

## DEVELOPMENT AND CONSERVATION CONTROL COMMITTEE

At a meeting of the Committee  
held on Wednesday, 7 July 2004 at 10.00am

Councillors:	RE Barrett	DH Morgan
	JD Batchelor	Mrs JA Muncey
	RF Bryant	Mrs CAED Murfitt
	Mrs PS Corney	CR Nightingale
	SM Edwards	Dr JPR Orme
	R Hall	EJ Pateman
	Mrs SA Hatton	A Riley
	Mrs JM Healey	Mrs DP Roberts
	Mrs EM Heazell	NJ Scarr
	HC Hurrell	RGR Smith
	SGM Kindersley	RJ Turner
	RB Martlew	NIC Wright
	MJ Mason	SS Ziaian-Gillan

Councillors Dr DR Bard, Mrs J Dixon, Mrs CA Hunt, Mrs DSK Spink MBE, JH Stewart and TJ Wotherspoon sent their apologies for absence.

### 1. ELECTION OF CHAIRMAN

Councillor RF Bryant, Chairman of Council, took the Chair at the beginning of the meeting, and paid tribute to the high profile, which Councillor Mrs JM Healey had given the Development and Conservation Control Committee during her three years as its Chairman.

Councillor Mrs JM Healey nominated Councillor RGR Smith as Chairman of the Committee. Councillor SGM Kindersley seconded this nomination.

There being no other nominations, it was

**RESOLVED** that Councillor RGR Smith be elected Chairman of the Development and Conservation Control Committee for the coming year.

Councillor RGR Smith took the Chair, endorsed the comments of the Chairman of Council, and conveyed his good wishes to Councillor JH Stewart, who had declined the opportunity to stand for the Chairmanship, having served as Vice-Chairman during the past 12 months.

### 2. APPOINTMENT OF VICE-CHAIRMAN

Councillor RF Bryant nominated Councillor Dr JPR Orme as Vice-Chairman of the

Committee. Councillor JD Batchelor seconded this nomination.

Councillor Mrs JA Muncey nominated Councillor CR Nightingale as Vice-Chairman of the Committee. Councillor RJ Turner seconded this nomination.

Councillor Mrs DP Roberts nominated Councillor Mrs SA Hatton as Vice-Chairman of the Committee. Councillor SM Edwards seconded this nomination.

Upon a secret ballot being conducted, the votes cast were as follows:

Councillor Dr JPR Orme	- 13 votes
Councillor Mrs SA Hatton	- 8 votes
Councillor CR Nightingale	- 5 votes

As no candidate had secured more than 50% of the votes cast, Councillor CR Nightingale was eliminated from the contest and a second secret ballot was conducted. The votes cast in this second ballot were as follows:

Councillor Dr JPR Orme	- 18 votes
Councillor Mrs SA Hatton	- 8 votes

**RESOLVED** that Councillor Dr JPR Orme be appointed Vice-Chairman of the Development and Conservation Control Committee for the coming year.

### **3. MINUTES OF THE PREVIOUS MEETING**

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 2<sup>nd</sup> June 2004, copies of which had been included in the agenda for the Annual Council meeting on 24<sup>th</sup> June 2004.

### **4. APPOINTMENTS TO THE TRAVELLERS CONSULTATIVE GROUP**

**RESOLVED** to recommend to the Cabinet

That the Leader of the Council (Councillor Mrs DSK Spink) become an ex-officio member of the Travellers Consultative Group.

**RESOLVED**

- (1) that the Chairman of the Development and Conservation Control Committee become an ex-officio member of the Travellers Consultative Group, with the Vice-Chairman of the Development and Conservation Control Committee becoming an ex-officio substitute for the Committee Chairman; and
- (2) that Councillors MJ Mason and TJ Wotherspoon be appointed to the Travellers Consultative Group by the Development and Conservation Control Committee.

### **5. S/0574/04/F - HEYDON**

**REFUSED** contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members acknowledged that the proposed house was acceptable, but took the view that, by virtue of its height, bulk and position, the proposed garage/annexe building would be unduly overbearing in the street scene and would create a 'tunnelling effect' along this section of Fowlmere Road. It would thereby be out of keeping with the character and appearance of development on the west side of Fowlmere Road and would neither preserve nor enhance the character and appearance of the Conservation Area.  
(Councillor Mrs Harris, Vice-Chairman of Heydon Parish Council, addressed the meeting.)

**6. S/1018/04/F - GREAT SHELFORD**

**DEFERRED** to enable more information to be sought about the application and for a site visit.

**7. S/0840/04/F - PAMPISFORD**

Members were **MINDED TO APPROVE** the application, contrary to the recommendation contained in the report from the Director of Development Services, subject to no objections being raised by the Highways Agency, it being referred to the Secretary of State, and not being called in by him for determination. Having visited the site, Members took the view that this was an appropriate location for the particular proposal, notwithstanding its location in the Green Belt, because they considered that kennels/catteries were an essential part of the service infrastructure. The proposal would go some way towards meeting an unmet demand in the area; away from residential properties, was appropriate for kennels/cattery buildings; and, importantly, would not detract from the openness or rural character of the Green Belt. The proposal therefore did not materially conflict with either Policy P9/2a of the Cambridgeshire and Peterborough Structure Plan 2003 or Policy GB2 of the South Cambridgeshire Local Plan 2004.

