

## Delegation meeting - Minutes

- **Date:** 15th February 2022
- **Time:** 11:00 – 12:30
- **Meeting held:** via Teams

**Attendees:** Cllr Henry Batchelor (HB), Cllr Pippa Heylings (PH), Nigel Blazeby (NB), Lorraine Casey (LC), Richard Fitzjohn (RF), Charlotte Peet (CP), Charlotte Spencer (CS), Mike Huntingdon (MH), John McAteer (JM), Dean Scrivener (DS), Michael Sexton (MS)

**Minutes approved by:** Cllr Pippa Heylings (Chair of Planning Committee – Consultee), Cllr Henry Batchelor (Vice Chair of Planning Committee – Consultee) on 15th February 2022, and Nigel Blazeby (Delivery Manager Development Management) on 15th February 2022

### 21/04898/S73 - 65 Pettitts Lane, Dry Drayton

#### Reason for call-in request

Parish Council called in application due to concerns regarding:

- Compliance with condition 18 of outline consent and affordable housing requirements
- Addition of rooflights, create light pollution to residents and biodiversity

#### Key considerations

The case officer introduced the application to the group and explained the comments which had been received from the Parish Council and the additional local concerns that had been expressed, including a call-in request from Cllr Bygott, since the Delegation Meeting that was held on 25<sup>th</sup> January 2022.

It was noted that the Parish Council had raised material planning considerations, namely the potential need for affordable housing due to the potential conflict with the Outline planning permission; and the impact of the insertion of rooflights. It was noted that local concerns also related to the potential for the need for affordable housing, clearly a matter of public interest, and also to concerns regarding the increase in size of the dwellings and the insertion of rooflights.

The case officer explained that the development was almost complete but had not been built in accordance with the approved plans. The application sought to regularise this by applying to vary condition 1 of the Reserved Matters consent to allow alternative plans for the revised details to be considered.

The Greater Cambridge Shared Planning Service is a strategic partnership between Cambridge City Council and South Cambridgeshire District Council

The case officer explained the Parish Council's concerns regarding the compliance with condition 18 of the Outline planning permission.

Condition 18 of the Outline planning permission states:

18. The development hereby permitted shall not exceed a total floorspace of more than 999 square metres (gross internal area), (including all buildings for which planning permission has been given.)

(Reason - The approved development is of a scale which does not need to provide affordable housing. A limit on total floorspace is necessary to ensure that future development complies with Development Control Policy HG/3 of the adopted South Cambridgeshire Local Development Framework 2007 and H/9 of the Draft South Cambridgeshire Local Plan, the Written Ministerial Statement dated 28 November 2014 and the National Planning Practice Guidance.)

The case officer explained that Reserved Matters applications, and applications seeking to vary conditions on Reserved Matters applications, must be in line with the Outline planning permission. The case officer further explained that in this case, had the floor area exceeded 999 square meters the proposal would not be in accordance with the Outline permission and thus the current application would be deemed to be invalid.

The case officer satisfied the group that the gross internal floor area had been measured to be below the 999 square meters stipulated in condition 18 of the Outline permission and as a result the application was considered to be valid.

The group noted that the application seeks variation of the Reserved Matters consent (rather than the Outline) and therefore only the detailed reserved matters associated with the scheme could be considered. As such, the key local concern, i.e. the potential for a requirement for affordable housing, whilst clearly a valid public concern, was not a relevant planning consideration in this instance that could be taken into account.

The group agreed that since affordable housing was not a matter for consideration, it fell to the other concerns regarding the increased size and inclusion of rooflights to be considered with regard to any potential referral to planning committee. The group concluded that these did not, of themselves, amount to significant planning concerns that would warrant referral of the application to the planning committee.

The proposal was not found to have significant implications for adopted policy, nor to be of a nature, scale or complexity to warrant referral to the committee. Finally, the history of the site was not determinative in this case.

## Decision

Delegated decision— see above

## 21/04625/ful Mere Way cycle route connection – Waterbeach new town

### Reason for call-in request

Waterbeach Parish Council objects to this planning application on the grounds that the safety of the bridge does not meet the requirements of all the proposed users. In particular concerns were raised regarding the height of the barriers and the width of the bridge. There appears to be no barrier at the junction where the cycle path joins the A10 which could be a potential risk to cyclists using the path.

