

DEVELOPMENT AND CONSERVATION CONTROL COMMITTEE

At a meeting held on Wednesday, 7 January 2004 at 10.00 a.m..

PRESENT: Councillor Mrs JM Healey– Chairman
Councillor RGR Smith – Acting Vice-Chairman

Councillors	Dr DR Bard	CC Barker
	RE Barrett	JD Batchelor
	RF Bryant	R Driver
	G Elsbury	R Hall
	Mrs SA Hatton	SGM Kindersley
	Mrs JA Muncey	Mrs CAED Murfitt
	JA Nicholas	CR Nightingale
	Dr JPR Orme	JA Quinlan
	Mrs DP Roberts	NJ Scarr
	Mrs DSK Spink MBE	RJ Turner
	LJ Wilson	AW Wyatt MBE

Councillors RF Collinson, TJ Flanagan, Dr SA Harangozo, PL Stroude and Mrs LM Sutherland attended the meeting by invitation.

Apologies for absence were received from Councillors CJ Gravatt and JH Stewart.

1. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 3rd December 2003 copies of which had been made available electronically.

2. LIMITED LIABILITY (INFRASTRUCTURE) PARTNERSHIP

The Planning Policy Manager gave a PowerPoint presentation on the Infrastructure Partnership for the Cambridge Sub-Region.

The presentation addressed the following issues:

- Implementation challenges
- Vision for the Cambridge Sub-Region
- Housing completions 1991-2002 (actual against target)
- Infrastructure costs
- Interim Partnership arrangements
- Need for a 'delivery vehicle'
- Sub-regional approach
- Growth Area Funding
- SmartLIFE
- Partnership Structure
- Potential Board membership
- Next steps

The Planning Policy Manager explained that the Infrastructure Partnership had been established at the behest of central Government, but that it fell short of being a Development Corporation. Its overriding purpose was to help local authorities in the Cambridge Sub-Region meet the challenges posed by the high level of development planned for the area up to the year 2016.

In reply to concern that the Partnership would result in South Cambridgeshire District Council losing some of its planning powers, the Planning Policy Manager assured the Committee that the Council would play a pivotal role in co-ordinating such activities as ensuring that infrastructure was targeted at those areas where it was most needed. The Partnership would greatly assist the Council by enhancing the effectiveness of project planning, and by identifying, and sourcing, available funding. The Leader of Council confirmed that South Cambridgeshire District Council would remain the local planning authority for South Cambridgeshire.

In reply to concern that South Cambridgeshire District Council would be under-represented on the Board (given the projected level of development in the District compared to some other local authority areas within the Sub-Region), the Leader of Council explained that local authority representation on the Board had been determined by central Government.

The Chairman thanked the Planning Policy Manager for his presentation, and concluded by acknowledging that the Infrastructure Partnership would prove invaluable in helping to deliver the County Council's Structure Plan efficiently and effectively.

3. PLANNING APPLICATIONS

The Committee **RESOLVED** that the following applications be determined as recommended in the report of the Planning Director, or otherwise as stated below, and that, in all cases, the Planning Director be given delegated authority to finalise details of Conditions and reasons for refusal consistent with such determinations.

(1) S/2205/03/O - OAKINGTON

Erection of dwelling and carports on land adjacent to, and to the rear of, 27 Water Lane for the Executors of L W Wilson

APPROVED, as amended by drawing 001A date-stamped 4th December 2003, subject to the Conditions referred to in the report prepared by the Director of Development Services.

(2) S/2233/03/F - SHUDY CAMPS

Dwelling adjacent to Street Farmhouse, Main Street for Mr and Mrs Luckies

DELEGATED APPROVAL/REFUSAL, subject to satisfactory amended plans being received showing revisions to the design and siting of the dwelling and addressing the issue of flood risk.

(3) S/1895/03/O - COMBERTON

Erection of six houses and four flats on land off Milner Road, for Mrs M Morgan
DELEGATED APPROVAL, as amended by the tree survey and site layout plan date-stamped 19th November 2003 and by the revised site plan, subject to the prior completion of a Section 106 Legal Agreement securing the provision of affordable housing and an education contribution, and to the Conditions referred to in the report prepared by the Director of Development Services. Members requested officers to consider attaching an additional Condition regarding foul water drainage (should this be requested by Anglian Water) and to explore with Cambridgeshire County Council the feasibility of upgrading the footpath to the east of the site to a cycleway.