**8. S/0989/04/F - STEEPLE MORDEN**

Members were **MINDED TO APPROVE** the application, in accordance with the recommendation contained in the report from the Director of Development Services. Such approval would be subject to the proposal being advertised as a departure from the Development Plan, being referred to the Secretary of State, and not being called in by him for determination. Approval would be for the reasons set out in the report from the Director of Development Services and subject to the Section 106 Legal Agreement and Conditions referred to therein, and to a further Condition requiring that an archaeological assessment be carried out. Councillor Mrs CAED Murfitt, the local Member, expressed her appreciation of the high level of service and assistance given to the village in the past couple of years by the Area 4 Planning Officer and his team. (Councillor S Travers-Healy from Steeple Morden Parish Council addressed the meeting, and endorsed the comments of Councillor Mrs Murfitt.)

**9. S/0445/04/F - LANDBEACH**

**REFUSED**, contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that the proposal represented an inappropriate use in the Green Belt, which would have an adverse effect on the rural openness and character of the countryside in the Green Belt. It conflicted, therefore, with Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE9 and GB/2 of the South Cambridgeshire Local Plan 2004. The Committee also **RESOLVED** to take appropriate enforcement action. A Member asked officers to investigate the height of the fence along the northern, eastern and southern boundaries.

**10. S/0607/90/F - LITTLE GRANSDEN**

**DELEGATED APPROVAL** in accordance with the recommendation contained in the report from the Director of Development Services.  
(Councillor SGM Kindersley declared a personal interest as Clerk to Hatley Parish Council.)

**11. S/1051/04/F - BAR HILL**

This item had been **WITHDRAWN** from the agenda, having been determined in accordance with delegation procedures.

**12. S/0578/04/F - SHEPRETH**

**REFUSAL** for the reason set out in the report from the Director of Development Services.

**13. S/0593/04/O - BASSINGBOURN-CUM-KNEESWORTH**

**DELEGATED APPROVAL** of outline consent, subject to the prior completion of a Section 106 Legal Agreement securing the provision of affordable housing and an education contribution, and to safeguarding Conditions.  
(Councillor RGR Smith declared a personal interest as an adjacent landowner.)

**14. S/0470/04/F - BOURN**

Unconditional **APPROVAL** for the reasons set out in the report from the Director of Development Services.

**15. S/2570/03/F - CAXTON**

**APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the Condition referred to therein and an additional Condition prohibiting karting from taking place on auction days. Members asked officers to explore, with the applicant, the use of appropriate advance-warning information boards.

**16. S/6232/04/RM - CAMBOURNE**

**DELEGATED APPROVAL** of amended drawings date stamped 24<sup>th</sup> May 2004, for the reasons set out in the report from the Director of Development Services, subject to the prior completion of a Section 106 Legal Agreement and to the Conditions referred to therein. Members asked officers to discuss with the Local Education Authority the issue

of the adequate provision of education places within the village.

**17. S/1895/03/O - COMBERTON**

**DELEGATED APPROVAL** of site plan date stamped 18<sup>th</sup> December 2003 and layout plan date stamped 22<sup>nd</sup> January 2004 for the reasons set out in the report from the Director of Development Services, subject to the prior completion of a Section 106 Legal Agreement securing the provision of affordable housing and the requested educational contribution, to the Conditions referred to in the report, and an additional Condition prohibiting the operation of powered equipment in the evenings and at weekends during the construction period.

**18. S/0701/04/F - COTTENHAM**

**APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

**19. S/0560/04/F - GAMLINGAY**

**DELEGATED APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the receipt of an amended layout plan showing sufficient space for landscaping on the northern boundary, the comments of the Local Highways Authority and the Conditions set out in the report.

**20. S/2194/01/F - GAMLINGAY**

**DEFERRED**, in line with the amended recommendation of the Director of Development Services, in order to explore the proposal's impact on ecology, access and the risk of flooding, and to evaluate the result of consultation on the revised drawings.

**21. S/2193/01/F - GAMLINGAY**

**DEFERRED** pending the results of outstanding consultations and the work required in respect of application reference S/2194/01/F (Minute no. 20 above refers).

**22. S/0934/03/F - CALDECOTE**

**DEFERRED** to enable officers to investigate, together with the Environment Agency, the issue of storm water drainage.

**23. S/0951/04/F - HISTON**

**REFUSED** for the reasons set out in the report from the Director of Development Services presented to the Committee at its meeting on 7<sup>th</sup> April 2004. The proposal to allow lunchtime takeaway sales on a permanent basis was defeated by 13 votes to seven. The proposal to allow evening takeaway sales on a trial basis was defeated by 18 votes to three with two Members not voting..