The Council questions whether there is a Safety Risk Assessment; Highways Safety Audit; Traffic Management Plan; Environmental Assessment relating contamination. The Council feels that the application has been submitted prematurely before all information is available to comment on.

### Key considerations

The case officer introduced the application to the group and explained the comments which had been received from the Parish Council.

It was noted that the Parish Council had raised material planning considerations, namely highway safety, traffic management plan, and potential contamination.

Whilst these issues were considered to be material to the assessment of the application, the group noted that all matters relating to highway safety, including the heights of barriers, width of the bridge, and the lack of barriers at the junction with A10 were matters that would be determined through a Road Safety Audit that would be undertaken by the County Council in parallel with the District Council's assessment of the planning application. It was noted that the Road Safety Audit process would ensure that all safety issues were appropriately considered.

With regard to the Traffic Management Plan, the case officer explained that this could be adequately addressed through the imposition of an appropriately worded planning condition.

With regard to the matter of contamination, the case officer explained that it had been determined by the Council's contaminated land officer that there was no contamination present on the site and therefore no conditions were necessary in relation to contamination control.

It was noted that the site falls entirely within the Landbeach Parish boundary and no objections had been received from Landbeach Parish Council.

The group considered that Waterbeach Parish Council's concerns could be adequately addressed and as such, did not consider they amounted to significant planning concerns that would warrant referral of the application to the planning committee.

The proposal was not found to have significant implications for adopted policy, nor to be of a nature, scale or complexity to warrant referral to the committee. Finally, the history of the site was not determinative in this case

## Decision

Delegated decision – see above.

## 21/05350/HFUL - 16 Bush Close Comberton CB23 7EG

### Reason for call-in request

The Comberton PC Planning Committee asked for this to go to SCDC Planning Committee if approved by SCDC.

This is due to the lack of amenity / privacy impact afforded to the ground floor flat from parking in front of their window by the upstairs flat parking.

### Key considerations

The case officer introduced the application to the group and explained the comments which had been received from the Parish Council.

It was noted that the Parish Council had raised material planning considerations, namely the impact on residential amenity.

Whilst these issues were considered to be material to the assessment of the application, the group noted that amenity expectations for front facing windows are somewhat lower than for side or rear windows and that the proposed parking arrangement was not unusual. It was also noted that there had been no neighbour objections. As such the group did not consider that the Parish Council's concerns amounted to significant planning concerns that would warrant referral of the application to the planning committee.

The proposal was not found to have significant implications for adopted policy, nor to be of a nature, scale or complexity to warrant referral to the committee. Finally, the history of the site was not determinative in this case.

## Decision

Delegated decision

## **21/04849/HFUL - 23 Shirley Close, Milton – for the construction of a part single, part double storey side extension.**

### **Reason for call-in request**

Milton Parish Council object on overshadowing and loss of light for no.24 and 25 Shirley Close, and that the proposed extension is out of character with neighbouring properties.

### **Key considerations**

The case officer introduced the application to the group and explained the comments which had been received from the Parish Council.

It was noted that the Parish Council had raised material planning considerations, namely the impact on residential amenity and the character of neighbouring properties.

Whilst these issues were considered to be material to the assessment of the application, the case officer explained that, in his view, there was sufficient distance between the proposal and nos. 24 and 25 Shirley Close and that it was notable that no objections had been received from the occupiers of these properties, or from any other neighbouring properties. With regard to the impact on the character of neighbouring properties, the case officer explained that the character of the area is varied with a range of architectural styles and designs. As such the group did not consider that the Parish Council's concerns amounted to significant planning concerns that would warrant referral of the application to the planning committee.

The proposal was not found to have significant implications for adopted policy, nor to be of a nature, scale or complexity to warrant referral to the committee. Finally, the history of the site was not determinative in this case.

### **Decision**

Delegated decision – see above.

