

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

At a meeting of the Development and Conservation Control Committee held on  
Friday, 13 May 2005 at 9.30 a.m.

PRESENT: Councillor Dr JPR Orme – Chairman  
Councillor NIC Wright – Vice-Chairman

Councillors:	Dr DR Bard	RE Barrett
	JD Batchelor	RF Bryant
	Mrs PS Corney	SM Edwards
	R Hall	Mrs SA Hatton
	Mrs JM Healey	Mrs EM Heazell
	Mrs CA Hunt	SGM Kindersley
	MJ Mason	Mrs CAED Murfitt
	CR Nightingale	EJ Pateman
	JA Quinlan	Mrs DSK Spink MBE
	JH Stewart	JF Williams
	Dr JR Williamson	SS Ziaian-Gillan

Councillor JA Hockney was in attendance, by invitation.

Apologies for absence were received from Councillors Mrs A Elsby, HC Hurrell, Mrs JA Muncey, A Riley, Mrs DP Roberts, RJ Turner and TJ Wotherspoon.

### **1. MINUTES OF PREVIOUS MEETING**

The Committee authorised the Chairman to sign, as correct records, the Minutes of the meetings held on 2<sup>nd</sup> March 2005 and 6<sup>th</sup> March 2005.

### **2. S/0530/05/F - HASLINGFIELD**

**APPROVAL**, as amended by plan no. SF.04./10/A date-stamped 25<sup>th</sup> April 2005, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein, expanded to require the provision sufficient space to allow vehicular access to and from the site, and turning thereon.

### **3. S/2379/01/O - IMPINGTON**

Report **NOTED** pending the presentation of a full report to the Development and Conservation Control Committee in July 2005.

Councillor JP Chatfield (a local Member) sent apologies for absence.

### **4. S/2604/04/F - IMPINGTON**

**DEFERRED** to enable further discussions to take place between the Local Planning Authority and applicant in connection with noise attenuation, design and road issues. Members asked officers to tell the applicant that this represented a final opportunity for it to present non-noise sensitive uses acceptable to the Local Planning Authority.

Councillor JP Chatfield (a local Member) sent apologies for absence.

### **5. S/0520/05/F - LINTON**

**APPROVAL** 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 covering the financial contribution to cover the cost of providing two additional places at Linton Village College and the Conditions referred to in the report, with an additional informative that the Local Planning Authority would consider this as the first part of any future development adjoining the site so as to secure an element of affordable housing and open space at that time.

**6. S/2445/03/F - LINTON**

Members noted that this application had been **WITHDRAWN** from the agenda.

**7. S/0475/05/O - LONGSTANTON**

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

**8. S/0200/05/F - MELBOURN**

**DELEGATED APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and to the prior completion of a Section 106 Legal Agreement revoking consent for the remainder of the works approved under consent Ref: S/0073/99/F.

Councillor JA Quinlan declared a prejudicial interest (and withdrew from the Chamber) by virtue of having acted in the past on behalf of the applicants in a professional capacity.

**9. S/0402/05/F - MELBOURN**

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

**10. S/0588/05/F - GT & LT CHISHILL**

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

**11. S/0587/05/F - ORWELL**

**APPROVAL**, contrary to the recommendation contained in the report from the Director of Development Services, with Members voting not to request a site visit beforehand. Members felt that the spacious nature of the site and its relationship to adjacent properties did not contravene Policy HG/12 of the South Cambridgeshire Local Plan 2004.

**12. S/0538/05/F - PAPWORTH EVERARD**

**APPROVAL**, contrary to the recommendation contained in the report from the Director of Development Services. Members felt that the variety brought about by the development would improve the street scene and would not contravene Policy HG/12 of the South Cambridgeshire Local Plan 2004. The two car parking spaces adjacent should be retained.