(Mrs Dorothy Morison, Chairman of the Planning Committee of Comberton Parish Council, addressed the meeting.)

(4) S/2181/03/F - COMBERTON

Extension and boundary fence at 7 Barton Road, Comberton for Mr and Mrs Munns
DELEGATED APPROVAL, in line with the amended recommendation contained in the

report prepared by the Director of Development Services, subject to the Conditions referred to therein and to consideration of an additional Condition relating to landscaping in view of the impact of the fence on Hines Lane.

(Mrs Dorothy Morison, Chairman of the Planning Committee of Comberton Parish Council, addressed the meeting.)

(5) S/2229/03/F - RAMPTON

Siting of eight caravans for gypsy families (eight pitches) Primrose Meadow, OSP 9586, Cow Lane for H Price

REFUSED, as recommended verbally by the Deputy Director of Development Services, because the application conflicted with Policies P1/2 and P5/4 of the Structure Plan, and Policy HG/29 of Local Plan No. 2. The Deputy Director of Development Services reported that the Police had concluded that there was no evidence that the applicant and his family had been intimidated, and that there were no other law and order issues that needed to be addressed. The local Head Teacher had expressed the view that there was no evidence that the applicant's children had been bullied at school. At its meeting on 23rd December 2003, the Panel established by the Travellers Consultative Group had considered all the available information, and accepted these assertions. The Committee expressed its gratitude to those officers who had been instrumental in dealing with the complex issues involved in this case.

(6) S/0827/03/F - DUXFORD

Erection of 12 dwellings following demolition of three dwellings (numbers 13, 15 and 23 Hunts Road) – land at Hunts Road for Nene Housing Society

APPROVAL, subject to no objections being received from the Council's Trees and Landscape Officer, and to the prior completion of a Section 106 Legal Agreement ensuring that the housing is only occupied by qualifying persons and secured in perpetuity for that purpose, to the Conditions referred to in the report prepared by the Director of Development Services, and to an additional Condition relating to surface water drainage.

(7) S/2203/03/F - DUXFORD

House at 9 Grange Road and land adjoining for T Mendham

REFUSED for the reason set out in the report prepared by the Director of Development Services.

RESOLVED to issue an Enforcement Notice requiring the number and position of dormer windows on the front elevation of the dwelling to accord with the scheme approved under Planning Reference S/2385/02/F with a one month compliance period.

(8) S/2110/03/LB AND S/2111/03/F - GAMLINGAY

Dismantling of existing front boundary wall and rebuilding with new coping, railings, matching front entrance gate and replacement of vehicular gates with framed, ledged and braced timber gates. Charnock House, 30 Church Street, for Mr P Haith.

DELEGATED APPROVAL, as amended by letter dated 14th November 2003 and the enclosed drawing, date-stamped 4th December 2003, subject to the applicant agreeing

- (a) to keep the finials simple
- (b) to use a style of bricks acceptable to the Local Planning Authority, but not new stock
- (c) to ensure that the gates and railings match each other in appearance and to the Conditions referred to in the report prepared by the Director of Development Services.

(9) S/2276/03/F - GAMLINGAY

Extensions, 1 Honey Hill for Mr and Mrs Vanstone

DELEGATED APPROVAL/REFUSAL, subject to the applicants agreeing to modifications required by the Local Planning Authority in respect of the form of the structure and to the

width and height of the roof and eaves.

(10) S/1614/03/F - GREAT SHELFORD

Erection of 13 dwellings and garages following demolition of existing buildings - Tunwells Close, Tunwells Lane for Hubert C Leach Ltd

DELEGATED APPROVAL, as amended by drawings date stamped 14th November 2003 and landscaping/tree protection plan date stamped 27th November 2003, subject to

- the receipt of street scene elevations for Plot 10
- amended plans to delete the wall at the rear of Plot 8
- the Conditions referred to in the report prepared by the Director of Development Services, with Condition 10 being revised so as to include the words "...other than..." between the words "...period..." and "...between..."