## **21/02235/FUL - The Oaks, Blackmiths Lane, Shudy Camps, CB21 4RH**

### **Reason for call-in request**

Shudy Camps Parish Council considered this application at its meeting on 24 June 2021. Following discussion with the applicants, the Council resolved that Greater Cambridge Shared Planning be informed that the Council supports the application subject to certain conditions and that in the event that consent is recommended for refusal by the officers, requests that it is referred to the District Council Planning Committee for determination.

The Council noted that the original application to redevelop the site (S/1271/13/FL) was approved on 23 March 2015, the extension S/4579/17/FL was approved on 13 February 2018 and the most recent application 21/00156/FUL was withdrawn following notification that it was likely to be refused due to changes to local planning policies. It is understood that the material change to local planning policy in this case is that one dwelling on a site may only be replaced by one dwelling and the applicants are seeking to replace the current dwelling with two 3-bed single storey cottage style

bungalows. The Council is of the view that, given the size of the site (0.84 sq hectares) and its location, the net addition of one dwelling would be acceptable and that as stated in our comments on the previous application, the proposal would substantially improve what has become an increasingly dilapidated site. The Council also noted that references to outdated information in the previous application have now been revised and that an updated ecology and landscape assessment has been provided.

The conditions on which the Council supports the application are:

(a) that all conditions associated with previous approvals for the redevelopment of the site must be rigorously enforced. Particular care needs to be taken to ensure that there is a detailed scheme in place for the removal of asbestos in the structure of the existing buildings following their demolition and that the surveys and remedial statements for the removal of asbestos are fully documented in accordance with current regulations to avoid any future contamination of the site. Additionally, the vehicle-related businesses carried out for many years over a large area of the site are likely to have led to widespread contamination from diesel, oil, paint and general items used in vehicle maintenance and repairs which may not be obvious. The Council suggests a survey of the ground over the whole site should be carried out by taking soil samples to test for dangerous contamination. Alternatively, six random soil samples could be taken for testing and if these reveal traces of contamination the whole site should be tested. If there are no traces, a full survey need not be conducted.

(b) that the vehicles of contractors working on the redevelopment of the site should be parked on the site to avoid blocking the highway adjoining the site. Contractors' vehicles should be required to use the proposed new access to the site which provides a greater degree of safety than the current access.

## Key considerations

The case officer introduced the application to the group and explained the comments which had been received from the Parish Council.

It was noted that the Parish Council supported the application subject to the imposition of conditions. The key reasons for the support related to the history of approvals and that the scheme would substantially improve what has become an increasingly dilapidated site.

Whilst these issues were considered to be material to the assessment of the application, the case officer explained the detailed changes in both national and local planning policies that led to his conclusion that when judged against up-to-date policies the proposal would clearly fail to comply.

Planning law requires that proposals should be assessed against policies within the Development Plan first and then with regard to any material planning considerations. The group discussed the previous approval reasons and any potential visual enhancements as material planning considerations but did not feel they had sufficient weight to overcome the policy objections in this instance.

It was noted that the previous planning permissions were not implemented, and they have lapsed so there is no fallback position.

It was further noted that the applicant will have a right of appeal and the weight to be attached to the previous approvals and any visual improvements will be material considerations for an Inspector to take account of. In this regard, the group did not consider that the Parish Council's support for the application would warrant referral of the application to the planning committee.

The proposal was found to raise significant planning concerns. Whilst this would normally result in a referral to planning committee, in this case these factors underpin the decision to refuse the application under delegated powers. It was not felt that the proposal has any significant implications for adopted policy or is of a nature, scale or complexity to warrant referral to the committee and the history of the site was not determinative in this case albeit its relevance as a material consideration was accepted.

## Decision

Delegated decision – see above.

## 21/03885/FUL - 7 West Green, Barrington, CB22 7RZ

### Reason for call-in request

Barrington Parish Council (BPC) considered this proposal at its meeting on Tuesday 16th February 2021 and agreed unanimously to object to the proposal and recommend refusal. 7 West Green is an important plot on the village Green and within the Barrington Conservation Area which is unique because of the length and openness of the village and the Green. Crossing the Green is only possible via “accessways” or “permitted ways” which are licensed by the Trustee of the Green Charity. The Conservation Area – especially the Green and the accessways are susceptible to continued further development on land at and behind properties along the Green.

