic lights, and the restriction of development generated traffic to 75 Large Goods Vehicles each day (or 150 two-way LGV movements each day) with provision for annual monitoring reports to be submitted.

Councillor Mrs V Ford was not present for this item, and did not vote.

Councillors Dr DR Bard, RE Barrett, JD Batchelor, Mrs C Hunt, Mrs DSK Spink and RJ Turner declared personal interests by virtue of being acquainted with some of the farmers who would benefit from this application gaining approval.

Councillor Mrs P Bear declared a personal interest as the District Councillor for the Linton ward where Camgrain has a well established site well known to her, and because she had received letters and e-mails both in support and against the West Wrattling Camgrain application.

Councillor SGM Kindersley declared a personal interest by virtue of having visited the site with a constituent and was acquainted with a number of Camgrain members by virtue of their membership of Parish Councils within his County Council Division.

Councillor Mrs CAED Murfitt declared a personal interest by virtue of her family farm.

Councillor NIC Wright declared a personal interest as a farmer but who was not a member of Camgrain. He stated that he had met some farmers outside South Cambridgeshire Hall, inviting them to attend the Development and Conservation Control Committee meeting and listen to the discussion of the application.

and to the prior completion of a Section 106 Legal Agreement requiring a routing agreement to prevent HGVs travelling through the villages of Great and Little Wilbraham and Fulbourn unless collecting grain from farms within or in the locality of these villages,

the provision of traffic signals on the bridge, a commuted sum for the maintenance of the traffic lights, and the restriction of development generated traffic to 75 Large Goods Vehicles each day (or 150 two-way LGV movements each day) with provision for annual monitoring reports to be submitted.

4. S/0534/06/F - HARSTON

DELEGATED APPROVAL for the reasons set out in the report, subject to the Conditions referred to therein and to an additional Condition requiring the dwelling to be acoustically insulated if considered necessary by EDF Energy.

5. S/0691/06/RM - IMPINGTON

DELEGATED APPROVAL of Reserved Matters in accordance with outline planning permission reference S/0157/03/O dated 16th June 2004, for the reasons set out in the report, to the additional Conditions referred to therein.

6. S/0828/06/RM - IMPINGTON

APPROVAL, for the reasons set out in the report, of Reserved Matters (siting and design of buildings and layout of site landscaping and access detail) pursuant to outline permission S/2379/01/O, following receipt of an amended plan relating to Plot 22 adjacent to Kings Hedges Road, and subject to the additional Conditions referred to therein.

7. S/1078/06/F - IMPINGTON

DELEGATED REFUSAL for the reasons set out in the report, on the ground of drainage and, subject to the receipt of comments from the Trees and Landscape Section, landscape reasons.

8. S/0829/06/RM - IMPINGTON

APPROVAL (on the Chairman's casting vote) for the reasons set out in the report, subject to the Conditions referred to therein and to an additional Condition requiring the submission of detailed proposals for the Local Area of Play.

9. S/0110/06/F – LONGSTANTON

APPROVAL of the current application for a bungalow at Nether Grove as amended by Drawing No. NGL-PL-01 Rev B, for the reasons set out, and Conditions referred to, in the report presented to the Committee at its meeting on 1st March 2006, and to an additional Condition requiring a brick wall along the southern boundary.

Councillor Mrs DP Roberts declared a personal and prejudicial interest as Housing Portfolio Holder, withdrew from the Chamber, did not contribute to the debate and did not vote.

10. S/0791/06/F - SHEPRETH

APPROVAL for the reasons set out in the report, subject to the Conditions referred to therein.

11. S/0687/05/F – MELDRETH

DELEGATED APPROVAL / REFUSAL, as amended by drawing date stamped 24th February

2006, for the reasons set out in the report, subject to the Conditions referred to therein and t comments from the Local Highways Authority.

12. S/0949/06/F - SAWSTON

APPROVAL for the reason set out in the report, subject to the Condition referred to therein.