(11) S/1559/03/F - HISTON

Erection of 57 dwellings (including 17 Affordable dwellings) on land off Chivers Way (Accessed Off Kay Hitch Way), for Taylor Woodrow Development Ltd

REFUSED unanimously for the reasons outlined in the report dated 10th November 2003 from Atkins Highways and Transportation

(Mr Mike Mason, a member of Histon Parish Council, addressed the meeting.)

(12) S/2180/03/F - IMPINGTON

Extension at no. 4 Villa Road for Mr and Mrs A. Duncan

REFUSED for the reasons set out in the report prepared by the Director of Development Services.

(13) S/2231/03/F - LONGSTANTON

Extension, 76 Rampton Drift for Mr and Mrs Tommaso

REFUSED for the reason set out in the report prepared by the Director of Development Services.

(14) S/1848/03/F - KINGSTON

Erection of building for office and garage/store at Gamekeepers Cottage, Kingston Wood Manor for Mr and Mrs T Evans

REFUSED for the reasons set out in the report prepared by the Director of Development Services.

(15) S/2147/03/F - LITTLE EVERSDEN

Conversion of silos into dwelling, silos on land at Church Farm for Thos Banks & Partners

REFUSED for the reasons set out in the report prepared by the Director of Development Services.

(16) S/2025/03/O - GRAVELEY

Agricultural dwelling, Cottage Farm, Papworth Road for R Billings

The Committee noted that this application had been **WITHDRAWN**.

(17) S/2258/03/F - SAWSTON

House and two garages on land to the rear of 50 and 52 London Road for N Facer

APPROVAL, as amended by plans date stamped 18th December 2003 (not 1st and 12th December 2003 as stated in the report), subject to the Conditions referred to in the report prepared by the Director of Development Services.

(18) S/2141/03/F - TEVERSHAM

Erection of outbuilding providing swimming pool, changing rooms and ancillary facilities for private use, 2B Church Road, Teversham for Mr and Mrs A Willis

REFUSED for the reasons set out in the report prepared by the Director of Development

Services.

(Councillor Mrs DP Roberts declared a personal interest in this item, and withdrew from the Council Chamber.)

(19) S/2161/03/F - GULDEN MORDEN

Variation of Condition 2 of planning permission S/0994/02/F to retain the stables on a permanent basis, Cold Harbour Farm, for Ms H Flint

APPROVAL, subject to the Conditions referred to in the report prepared by the Director of Development Services.

(20) S/1215/03/F - LITTLE WILBRAHAM

Erection of seven houses (including two Affordable units), Rectory Farm site, Rectory Farm Road for R and H Wale Ltd

REFUSED, contrary to the recommendation contained in the report prepared by the Director of Development Services. Members took the view that there was a need for 50% Affordable Housing (three units) on this site, that there should be one entrance only, that some redesign and/or siting of the units was necessary, and that the two clunch barns should be retained in order to achieve a satisfactory form of development.

(Mr M Crisp, Chairman of Little Wilbraham Parish Council, addressed the meeting.

Councillor RJ Turner declared a prejudicial Interest in this item, and withdrew from the Chamber.)

(21) S/2241/03/F - WILLINGHAM

Two dwellings (revised design), Plots 26 and 30, land to the west of High Street for Bovis Homes Ltd

REFUSED for the reasons set out in the report prepared by the Director of Development Services.

4. UPDATE ON APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

The Committee noted the following from the Planning Director's report.

- Decisions notified by the Secretary of State
- Summaries of recent decisions of interest

In connection with 307 Huntingdon Road, Cambridge, the Deputy Director of Development Services informed Members that the Secretary of State's decision to approve the application was now being challenged by a third party. Some Members regretted that the Council had not sought itself to challenge the decision. The Portfolio Holder for Planning and Economic Development observed that the overriding issue was not whether or not the purpose behind the application was in the national interest or not, but whether or not the laboratory was being proposed in the most suitable location.

- Appeals received
- Local Inquiry and Informal Hearing dates scheduled before the next meeting of the Committee on 4TH February 2004
- Appeals withdrawn or postponed
- Advance notification of future local inquiry and Informal Hearing dates (subject to postponement or cancellation)

5. ENFORCEMENT ACTION PROGRESS REPORT

Mr David Brock, Solicitor with Messrs Mills and Reeve (Solicitors), summarised the steps

taken by his Firm, on behalf of the Council, between Christmas 2003 and 5th January 2004 to issue and partially serve an injunction on certain named and unnamed persons on an unlawful Travellers encampment at Histon.