**13. S/0306/05/F - SAWSTON**

**DELEGATED APPROVAL / DELEGATED REFUSAL.** Approval if the application is amended so that the rear of the two-storey part of the extension projects no further back than the rear of No.10. Refusal if it is not so amended on the grounds that the development would lead to a loss of light to and be overbearing to No.10. Approval would

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

**14. S/0393/05/F - SAWSTON**

**DELEGATED APPROVAL**, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and to the prior receipt of a unilateral undertaking that there will not be any deliveries of vehicles to, or collection of vehicles from, the site by Heavy Goods Vehicles or low-loaders.

Cllr Dr DR Bard declared a personal interest as a family member had recently been a customer of the applicant.

**15. S/0313/05/F - TEVERSHAM**

**APPROVAL**, as amended by e-mail dated 8<sup>th</sup> April 2005, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

**16. S/0620/05/F - TEVERSHAM**

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

**17. S/0615/05/F - GT WILBRAHAM**

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

**18. S/0562/05/F - LT WILBRAHAM**

**APPROVAL** of amended plans as requested in paragraph 19 of the report from the Director of Development Services.

**19. S/0455/05/O - STOW-CUM-QUY**

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

**20. S/0524/05/F - LANDBEACH**

**REFUSED** for the reasons set out in the report from the Director of Development Services and an additional reason relating to the increase in traffic, resulting from the proposal, seeking to access a busy stretch of the A10.

**21. S/0391/05/F - WATERBEACH**

**DEFERRED** for a site visit.

**22. S/0462/05/F - WATERBEACH**

**REFUSED** contrary to the recommendation contained in the report from the Director of Development Services. Members considered the proposed layout to be poor in the context of the one on the adjacent site, that it was overbearing on the existing properties to the west, and that it did not represent the best use of land.

Councillor SGM Kindersley declared a prejudicial interest by virtue of being related to some of the Directors of the applicant company, and withdrew from the Chamber.

**23. S/0497/05/F - THRILOW**

On behalf of South Cambridgeshire District Council as a statutory consultee, the Committee **RESOLVED** to respond to consultation by Cambridgeshire County Council, by expressing serious concerns in relation to the adverse health impacts of the site, and particularly dioxin emissions, but making no other specific comments on this application. It was suggested that any permission should be conditional upon a reduction in the total tonnage of waste that can be processed each year at the site. The concerns raised by Councillor JA Quinlan (local Member) and local residents would also be conveyed to the County Council.

**24. S/0438/05/F - SHEPRETH**

**APPROVAL** contrary to the recommendation contained in the report from the Director of Development Services. Members felt that the proposal would not harm the viability of nearby stores or have an adverse impact on the area. There was adequate on-site parking. Access was reasonable. Members requested that Conditions be imposed restricting the consent to the first occupier of the premises and the property's use to that of furniture / soft furnishing retail.

**25. S/0543/05/F - BASSINGBOURN**

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

**26. S/0516/05/F - ELTISLEY**

**APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and an informative drawing attention to the public drain in the immediate vicinity of the proposal.

Councillor Mrs DSK Spink declared personal interests as an adjacent landowner and member of Eltisley Parish Council, although she had not contributed to the debate when that Parish Council had considered this application.

**27. S/6227/03/RM - GT CAMBOURNE**

**APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to Conditions relating, among other things, to those issues referred to therein.

**28. S/0483/05/F - CASTLE CAMPS**

**DELEGATED APPROVAL**, for the reasons set out in the report from the Director of Development Services, subject to the receipt of a landscaping scheme acceptable to the Local Planning Authority, to the Conditions referred to in the report, and to agreement over the species of trees to be planted.

**29. S/0551/05/F - COMBERTON**

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

Services, subject to the Conditions referred to therein, Condition 2 being expanded to require details of design and the extent of the hardstanding.

Councillor Dr SA Harangozo (the local Member) sent apologies for absence.

**30. S/0552/05/F - COMBERTON**

**APPROVED** for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein with Condition 2 being expanded to cover materials for the parking area.

Councillor Dr SA Harangozo (the local Member) sent apologies for absence.

**31. S/2412/04/F - COTTENHAM**

**APPROVAL**, as amended by letter and Flood Risk Assessment dated 14<sup>th</sup> March 2005 and referenced FRA02/3\_jed., for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

**32. S/0467/05/RM - DUXFORD**

Members noted that this application had been **WITHDRAWN**.

