

## MINUTES OF A MEETING OF FOWLMERE PARISH COUNCIL PLANNING COMMITTEE

which was held on-line via zoom

on **TUESDAY 18<sup>TH</sup> AUGUST 2020 at 7:30pm**

PRESENT: Cllr P Burge (Chairman), Cllr D Roberts, Cllr L Wragg, Cllr C Howe, Cllr R Lennon, Cllr S Mulholland and Cllr P Collinson

IN ATTENDANCE Ms K Byrne (Clerk), and 1 member of the public

Before the meeting began Cllr Burge advised the attendees that the Zoom session was going to be recorded but would not be widely distributed. There were no objections.

### 1. Apologies for Absence

There were apologies for absence from Cllr M Vinton (who was unable to join via Zoom) and Cllr J Hobro (who was on holiday).

### 2. Declarations of interest (*if any*)

Cllr Roberts declared that if an application is later placed before South Cambridgeshire District Council (SCDC) she will approach any new information afresh. Also, because Cllr Roberts is a District Cllr at SCDC, the same applies and she will look at any application, which goes to SCDC, afresh.

Cllr Roberts and Cllr Burge declared that the PC had previously looked at applications related to items 4 & 6, but that they come to these applications afresh.

### 3. Minutes from Previous Meeting 28th July 2020 – Matters Arising

The minutes were agreed as a true record, and were signed by Cllr Burge; he will deliver the signed copy to the Clerk. There were no matters arising.

### 4. 20/03174/PRI03Q – Dottrell Hall Farm, Newmarket Rd, Fowlmere

**Prior approval for change of use of an agricultural building to 5 dwelling houses and for building operations reasonably necessary for the conversion - Resubmission of S/4125/19/PA**

[Cllr Burge shared the screen on Zoom to show the relevant documents for this and the following 2 items.]

Cllr Burge summarised the application. It is an existing agricultural barn for which a class Q permitted development / prior approval application has been submitted, it is not a full planning application. The requirements for this include that that the site needs to have been used exclusively for agriculture before 20 March 2013. There are limitations on the number of dwellings (up to 5) and up to 865 sq.m of space made up of a range of different sized houses (including previous conversions on the site, none are declared in the application). The plan shows 3 smaller houses and 2 larger houses, but the dimensions are missing so it is difficult to assess whether it meets this criteria. A new criteria regarding requirement for natural light came into effect on 1 Aug 2020. Other criteria to consider include highways impacts, noise impacts, contamination risks, flood risks, design & appearance, location & siting, and robustness of the structure for conversion.

Cllr Wragg said that no environmental impact statement had been provided (which it should have). Also, the barn appears to not be a robust enough structure to be converted. Cllr Howe was concerned about the access from and onto the A505 which has a 60mph limit and a lot of traffic passing in that area, and a history of traffic accidents. Cllr Roberts said that not enough information has been provided regarding the environment, road access and traffic impact. She did not consider the barn to be robust enough to be converted into houses, and that permitted development would not be acceptable on a site of this size. Cllr Collinson raised concerns about the lack of information regarding dimensions and the apparent inclusion of a lean-to building which may further restrict the poor amount of natural lighting through some of the windows. He considered the site to be over developed.

The PC has concerns about this application with regards to the:

- lack of information especially regarding dimensions;
- location & siting;
- highways impact especially regarding access onto the fast and busy A505 road;
- lack of natural lighting especially with respect to the windows that face inwards;

- robustness of the building and whether it can genuinely be converted into houses.

Fowlmere Parish Council recommends refusal, all concurred.

**5. 20/03177/S106A – 1-4 (inclusive) Pine Cottages, Rectory Lane, Fowlmere**

**Modification of planning obligations contained in a Section 106 Agreement dated 30 January 2014 made between (1) South Cambridgeshire District Council, (2) Cambridgeshire County Council, (3) Fowlmere Parish Council, (4) Executors of Mrs E M Course and (5) Mr J & Mrs J Barnes pursuant to planning permission S/2035/00/F**

The PC agreed to discuss item 6 before this item, since a member of the public had joined the meeting specifically to discuss that item, all concurred.

