

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

Minutes of a meeting of the Planning Committee held on  
Wednesday, 4 November 2015 at 10.00 a.m.

PRESENT: Councillor Lynda Harford – Chairman  
Councillor David Bard – Vice-Chairman

Councillors: Brian Burling Anna Bradnam  
Kevin Cuffley Sebastian Kindersley  
Charles Nightingale Deborah Roberts  
(substitute)  
Tim Scott Ben Shelton  
Robert Turner

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), Gary Duthie (Senior Lawyer), John Koch (Planning Team Leader (West)), Karen Pell-Coggins (Principal Planning Officer), Tony Pierce (Interim Development Control Manager), Ian Senior (Democratic Services Officer), Paul Sexton (Principal Planning Officer (West)), Charles Swain (Principal Planning Enforcement Officer), David Thompson (Principal Planning Officer), Rebecca Ward (Senior Planning Officer) and Andrew Winter (Senior Planning Officer)

Councillor Bridget Smith was in attendance, by invitation.

### **1. APOLOGIES**

Councillors Des O'Brien and Pippa Corney sent Apologies for Absence. Councillor Charles Nightingale substituted for Councillor O'Brien.

### **2. DECLARATIONS OF INTEREST**

An interest was declared as follows:

Councillor David Bard	Non-pecuniary interest in respect of Minute 5 (S/1515/15/OL) in Sawston as having discussed the application with Sawston Parish Council and the developers. Councillor Bard was considering the matter afresh.
Councillor Kevin Cuffley	Non-pecuniary interest in respect of Minute 5 (S/1515/15/OL) in Sawston as having discussed the application with Sawston Parish Council and the developers. Councillor Cuffley was considering the matter afresh.
Councillor Lynda Harford	Non-pecuniary interest in respect of Minute 8 (S/1497/15/OL) in Dry Drayton as the local Cambridgeshire County Councillor having attended various meetings and given technical advice only. Councillor Harford was considering the matter afresh.

Councillor Sebastian Kindersley

Non-pecuniary interest in respect of Minute 7 (S/1338/15/OL) in Gamlingay as having discussed the application with Gamlingay Parish Council and the developers. Councillor Kindersley was considering the matter afresh.

### 3. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 7 October 2015.

The Chairman had not yet signed the minutes of the meeting held on 2 September 2015 although given authority to do so. A significant drafting error had been identified, and corrected as follows:

#### **S/1291/15/FL - Horseheath (The Stables, Haverhill Road)**

##### **Deleted**

The Committee **approved** the application subject to the Conditions and Informative set out in the report from the Planning and New Communities Director, and an additional Condition removing Permitted Development Rights.

##### **Replacement text**

The Committee gave officers **delegated powers to approve** the application subject to the satisfactory completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the immediate payment of financial contributions in respect of indoor community facilities and public open space, and the Conditions set out in the report from the Planning and New Communities Director, amended as follows

- (i) Within six months of the date of the decision, full details of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- (j) The soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out within six months of the date of the decision or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

#### 4. PROPOSED DIVERSION OF PUBLIC FOOTPATH NO. 1 (PART) IN HAUXTON

The Asset Information Definitive Map Officer explained what the process was for making a Footpath Diversion Order in general. The developer would carry out informal consultation to help inform Cambridgeshire County Council about any likely objections. Once an Order had been made, Notices of such would be placed in local Newspapers and on site. This triggered a four-week consultation period, during which formal objections could be made.

Councillor Deborah Roberts expressed concern about the risk of flooding, and asked whether the County Council had considered alternative routes. In reply, the Asset Information Definitive Map Officer said that the Council could only consider the route applied for.

Councillor Janet Lockwood (local Member) addressed the meeting. She said that she was now satisfied that the correct process had been followed. The flood mitigation measures put in place would address the majority of flood events.

The Committee instructed officers to inform Cambridgeshire County Council that South Cambridgeshire District Council, as Order Making Authority,

1. **authorises** the County Council, as agent for the District Council, to make an Order diverting part of the Public Footpath No.1 Hauxton, as requested by the applicant; and
2. **requests** the County Council to inspect the final route, in its capacity as Local Highways Authority, and certify that route to be satisfactory before the Order comes into effect.

