

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 6 April 2016 at 10.00 a.m.

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

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|--------------|-----------------------------|----------------------------------|
| Councillors: | Brian Burling | Anna Bradnam |
| | Pippa Corney | Sebastian Kindersley |
| | David McCraith (substitute) | Charles Nightingale (substitute) |
| | Des O'Brien | Deborah Roberts |
| | Tim Scott | Robert Turner |

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), Katie Christodoulides (Planning Officer), Gary Duthie (Senior Lawyer), Jane Green (Head of New Communities), John Koch (Planning Team Leader (West)), Ian Senior (Democratic Services Officer), Charles Swain (Principal Planning Enforcement Officer) and David Thompson (Principal Planning Officer)

Councillors Peter Topping were in attendance, by invitation.

1. APOLOGIES

Councillors Kevin Cuffley and Ben Shelton sent Apologies for Absence. Councillors David McCraith and Charles Nightingale were their respective substitutes.

2. DECLARATIONS OF INTEREST

In respect of Item 10 (S/2512/15/FL – Little Eversden), Councillor Sebastian Kindersley declared a non-pecuniary interest as Cambridgeshire County Councillor for the Gamlingay Electoral Division, which includes the Parish of Little Eversden).

3. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the minutes of the meeting held on 2 March 2016, subject to the following additions:

Minute 4 - S/1527/15/FL - Guilden Morden (Three Tuns 30, High Street)

At the end of the paragraph starting “The Chairman read out a statement from Kirk Saban...”, add a new sentence namely: “...Councillor Sebastian Kindersley said that, had Mr. Saban been present, he (Councillor Kindersley) would have asked him why he (Mr. Saban) was only worried now when The Three Tuns and King Edward VII pubs had competed with each other for 20 years.”

That paragraph would now read as follows: “The Chairman read out a statement from Kirk Saban (supporter of the officer recommendation, and Licensee of The King Edward VII in Guilden Morden for the last 20 years). The statement said that if the Three Tuns re-opened as a pub, there could be consequences leading to the closure of the King Edward VII pub. The action group had listed The Three Tuns as an asset of community value. The statement argued that the King Edward VII also played a significant role within the community. As a committed licensee, Mr Saban said there was simply insufficient trade to

support another pub in this village. Councillor Sebastian Kindersley said that, had Mr. Saban been present, he (Councillor Kindersley) would have asked him why he (Mr. Saban) was only worried now when The Three Tuns and King Edward VII pubs had competed with each other for 20 years.”

In the final paragraph, add the word “...unanimously...” between the words “...the Committee indicated...” and “...that the application...”.

4. S/1969/15/OL - LINTON, (HORSEHEATH ROAD) WITHDRAWN FROM AGENDA

Members visited the site on 5 April 2016.

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

5. S/2642/15/FL - ICKLETON (RECTORY FARM) WITHDRAWN

Members visited the site on 5 April 2016.

The Committee noted that this application had been **withdrawn by the applicant**.

6. S/2617/15/FL - ICKLETON (ABBEY FARM) WITHDRAWN

Members visited the site on 5 April 2016.

The Committee noted that this application had been **withdrawn by the applicant**.

7. S/2870/15/OL - OVER (LAND TO THE WEST OF MILL ROAD) WITHDRAWN FROM AGENDA

Members visited the site on 5 April 2016.

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

8. S/3223/15/FL - ORCHARD PARK (K1, TOPPER STREET)

Members visited the site on 5 April 2016.

Neil Murphy (applicant’s agent) and Ian Collins (Group Member) spoke jointly in support of the application.

Members were being asked only to determine affordable housing provision in relation to the additional four units, which had been added to the scheme by way of this application further to the existing outline consent

Councillor Sebastian Kindersley described the application as appropriate and exciting. The Committee also heard that, nationally, South Cambridgeshire District Council was one of only 11 Local Authorities currently promoting self-build and similar projects such as that contained in this application.

The Committee gave officers **delegated powers to approve** the application subject to:

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing
 - a. A financial contribution towards education;

- b. A financial contribution towards waste recycling and waste receptacles;
 - c. Affordable housing; and
 - d. An obligation to reduce car parking provision based on the establishment of a car club, but subject to extra demand for car parking from time to time
2. The Conditions set out in the report from the Planning and New Communities Director, subject to the following amendment and additions:

Condition amended:

- (k) Prior to commencement of any residential development, a detailed noise mitigation / insulation scheme for the residential units, to protect future occupants internally from Kings Hedges Road and the Cambridge Guided Busway traffic noise, shall be submitted to and approved in writing by the Local Planning Authority. The detailed noise attenuation / insulation scheme shall have regard to the internal noise levels recommended in British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice" and, in seeking to achieve the recommended levels, to the noise insulation of the composite building fabric, glazing areas, including the provision of sound attenuated alternative mechanical ventilation systems (or similar) to facilitate rapid / purging ventilation and thermal comfort / summer cooling requirements if the "reasonable" indoor ambient noise levels in BS 8233 cannot be achieved with a partially open external window (assuming a -13dB(A) external to internal reduction for a partially open window). The traffic noise attenuation / insulation scheme as approved shall be fully implemented prior to occupation and shall be retained thereafter and not altered without prior approval.
(Reason: To ensure that sufficient noise attenuation / mitigation is provided to all residential properties to protect future occupiers internally from the impact of traffic noise and safeguard the health, amenity and quality of life of future residents in accordance with paragraphs 109, 123 of the National Planning Policy Framework 2012 and Policy NE/15 Noise Pollution of the adopted Local Development Framework 2007.)