Visually, the spacing between properties is important to maintain views into and out from the Conservation Area – being able to see trees and open landscape behind properties is important to the character of the Conservation Area. Similarly, BPC is of the view that sympathetic designs should not clash with the vernacular style of buildings. Overall, BPC wishes to see the

Conservation Area preserved and enhanced by proposed development. BPC does not believe this proposal meets that test.

The site currently accommodates a 3 bedroom property, screened by a tree line with gaps through to the rear. The proposal is to demolish that property and squeeze into the site a modern 5 bedroom and a 4 bedroom property – each with associated garages. BPC is of the opinion that this is overdevelopment of the site. The frontage of the site will appear cramped in comparison to the current more open feel when looking at the property from the Green and from the listed buildings around and across the Green opposite. Nine bedrooms in place of 3 will inevitably mean increased traffic movement across the Green and the accessways. Construction impacts of this scale in this location will be significant and adverse.

BPC is also aware that the land to the side and rear of the property is of potential ecological significance with a large badger sett along the southern boundary and numerous mature trees offering perfect habitat for feeding, roosting and nesting birds and importantly for bats.

BPC therefore objects to this proposal for the following reasons:

- Inappropriate scale and over-development in a tight setting
- Design and layout are inappropriate for an important part of the Conservation Area
- Adverse effect on the tree line and views from across the Conservation Area
- Construction and future traffic movement across the Green and
- Potential for adverse ecological impacts

Overall BPC is of the view that:

1. This proposal detracts from and does not preserve or enhance the Conservation Area and is in contravention of Sections 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and SCDC Supplementary Planning Document “Development Affecting Conservation Areas” (2009)
2. There is no public benefit associated with this proposal.
3. The Barrington Conservation Area is of significant local community interest and concern.

Should the Planning Officer be minded to approve the boundary change, BPC requests that the application be placed before the full Planning Committee for consideration for the reasons stated above.

## Key considerations

The case officer introduced the application to the group and explained the comments which had been received from the Parish Council.

It was noted that the Parish Council had raised material planning considerations, namely; the impact on the character and appearance of the Conservation Area; access across the Green; increased traffic; and ecology.

These issues were considered to be material to the assessment of the application.

The case officer explained that the application sought to address the reasons for refusal of a previous proposal. He explained that the ecology issues had been satisfactorily resolved and that he felt the remaining issues were now, on balance, also adequately addressed.

The group recognised that the case officer now accepted that, on balance, the previous reasons for refusal had been overcome but noted that the changes were relatively modest and that the sensitivity regarding potential impact on the Green and the Conservation Area was such that the proposal raised significant planning concerns that warranted referral of the application to the planning committee.

## Decision

Committee decision

## **21/03426/HFUL - 102 High Street, Graveley**

### **Reason for call-in request**

Originally called in by Graveley Parish Council on the grounds that the proposed two storey side extension used cladding considered inappropriate for the area – at my behest the applicant removed the cladding and used facing brick to match existing.

### **Key considerations**

The case officer introduced the application to the group and explained the comments which had been received from the Parish Council.

It was noted that the Parish Council had raised material planning considerations, namely visual impact through the use of inappropriate materials.

The case officer explained that the Parish Council's concerns had now been overcome as the proposal now utilised brick rather than timber cladding.

As such the group did not consider that the Parish Council's concerns amounted to significant planning concerns that would warrant referral of the application to the planning committee.

The proposal was not found to have significant implications for adopted policy, nor to be of a nature, scale or complexity to warrant referral to the committee. Finally, the history of the site was not determinative in this case.

## **21/05165/REM - Phase 2 Land Zone 2 Granta Park Great Abington**

### **Reason for call-in request**

Appendix A

### **Key considerations**

The case officer introduced the application to the group and explained the comments which had been received from the Parish Council.

It was noted that the Parish Council had raised material planning considerations, namely the height and massing of the proposal; the loss of trees; flood risk; the urban nature of the development and cumulative traffic impact.

The group considered that these were material planning considerations but it was the scale of the proposal overall that warranted referral of the application to the Planning Committee.

The proposal was not found to raise significant planning concerns nor significant implications for adopted policy. Finally, the history of the site was not determinative in this case.

## **Decision**

Committee decision