Cllr Burge summarised the application. It concerns the affordable housing on Rectory Lane and the wording of the Section 106 agreement, which would allow open market sale of the properties should the mortgage lender take back ownership of the properties, instead of occupation being exclusively for qualifying persons under the affordable housing / S106 agreement. Cllr Wragg said that this change would potentially undermine the security of tenure of people living in those houses and should be resisted. Following further discussion, Fowlmere PC recommends refusal, all concurred.

**ACTION – Cllr Burge to clarify the PC’s legal position in being a signatory of the S106 agreement**

**6. 20/03105/FUL – Mill Farm, Fowlmere Road, Fowlmere**

**Construction of a single storey dwelling**

Cllr Burge summarised the application, which was not significantly different to a similar application that the PC looked at on this site last year. It is proposed to be a building with design of exceptional quality. Clause 79 of the National Planning Policy Framework allows isolated homes in the countryside in a number of very limited cases, including:

*79e) the design is of exceptional quality, in that it:*

- *is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

Further, the SCDC local plan, Policy H/15 Countryside Dwellings of Exceptional Quality says:

*Outside the Green Belt, single new bespoke dwellings of exceptional quality will be permitted in the countryside providing all of the following criteria are met:*

- a. The dwelling would reflect the highest standards in architecture, being recognised as truly outstanding or innovative;*
- b. The dwelling would significantly enhance its immediate setting;*
- c. The nature and size of the site, and the design of the dwelling, its landscaping and location on site are sensitive to the defining characteristics of the local area and to wider views;*
- d. That there are no existing dwellings on the site capable of being replaced under Policy H/14.*

Policy H/14 specifies one-for-one replacement of dwellings within the curtilage. However, this building falls within the curtilage of the existing house that was built as a barn conversion, so should be considered under H14, thus the existing house should be demolished.

The PC’s previous concerns about development on this site still remain. Cllr Roberts said that whether the design is of exceptional quality is subjective, and this would not allay fears about it being next door to site of special scientific interest. Also, the applicant is a member of the design panel, as such it would not be acceptable for this design panel to judge the quality of the building. The PC recommends that an independent panel outside the district should judge it.

Cllr Burge invited the member of public to make comments. Mrs Ives said she and her husband have lived in the area for many years, and the site is opposite her house. She had concerns about a number of things: access as the road is very narrow with many accidents having occurred there; location of the site being by Guilden Brook

which is prone to flooding and trees and bushes may have to be removed; that the development might destroy the wildlife habitats; and whether the building will be used for commercial or personal use.

Fowlmere PC recommends refusal, and if SCDC planning officers disagree, then the PC requests that the application goes to the planning committee.

**ACTION – Cllrs Burge & Wragg to write another letter to SCDC outlining the PC’s concerns that remain on this application (& checking the applicant’s claims have answered previous concerns)**

Mrs Ives left the meeting at 20.10.

#### **7. 20/1688/TTCA – 18 Ryecroft Lane, Fowlmere**

**T1 – Ash becoming too large for its location, 3m (25%) crown reduction proposed**

The application was noted, however, the decision had already been made by the tree officer. Although the application came in on 5 August the decision was made by 18 August. The PC asked Cllr Roberts in her capacity as district councillor to take this matter to SCDC, with regards to decisions being made on tree applications put out for consultation before the PC has had chance to discuss them.

#### **8. Planning Consultations**

[Changes to the current planning system](#) – NALC deadline for responses 17 Sept

[Planning for the future](#) – Govt’s planning white paper (NALC deadline for responses 15 Oct)

[Transparency and competition: a call for evidence on data on land control](#) - NALC deadline for responses 16 Oct

Cllr Roberts suggested that Cllrs Wragg, Burge and herself meet to discuss the PC’s response to these matters. All concurred with this. Cllr Howe suggested that other councillors may wish to join the meeting and/or add their own comments.

**ACTION – Cllrs Roberts, Wragg & Burge to meet to draft responses, and allow other Cllrs to make comments too**

The meeting closed at 20.25.