Mr Brock confirmed that

- the Injunction obtained at Histon was an interim measure, subject to a full Hearing in due course. Those subject to the interim Injunction could apply for a Stay, or for discharge of it.
- there was a hierarchy of land where Injunctions were appropriate. It was necessary to balance the degree of environmental harm with the inconvenience caused to, and the status of, those in breach of planning law. The qualitative nature of the land in question was just one of many factors that had to be taken into account.
- the matter would remain with the High Court in London, and would not be transferred to the District Registry in Cambridge.
- the Injunction had been issued, and was therefore in force. It would take effect once it had been duly served on all those affected by it.

The Committee **NOTED** an Index of current Enforcement Cases and a report, dated 7th January 2004, detailing progress being made with Enforcement Action. A number of issues raised by Members were clarified by officers.

On behalf of those present, the Chairman expressed her gratitude for the work undertaken by Mr Brock on behalf of South Cambridgeshire District Council, and for the involvement of Council officers, particularly over the Christmas and New Year break.

6. PROPOSALS TO REFORM PLANNING OBLIGATIONS

The Committee considered a report on the Consultation document entitled *Contributing to Sustainable communities – a new approach to Planning Obligations: a consultation on proposals to reform Planning Obligations*, published by the Office of the Deputy Prime Minister in November 2003.

The Development Control Quality Manager highlighted the Officer comments contained in paragraphs 11 to 15 of the report prepared by the Director of Development Services, and summarised representations made to the ODPM by the Limited Liability (Infrastructure) Partnership.

It was **RESOLVED** that the comments contained in paragraphs 11 to 15 inclusive of the report prepared by the Director of Development Services be endorsed and forwarded to the Office of the Deputy Prime Minister, and that the ODPM be informed also that, as a member of the Limited Liability (Infrastructure) Partnership for Cambridgeshire, South Cambridgeshire District Council fully supported the representations made by that organisation.

7. REFUSE COLLECTION SERVICE - REFUSE DESIGN GUIDE

The Committee received a draft document entitled *South Cambridgeshire District Council: Planning Design Guide* for the storage of solid waste in new developments.

However, due to the complexities involved, and the late stage of the meeting at which this point of the agenda had been reached, Councillor SGM Kindersley proposed that consideration of the issues be deferred until the Committee meeting on 4th February

2004.

Councillor Kindersley also requested that parish councils be consulted about the Design Guide. The Development Control Quality Manager pointed out that, in order to give parish councils sufficient time to consider, and respond to, the Design Guide, it would be necessary to defer consideration by the Development and Conservation Control Committee until its meeting on 3rd March. This would enable officers properly to collate and report to Members comments received from parish councils. Councillor CC Barker, Portfolio Holder for Environmental Health, stated that it was imperative that the issues be discussed at the earliest opportunity so that developers could be given guidance on the refuse factors they needed to take into account when building new dwellings. He urged, therefore, deferral of no longer than one month. It was agreed that individual Members of Council should decide for themselves whether or not to consult their local parish councils over the Design Guide.

It was **RESOLVED** that consideration of the document entitled *South Cambridgeshire District Council: Planning Design Guide* for the storage of solid waste in new developments, together with the covering report from the Director of Development Services, be deferred until the meeting of Development and Conservation Control Committee to be held on 4th February 2004.

8. **CAMBOURNE SECTION 106 LEGAL AGREEMENT - FACILITIES AND TIMING OF PROVISION**

The Committee considered a report on the lack of provision of certain facilities required to be provided at Cambourne as a result of the Section 106 Agreement dated 20th April 1994.

Members noted that the Scrutiny Committee had agreed that the Council's stance should be that no further permissions for market housing should be granted at Cambourne until the Community Centre, Multi-Use Games Area (MUGA) and Burial ground had been provided.

The New Village/Special Projects Officer (Cambourne) summarised comments received from the Project Director representing the developers of Cambourne on progress being made in providing those facilities that had not been provided to date.

It was **RESOLVED** that the Council's approach, outlined in the report from the Director of Development Services, be endorsed, and that a further progress report be presented to Members at the meeting of the Development and Conservation Control Committee to be held on 4th February 2004.

The Meeting ended at 6.03 p.m.