Councillor Mrs SA Hatton declared a personal and prejudicial interest by virtue of being one of the applicants, withdrew from the Chamber, did not contribute to the debate and did not vote.

Councillor Dr DR Bard declared a personal interest by virtue of being acquainted with one of the applicants, namely Councillor Mrs SA Hatton. The Chairman noted, for the record, that this applied to every Member then present in the Chamber.

13. S/0887/06/F - SAWSTON

REFUSED, contrary to the recommendation contained in the report, on the grounds that: by virtue of the additional activity at the premises until 11.00pm (Tuesdays-Sundays) resulting from the proposed delivery service, the proposal would seriously harm the amenity of local residents; that the use of the proposed parking area for delivery drivers would detract from the setting of the Queens Head, a Grade II listed building; and that inadequate information had been submitted as to whether or not additional plant and equipment, which could harm the fabric, and / or character, of the listed building, would be required.

14. S/0746/06/F – BABRAHAM

DELEGATED APPROVAL / REFUSAL. The application would be approved, as amended by drawing number 337-13-102/A date stamped 15th June 2006, for the reasons set out in the report subject to the Conditions referred to therein (Condition 13 being amended to reflect comments from the Environment Agency), to additional Conditions requiring compliance with a Travel to Work Plan and stating that there shall be no external lighting except in accordance with an approved scheme, and to no adverse consultation responses being received from Cambridgeshire County Council's Countryside Services Team (in respect of landscaping) prior to 13 July 2006 (the date for determination of the application). The application would be refused if objections were received, on the grounds of inappropriate landscaping and obstruction of a footpath.

Were the application to be approved, a letter would be sent urging the applicant to employ sustainable construction principles, including the sourcing of local materials, and the use of renewable energy resources, water efficiency and energy conservation technologies, but with the reminder that any external changes to the appearance of the approved building would require the approval of the Local Planning Authority. It would also state that, in relation to the Travel to Work Plan, the Committee wanted to see bus shelters provided at the bus stops on the A1307, real time signing provided at these bus stops and the provision of an improved crossing across the A1307.

15. S/0835/06/F - GREAT SHELFORD

REFUSED, as amended by Flood Risk Assessment and 'Trees To Be Retained Plan' drawing no. (PA)014 both date stamped 5 June 2006, for the reasons set out in the report and for additional reasons relating to the loss of trees, and ecological issues, and any additional reasons resulting from comments received from outstanding consultees.

Councillor R Hall declared a personal interest by virtue of his acquaintance with one of the Fellows of the College of St John the Evangelist, with whom he is a fellow member of Great St. Mary's Church, Cambridge.

16. S/0836/06/F - GREAT SHELFORD

DELEGATED APPROVAL as amended by Flood Risk Assessment and 'Trees To Be Retained Plan' drawing no. (PA)014 both date stamped 5 June 2006 for the reasons set out in the report, subject to Conditions based on those attached to permission S/2257/01/F referred to in the report, and to an additional Condition relating to ecology.

17. S/0985/06/PNT - STAPLEFORD

REFUSED, as amended by ICNIRP Certificate and plan attached to 28.6.06 e-mail dated 28 June 2006, contrary to the recommendation contained in the report. Members felt that the proposed monopole and associated development, in addition to the existing two monopoles and associated development, lamp columns and signage along London Road, would result in an extent of clutter that would seriously detract from the visual amenities of the locality; and that opportunities for mast sharing had not been considered fully. They considered therefore that the proposal was contrary to Policy CS8 of the South Cambridgeshire Local Plan 2004.

Councillor Mrs DP Roberts was not present for the first part of the debate, and did not vote.

18. S/0416/06/F - COTTENHAM

REFUSED, contrary to the recommendation in the report on the grounds of the proposal's adverse effect on the surrounding countryside, and because less obtrusive alternatives were available to the applicants. The Council would continue to process Enforcement Notice E353J.