#### 5. S/1515/15/OL - SAWSTON (MILL LANE)

Members visited the site on 3 November 2015.

Dr. Alan Whitworth (objector) and Peter McKeown (applicant's agent) addressed the meeting. Dr. Whitworth voiced objections on the basis of road safety, the access road and damage to protected trees, and flood risk. Mr McKeown summarised the application, outlining a number of key factors. With regard to the access road remaining private, it was explained that it was constructed from a material that the Local Highways Authority was reluctant to adopt. It was confirmed that, although discussions were ongoing with Registered Providers (of affordable rented housing), no such RP had yet been signed up.

Following discussion by Members, the Committee gave officers **delegated powers to approve** the Outline application (as amended) subject to the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990, securing appropriate developer contributions that are compliant with Community Infrastructure Levy Regulations, the Conditions referred to in the report from the Planning and New Communities Director, and presentation, in due course, of the Reserved Matters application for determination by the Planning Committee.

#### 6. S/1795/15/FL - LINTON (3 WHEATSHEAF WAY)

Enid Bald (Linton Parish Council) addressed the meeting. She welcomed the creation of small dwellings, which were much needed in the village.

The Committee **approved** the application subject to the Conditions and Informative set out

in the report from the Planning and New Communities Director.

**7. S/1338/15/OL - GAMLINGAY (LAND SOUTH OF WEST ROAD)**

Members visited the site on 3 November 2015.

Mr. McLeod (objector), Jake Nugent (applicant's agent), Councillor Sarah Groom (Gamlingay Parish Council) and Councillor Bridget Smith (a local Member) addressed the meeting. Mr. McLeod was principally concerned by the potential overbearing impact of the proposed development on land that had not been identified for housing in the Local Plan. Councillor Groom's concerns surround design, damage to the Conservation Area and setting of Listed Buildings, negative impact, increased traffic, increased maintenance burden on the Parish Council, and unsustainable nature of the proposal. Councillor Smith informed the Committee that Gamlingay was currently working on its Neighbourhood Plan, and said the residents' quality of life should be protected from speculative development.

Councillor Sebastian Kindersley (the other local Member and a member of the Planning Committee) voiced concerns about massing, bulk and the out-of-keeping nature of the proposal, traffic and adverse residential amenity.

Following further discussion, the Committee **refused** the application contrary to the recommendation in the report from the Planning and New Communities Director. Members agreed the reasons for refusal as being

1. The failure of the application either to preserve or enhance the adjacent Conservation Area and setting of the Listed Buildings in Mill Street;
2. The adverse impact on the residential amenity of occupiers of properties in Church Street, Cinques Road, Green Acres, Mill Street, West Road and Wootton Field; and
3. The adverse visual impact of the development on the surrounding area due to its elevation and visual dominance.

**8. S/1497/15/OL - DRY DRAYTON (65 PETTITTS LANE)**

Members visited the site on 3 November 2015.

Robert Burton (objector) and Matt Hare (applicant's agent) addressed the meeting. Mr. Burton described the proposal as unacceptable encroachment on the separation between Dry Drayton and Bar Hill.

Openness of the Green Belt was seen as a material consideration.

The Committee **approved** the application subject to the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing Affordable Housing, and the Conditions referred to in the report from the Planning and New Communities Director.

**9. S/1527/15/FL - GULDEN MORDEN (THREE TUNS, HIGH STREET) - WITHDRAWN FROM THE AGENDA**

Members visited the site on 3 November 2015.

The Committee noted that this application had been **withdrawn** from the agenda.

**10. S/1500/15/FL - BOURN (GILLS HILL FARM, GILLS HILL)**

Members visited the site on 3 November 2015.

Mitchell Tredgett (applicant's agent) and Councillor Steve Jones (Bourn Parish Council) addressed the meeting. Mr Tredgett commended this "high quality" development as improving the appearance of a brownfield site. He pointed out the amount of affordable housing on offer amounted to 45%. Councillor Jones objected because, although the proportion of affordable housing was high, the number of bedrooms within the affordable element ought to be increased. He also regretted the fact that the affordable housing had not been "pepper potted" throughout the development, and that no financial contribution had been made towards the provision of a pedestrian crossing in the village. Nevertheless, Councillor Jones was grateful for the way in which the developer had engaged with the community.