(Councillor Max Parish, Chairman of Histon Parish Council, addressed the meeting. Councillor R Hall declared a personal Interest because of the close proximity of his house to that of the local representative of the Federation of Small Businesses.)

**24. S/1066/04/F - LONGSTANTON**

**DEFERRED** for a site visit.

(Councillor A Riley declared a personal interest as having voted on this application when it was considered by Longstanton Parish Council.)

**25. S/1122/04/O - LONGSTANTON**

**DELEGATED APPROVAL** of amended plans, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and to the applicant being informed of the need to safeguard the Ash tree from development.

(Councillor A Riley declared a personal interest in this item as having contributed to the consideration of the application by the Parish Council.)

**26. S/0891/04/A - FEN DITTON**

**DELEGATED APPROVAL** of Sign H, subject to the applicant agreeing to install down-lighting and to the standard advertisement Conditions referred to in the report from the Director of Development Services.

Signs K and L **REFUSED** for the reasons referred to in the report from the Director of Development Services.

Sign B **REFUSED**, contrary to the recommendation contained in the report from the Director of Development Services, for the reasons stated therein for refusing consent for Signs K and L.

**27. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

The Committee **NOTED** the following from the report prepared by the Director of Development Services:

- Decisions notified by the Secretary of State

The Deputy Director of Development Services informed Members that this Council's record of winning appeals exceeded the national average. A significant reason for this was that the Authority regularly updated its planning policies.

- Summaries of recent decisions of interest
- Appeals received
- Local Inquiry and Informal Hearing dates scheduled before the Committee's next meeting on 4<sup>th</sup> August 2004
- Appeals withdrawn or postponed
- Advance notification of future local inquiry and Informal Hearing dates (subject to postponement or cancellation)

**28. PLANNING TOUR OF THE NORTH OF THE DISTRICT**

Members noted that the last tour, on 9<sup>th</sup> September 2002, had focused on new development in the south of the District. It was

**RESOLVED** that a tour of new development in the north of the District be arranged to take place on 14<sup>th</sup> September 2004, starting at 10.00am.

## **29. ENFORCEMENT ACTION - PROGRESS REPORT**

The Committee **NOTED** an Index of current Enforcement Cases and a report, dated 7<sup>th</sup> July 2004, detailing progress being made with Enforcement Action.

For the benefit of new Members, the Deputy Director of Development Services explained that John Koch, Appeals Officer, was responsible, at Appeal Hearings, for giving evidence as a witness on behalf of South Cambridgeshire District Council.

In connection with 19/03 (Moor Drove, Cottenham Road, Histon), and following discussion by Members, the Enforcement Officer emphasised the importance of considering the outcome of the public inquiry on 10<sup>th</sup> August 2004 before taking further action.

## **30. 01/04/SC - 2 ERMINE STREET NORTH, PAPWORTH EVERARD**

The Committee considered a report on Tree Preservation Order 01/04/SC, which had been made in Papworth Everard, under delegated powers, on 28<sup>th</sup> April 2004.

As the Council had not received any objections to the provisional Order within the permitted period, it was

**RESOLVED** that Tree Preservation Order 01/04/SC at 2 Ermine Street North, Papworth Everard be confirmed without modification.

## **31. 02/04/SC - 4 ORCHARD ROAD, HASLINGFIELD**

The Committee considered a report on Tree Preservation Order 02/04/SC, which had been made in Haslingfield, under delegated powers, on 28<sup>th</sup> April 2004.

The Council had received one objection to the provisional Order within the permitted period. A site visit, involving the then Chairman of the Development and Conservation Control Committee (Councillor Mrs JM Healey), the local Member (Councillor Mrs EM Heazell) and the Trees and Landscape Officer thus took place on 23<sup>rd</sup> June 2004. In line with the recommendation from that site visit, it was

**RESOLVED** that Tree Preservation Order 02/04/SC at 4 Orchard Road, Haslingfield be confirmed without modification.

## **32. CAMBOURNE SECTION 106 AGREEMENT - FACILITIES AND TIMING OF PROVISION**

The Committee received a further report on progress being made by the Developers of Cambourne in complying with their obligations under the Section 106 Legal Agreement

dated 20<sup>th</sup> April 1994.

The Senior Planning Assistant gave a verbal update.

**RESOLVED** that the Council reaffirm its stance in relation to seeking substantial compliance with the Section 106 Legal Agreement dated 20<sup>th</sup> April 1994, and that the Development and Conservation Control Committee request a further update at its next meeting on 4<sup>th</sup> August 2004.

**33. DEPARTMENT OF THE ENVIRONMENT CIRCULAR 8/93 - AWARD OF COSTS IN PLANNING AND OTHER ( INCLUDING COMPULSORY PURCHASE ORDER ) PROCEEDINGS**

The Committee **NOTED** the contents of this Circular, published on 29<sup>th</sup> March 1993.