19. S/0867/06/O- LITTLE WILBRAHAM

APPROVAL for the reasons set out in the report and subject to the Conditions referred to therein and to the requirement for a Flood Risk Assessment.

Councillor NIC Wright declared a personal interest by virtue of his acquaintance with an individual in the public gallery, believed to be connected with the application.

Councillor Mrs DSK Spink was not present during the debate, and did not vote.

20. S/0738/06/F - FEN DITTON

REFUSED for the reason set out in the report.

Councillor RF Bryant declared a personal interest as a former employee of the Marshall Group.

21. S/0946/06/F - THRILOW

APPROVAL, as amended by Section Drawing date stamped 29 June 2006, for the reasons set out in the report, subject to the Conditions referred to therein and to an additional Condition requiring the first floor bedroom rooflight in the southern elevation of

the main part of the dwelling facing no.24 Middle Street to be a minimum of 1.7 metres above the first floor finished floor level to ensure that there would be no serious overlooking of no.24.

22. S/0898/06/F - WILLINGHAM

APPROVAL subject to the Conditions referred to in the report.

Councillor Dr JPR Orme did not attend the site visit, and did not vote.

23. S/1041/06/F – CROXTON

DELEGATED APPROVAL for the reasons set out in the report, subject to the receipt of an amended plan showing only the building and car parking area edged red and to the Conditions referred to in the report (Condition No. 2 being amended to include the physical marking out of spaces on site), including any recommended by the Chief Environmental Health Officer.

Councillor Mrs DP Roberts was not present for the debate, and did not vote.

24. S/6348/06/RM - CAMBOURNE

DELEGATED APPROVAL / REFUSAL. The application would be approved, subject to the receipt of amended plans addressing the over-provision of car parking, the density and character of the proposed development adjacent to the golf course boundary, and additional Conditions relating to landscaping, ecology, site set-up, access and materials details, and retention of car parking. Should these issues not be resolved satisfactorily, the application would be refused as not complying with the low-density character required by the approved Design Brief.

25. TREE PRESERVATION ORDER - TOFT

RESOLVED that Tree Preservation Order 01/06/SC in Toft be confirmed without modification.

26. S/0800/06/F - COTTENHAM

REFUSED contrary to officers' changed recommendation, for the reasons that the need for the caravan had not been established, contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003, and that the caravan would detract from the appearance of the countryside and openness of the Green Belt.

27. S/0972/06/F - DUXFORD

APPROVAL for the reasons set out in the report, subject to the Conditions referred to therein.

28. S/0834/06/F - LONGSTOWE

DELEGATED APPROVAL / REFUSAL, in accordance with officers' changed recommendation. The application would be approved if agreement could be reached with the applicant on the height and size of the proposed garage. It would be refused if such agreement could not be reached.

Councillor Mrs DSK Spink declared a personal interest by virtue of her acquaintance with

the applicant.

29. S/0956/06/F – GAMLINGAY

APPROVAL contrary to the recommendation in the report. Members were satisfied that there was not a car parking problem, and welcomed the proposal as providing a service to Gamlingay and enhancing the vitality of the business.

30. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

The Deputy Director of Development Services presented a report on recent appeal decisions of interest. He suggested that, in future, the report should include an analysis of decisions taken contrary to officers' recommendations.

The Committee **NOTED** that other aspects of appeals against planning decisions and enforcement action had been published on the Council's website.

31. ENFORCEMENT ACTION PROGRESS REPORT

The Enforcement Officer (Development Control) presented an Index of current enforcement cases as at 5 July 2006. The detailed report was available on the Council's website.