Conditions added

- (l) No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site during the construction period or relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details / scheme unless the local planning authority approves the variation of any detail in advance and in writing.
(Reason - To protect the occupiers of adjoining buildings (dwellings) from the effect of dust in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)
- (m) No development (including any pre-construction, demolition or enabling works) shall take place until a comprehensive construction programme identifying each phase of the development and confirming construction activities to be undertaken in each phase and a timetable for their execution submitted to and approved in writing by the Local Planning Authority in writing. The development shall subsequently be implemented in accordance with the approved programme unless any variation has first

been agreed in writing by the Local Planning Authority.
(Reason - To protect the amenities of residential properties in accordance with Policies NE/15, NE/16 and DP/6 of the adopted Local Development Framework 2007.)

3. The Informatives set out in the said report, subject to the following additions:

Bonfire informative

During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

General Informative

A 'catch all' informative could be attached advising the applicant to have consideration of South Cambridgeshire District Council Supplementary Planning Document - "District Design Guide: High Quality and Sustainable Development in South Cambridgeshire".

9. S/3202/15/FL - THRILOW (BACON FARMHOUSE, CHURCH STREET)

Members visited the site on 5 April 2016.

Chris Anderson (applicant's agent), Councillor Derek Pinner (Thriplow Parish Council) and Councillor Peter Topping (Local Member) addressed the meeting. An underlying concern was the impact on the Conservation Area.

Members were particularly concerned about future screening of the dwelling by new and existing hedging.

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

10. S/2512/15/FL- LITTLE EVERS DEN (CHURCH LANE)

Members visited the site on 5 April 2016.

Frank Rocca and Peter Bingley (objectors) and Councillor Clive Dalton (Parish Council) addressed the meeting. The major concerns related to traffic, and the precise siting of proposal's proximity to numbers 10 and 12 Church Lane.

During the course of the debate, the Senior Lawyer reminded Members that, should they consider it desirable to relocate the proposed building, they should either refuse the application before them, or defer.

The Planning Team Leader (West) clarified the meaning of "setting of the Listed Building". While Members considered this to mean views of the church, setting actually sought to protect the Listed Building itself rather than people. Similarly, setting was concerned with views both to and from the Listed Building, and impact upon it.

Members raised the following points:

- Policy compliance
- Location outside the village framework
- Five-year housing land supply

- Unsustainability of the location

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Upon the proposal of Councillor Deborah Roberts, seconded by Councillor Sebastian Kindersley, the Committee **deferred** the application so that officers could explore the potential for re-locating the proposal on site. This was in order to minimise the sole agreed adverse impact, namely the residential amenity of numbers 10 and 12 Church Lane, while preserving the setting of the Green Belt and adjacent Grade II* Listed Church. Members requested that the application be presented again to Committee for determination in due course.

11. **S/2396/15/PO - WILLINGHAM (LAND SOUTH OF BRICKHILLS)**

The Committee **approved** the modification to the Legal Agreement under Section 106 of the Town and Country Planning Act 1990 so that tenure mix in the affordable element of the scheme (six units) is divided as follows:

- 3 x affordable rent (50% of the affordable units)
- 3 x shared ownership (50% of the affordable units)

12. **PRE-APPLICATION AND TECHNICAL BRIEFING PROTOCOL**

The Committee approved the pre-application and technical briefing practice and protocol

13. **MEMBER TRAINING AND DEVELOPMENT, AND TECHNICAL BRIEFINGS**

The Committee considered a report setting out a proposed Member Training and Development Programme for 2016-17. The report invited Members to suggest further items for inclusion in both that Programme and the proposed Technical Briefings sessions.

The Committee **Approved** the Member Training and Development Programme and series of Technical Briefing.

14. **AMENDMENTS TO THE CURRENT SCHEME OF DELEGATED POWERS**

The Committee considered a report on proposed changes to the Scheme of Delegation, taking into account a recommendation from the Planning Portfolio Holder that the changes be endorsed.

Public consultation had been undertaken.

The Chairman emphasised that there was no intention to disenfranchise Parish Councils. Indeed, she welcomed the opportunity to improve the working relationship between such Councils and the Local Planning Authority. While there was some concern about the proposed changes, the Chairman said they would enhance the role of the Planning Committee.

Councillor Sebastian Kindersley welcomed what he described as a sensible scheme. He pointed out that it would remove some more minor items from Committee agendas, and allow Members to concentrate on more complex planning applications.

Councillor Anna Bradnam asked that there be greater clarity as to the list of material planning considerations.

Councillor Deborah Roberts asked that it be made clear that Parish Council requests that items be forwarded to the Planning Committee might be rejected.

Councillor Robert Turner thanked officers for their efforts in finalising the proposed Scheme, which would form part of the Council's Constitution.

The Committee

1. **Approved** the following changes to the current scheme of delegation:
 - a. to allow all decisions to be delegated other than those listed in Appendix A of the report;
 - b. that the time given for District Councillors to request an application be considered by Planning Committee is extended from 21 to 28 days; and
 - c. that the automatic referral to Planning Committee is removed when an officer recommendation of approval conflicts with representations by the Parish Council and these cannot be substantially addressed by planning condition. Instead this is replaced by the right of the Parish Council to request an application is considered by Planning Committee. The request must be supported by material planning reasons and the final decision on whether the application is considered by Planning Committee will be taken by the Chairman of Planning Committee in consultation with the Designated Officer (Head of Development Management or Head of New Communities)
2. **requested** that the effectiveness of the revised Scheme of Delegation be assessed after about a year, and a formal review process involving Parish Councils should take place within 24 months of the date of this resolution.

15. ENFORCEMENT REPORT

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

16. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

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

The Meeting ended at 1.13 p.m.