**33. S/1154/04/F- FULBOURN**

**APPROVAL** as amended by letter and Traffic Analysis dated 1<sup>st</sup> February 2005, and letter and Drawing No. 6799/SK002/A, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

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

**REFUSED** in line with officers' revised recommendation on the grounds of the unacceptable impact on the rural character of the countryside by virtue of removing the hedge, absence of an Environmental Impact Statement, the effect of aircraft noise, and adverse effect on views as people enter the village from Little Gransden and Hatley.

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

**REFUSED** contrary to officer recommendation. Members considered that the agricultural dwelling was no longer justified in the light of refusal of application no. S/2194/01/F.

**36. 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
- Appeals received
- Local Inquiry and Hearing dates scheduled before the next meeting on 1<sup>st</sup> June 2005
- Advance notification of future local inquiry and informal Hearing dates (subject to postponement or cancellation)

**37. APPEAL STATISTICS**

The Committee **NOTED** planning appeal statistics for the period from 1<sup>st</sup> January 2005 to 31<sup>st</sup> March 2005.

**38. ANTI-SOCIAL BEHAVIOUR ACT: 2003 - IMPLEMENTATION OF HIGH HEDGES PROVISIONS**

The Committee considered a report on the implications of the enactment of Section 8 of the Anti-Social Behaviour Act relating to high hedges' control and enforcement, and outlining a protocol for dealing with such complaints, until the full resource implications had been determined. The Council would not expect there to be any applications until at least September 2005, thus allowing individuals a three-month period in which to assess the implications of involving the Authority in such matters.

The Conservation Manager said that Section 8 should be seen as a last resort, with the Council encouraging the private resolution of neighbour disputes arising out of the presence of high hedges.

Members requested that parish councils be kept informed of any issues flowing from this part of the Act, short of formal consultation.

Members discussed the extent to which the legislation could be enforced, and concluded that it was not relevant in the case of root systems.

The Head of Legal Services commented on specific aspects of the proposed scheme of delegation.

It was **RESOLVED**

- (1) that the protocol for dealing with complaints about High Hedges, under Section 8 of the Anti-Social Behaviour Act 2003, as outlined in the report from the Director of Development Services, be endorsed;
- (2) that the scheme of delegation of powers to officers, as set out in Appendix 1 to the report be approved, subject to the removal of all references to the Head of Legal Services and Solicitors who, in the usual way, would be instructed by the Director of Development Services, if required; and
- (3) That a full refund be given of the fee paid where a Tree Preservation Order is placed on the hedge in question; and

It was **RECOMMENDED** that Cabinet

- (1) Sets a fee of £450 (to be reviewed annually) in respect of complaints under these provisions if there has been no formal mediation;
- (2) That, in the event of the number of received cases exceeding the equivalent of one day a week, assessed during an initial three-month period, a new post of a High Hedges Enforcement Officer be established, financed by the receipt of fees; and
- (3) That, In the event that formal mediation has been undertaken, there should be a reduction in the fee, equivalent to the costs incurred by attempting formal mediation, up to a maximum reduction of £150, subject to there being evidence of such formal mediation and the cost thereof.

**39. CAMBOURNE SECTION 106 LEGAL 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 Committee had lifted the “embargo” on issuing planning permissions for market housing at Cambourne at the March meeting, in order for the developers’ consortium to progress the legal matters associated with the provision of the trailer park. The Head of Legal Services reported verbally that construction of the trailer park was underway, and that ongoing negotiations were proving to be positive. He was confident that completion should take place by the end of June 2005.

It was **RESOLVED**

- (1) that the Council should not re-impose the embargo at this stage, but reaffirm its stance in relation to seeking substantial compliance with the Section 106 Legal Agreement dated 20<sup>th</sup> April 1994
- (2) that the situation be reviewed at the Committee’s meeting in August 2005.

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**The Meeting ended at 3.15 p.m.**

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