Members discussed a number of issues, including the adequacy of affordable housing and the development's relationship with the rest of the village.

The Committee **approved** the application subject to the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing a footway / cycleway, onsite affordable housing, the provision and management of a Local Area for Play, the Conditions and Informatives referred to in the report from the Planning and New Communities Director and additional Conditions relating to surface water drainage and details of the attenuation basin.

**11. S/2088/15/FL - SWAVESEY (RYDERS FARM, MIDDLEWATCH)**

The Committee gave officers **delegated powers to approve** the application subject to the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing payment of a financial contribution towards off-site affordable housing, and the Condition referred to in the report from the Planning and New Communities Director.

**12. S/1601/15/VC - GIRTON (20 GIRTON ROAD)**

Emily Ceraudo (applicant) addressed the meeting.

The Committee **approved** the application subject to the Conditions referred to in the report from the Planning and New Communities Director.

**13. S106A - WHITTLESFORD (NEWTON ROAD)**

The Committee **considered** a report relating to the potential modification of a planning obligation linked to planning permission S/0761/14/FL for development at Newton Road, Whittlesford. This modification would incorporate, into the current Section 106 agreement, a 'Mortgagee in Possession' (MiP) clause, enabling the Registered Provider to borrow against the development so funding future schemes in its programme. Members were reminded that the planning application had been a departure from national and local policy requiring that affordable housing be provided on rural exception sites in perpetuity, and so must be made as an exception to policy, with details only being delegated to officers to resolve.

The Interim Development Control Manager drew Members' attention to paragraph 12 of the report from the Planning and New Communities Director.

## The Committee

1. **approved** the request to vary the Legal Agreement made under Section 106 of the Town and Country Planning Act 1990 for application S/0761/14/FL at 22 Newton Road, Whittlesford so as to include a Mortgagee in Possession clause;
2. gave officers **delegated powers to agree** the detailed wording, subject to no significant objections being received from Whittlesford Parish Council or the local Member; and
3. **directed** that, in the event of mortgage default, South Cambridgeshire District Council should be given first option to purchase the property on no less favourable terms and valuation than is sufficient to defray the funder's exposure.

### 14. **CONSULTATION ON AMENDMENTS TO THE CURRENT SCHEME OF DELEGATED POWERS FOR PLANNING DECISIONS.**

The Planning Committee **considered** a report on draft amendments to the current scheme of delegation, which forms part of the Council's Constitution.

In response to concern that Parish Councils needed to see the revised wording before further progress was made, the Chairman reminded the Committee that it was being invited solely to respond to consultation. The Interim Development Control Manager added that the Committee's comments would help to inform the report to the Planning Portfolio Holder's meeting on 17 November 2015, and said he would draw Parish Councils' attention to the existence of that report.

Following discussion among Members, the Planning Committee **endorsed** the proposals in principle, subject to the alternative option set out in the report being shared with Parish Councils.

### 15. **CONSULTATION ON REVIEW OF CAMBRIDGE FRINGES JOINT DEVELOPMENT CONTROL COMMITTEE TERMS OF REFERENCE TO DETERMINE CITY DEAL INFRASTRUCTURE SCHEMES**

The Planning Committee considered a report on the proposal that the Terms of Reference of the Cambridge Fringes Joint Development Control Committee (JDCC) be amended to include the determination of City Deal Infrastructure Schemes.

The Planning Committee **supported** the principle of the proposed changes to the Cambridge Fringes Joint Development Control Committee Terms of Reference, subject to:

1. Consultation with Cambridge City Planning Committee;
2. Endorsement by Cambridgeshire County Council Constitution and Ethics Committee; and
3. Formal approval by the three Councils – Cambridge City Council, Cambridgeshire County Council and South Cambridgeshire District Council.

### 16. **ENFORCEMENT REPORT**

The Committee **received and noted** an Update on enforcement action.

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

The Committee **received and noted** a report on Appeals against planning decisions and enforcement action.

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**The Meeting ended at 1.23 p.m.**

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