It was understood that

- The Area Planning Officer was dealing with caravans and containers currently in Fowlmere and Melbourn.
- The report would be updated following the decision taken regarding Moor Drove, Histon
- An enforcement notice had been served with regard to the land adjacent to Hilltrees on Babraham Road in Stapleford and if the terms of the notice were not complied with action would be taken to prosecute.
- The fence at 39 Oatlands Avenue at Bar Hill had been removed.
- A trial date of 31 July 2006 had been set, regarding Vatches Barn on Comberton Road, Barton.
- There had been a breach of the enforcement notice served on the former Plough Public House in Fen Drayton.

An appeal had been received with regard to the enforcement notice served on plot 17 on Pine View, Smithy Fen, Cottenham.

32. MOOR DROVE, HISTON

This item had not been published with the original agenda and, therefore, had not been in the public domain for the statutory period. However, in view of the timescales involved, the Chairman considered that waiting until the next scheduled meeting of the Development and Conservation Control Committee would be impractical, and agreed that the Committee should consider the report at this meeting on the ground of its urgency.

The Assistant Solicitor cautioned Members against predetermining the planning aspects of the case and reminded them that, should they decide to overturn their previous decision not to determine the application, they could be required to give evidence. She gave advice on the implications of paragraphs 45 and 46 of Circular 1/2006 in response to a

request from Councillor Kindersley.

Officers advised that, in their view, the application was a similar application to the previous one and, therefore, that the question as to whether or not there had been a significant change in the relevant considerations had to be considered. A number of Members gave their view that the application was similar.

A vote was taken and the Committee unanimously **AGREED** paragraph 46, which stated that the “ application was “similar” to the application rejected on appeal last year.”

Councillor Mason, a local Member for Histon, expressed his full agreement with the points raised in paragraph 47 and concluded that the objections which led to the rejection of the application on appeal a year ago had not lost any relevance.

A vote was taken and the Committee unanimously **AGREED** paragraph 47, which stated that “there has been no change in the physical circumstances of the site, nor in the nature of the development, with the result that none of the previous objections has diminished in force.”

The Deputy Director of Development Services asked the Committee to consider the impact of the new guidance on the new application and consider whether the Secretary of State would now take a different view. The Assistant Solicitor asked the Committee to consider whether the new guidance in Circular1/2006 significantly altered the weight of any planning consideration of importance in the original decision, especially as it was clear that there was unmet need for traveller sites.

Councillor Mason asserted that the Secretary of State’s view would be unaffected by the new guidance, as the access, harm to neighbours’ amenity, and green belt issues remained the same. Councillor Kindersley agreed with this assessment for the following reasons that were laid out in the report:

- Paragraph 18 detailed that County Highways had reaffirmed that access was unacceptable since the rejection of last year’s appeal;
- Paragraph 28 detailed that the Council’s officers still considered that it was inconceivable that the present site will be allocated as a permanent gypsy site;
- Paragraph 33 detailed that common sense and judicial authority determines that there are sites which are so unacceptable that the post-C1/2006 prospects of a grant of temporary planning permission are still remote;
- Paragraph 35 detailed that officers were still likely to recommend the refusal of the application, even accepting that significant weight has been given to the unmet need in the District.

A vote was taken and the Committee unanimously **AGREED** that the new guidance did not significantly alter the weight of any planning consideration of importance.

The Deputy Director of Development Services asked the Committee to consider whether the application sought to put pressure on the Council and whether the application was a “doubtful” case.

Councillor Mason stated that this application undoubtedly sought to put pressure on the Council. Councillor Kindersley agreed with this assessment, as the application was identical to the previously rejected application.

A vote was taken and the Committee unanimously **AGREED** that the present application

sought to put pressure on the Council in the manner suggested in paragraph 5 of Annex 2 of Circular14/91.

Members considered the second point raised in paragraph 50 of the Report, and voted that the points there raised would not cause them to determine the application.

Councillor Kindersley proposed and Councillor Mrs Roberts seconded that the Committee should not determine this application. A vote was taken and the Committee unanimously **AGREED** not to determine the application.

The Meeting ended at 5.20 p.m.
