

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Enforcement Sub-Committee held on
Tuesday, 9 March 2010 at 2.00pm

PRESENT:

Councillors:	Val Barrett Charles Nightingale	Sebastian Kindersley Hazel Smith
Officers:	Gary Duthie Corrie Newell Ian Senior Charles Swain	Senior Lawyer Principal Conservation Officer Democratic Services Officer Enforcement Officer

Apologies for absence were received from Councillors Pippa Corney, Sally Hatton and Robert Turner.

9. ACTING CHAIRMAN

In the absence of Councillor Robert Turner, Planning Enforcement Sub-Committee Chairman, and a Vice-Chairman, Councillor Val Barrett nominated Councillor Charles Nightingale as Acting Chairman of the meeting. This nomination was seconded by Councillor Sebastian Kindersley and, there being no other nominations, it was **agreed** that Councillor Charles Nightingale be elected Chairman of this meeting only of the Planning Enforcement Sub-Committee.

10. APPOINTMENT OF VICE-CHAIRMAN

At its meeting on 3 February 2010 (Minute 122 refers), the Planning Committee had accepted Councillor Janice Guest's resignation as a Conservative member and Vice-Chairman of the Planning Enforcement Sub-Committee. The Committee had appointed Councillor Val Barrett as a replacement member of the Sub-Committee.

Councillor Charles Nightingale nominated Councillor Val Barrett as Vice-Chairman of the Planning Enforcement Sub-Committee. This nomination was seconded by Councillor Sebastian Kindersley and, there being no other nominations, it was **agreed** that Councillor Val Barrett be appointed Vice-Chairman of the Planning Enforcement Sub-Committee for the remainder of 2009-10.

11. DECLARATIONS OF INTEREST

There were no declarations of interest.

12. MINUTES OF PREVIOUS MEETING

The Planning Enforcement Sub-Committee authorised the Chairman to sign, as a correct record, the minutes of the Planning Enforcement Sub-Committee meeting held on 26 January 2010.

13. UNAUTHORISED WALL AT MILL FARMHOUSE, 87 MIDDLEWATCH, SWAVESEY

The Planning Enforcement Sub-Committee considered a report about an unauthorised wall at Mill Farmhouse, 87 Middlewatch, Swavesey.

Members noted from photographic evidence an inconsistency in the appearance of the bricks used in the wall and in the adjoining buildings. The Principal Conservation Officer confirmed that, in the circumstances, natural weathering would not resolve this inconsistency, and highlighted the variance in the size of joints. In response to Councillor Hazel Smith, the Principal Conservation Officer confirmed that there was no material difference in assessing the impact of development on Grade I or Grade II* Listed Buildings. Councillor Sebastian Kindersley noted that the type of topping used on the wall was not commonly used elsewhere in Swavesey.

Members were frustrated by the information contained in paragraph 7 of the report, but acknowledged legal advice that it was not relevant in determining the issue of enforcement.

Members noted that Councillor Pippa Corney had submitted a written statement in support of the wall and opposing enforcement action. Councillor Sue Ellington, the District Councillor for Swavesey, had submitted similar sentiments. Nevertheless, Members did not think it disproportionate to require removal of the unauthorised wall.

The Senior Lawyer reported that an indication had been received that the owners of the wall were willing to demolish it, rather than encumber the property with an Enforcement Notice should the sub-committee authorise the issue of such.

The Planning Enforcement Sub-Committee **resolved**

1. that the owners of Mill Farmhouse, 87 Middlewatch, Swavesey be allowed until 8 April 2010 to demolish the unauthorised wall voluntarily; and
2. that, failing voluntary demolition of the wall, officers be authorised, after 8 April 2010, to issue and serve an Enforcement Notice requiring demolition of the unauthorised wall at Mill Farmhouse, 87 Middlewatch, Swavesey, with a compliance period of 28 days.

Reason: The wall is considered to harm the setting of the Grade II listed building by virtue of its materials and detailing and, as such, is contrary to Policy CH/4 of the South Cambridgeshire Local Development Control Policies DPD 2007 (DPD)

14. ANTI-SOCIAL BEHAVIOUR ACT 2003 - SECTION 69 - HIGH HEDGE SITUATED AT THE WILLOWS, 90 EARITH ROAD, WILLINGHAM - VERBAL UPDATE

Further to Minute 7 (Anti-Social Behaviour Act 2003: Section 69 – High hedge situated at The Willows, 90 Earith Road, Willingham), the Enforcement Officer reported verbally that, although work had started, the hedge still did not comply with the terms of the Remedial Notice issued on 15 May 2007. Officers would be meeting the owners of the hedge on site on 15 March 2010 in an attempt to resolve the situation. Failing a satisfactory conclusion, the Council would take direct action, subject to the need to minimise any adverse impact on wildlife.

The Acting Chairman asked that a further update be given at the Planning Enforcement Sub-Committee's next meeting.

15. DATE OF NEXT MEETING

The next scheduled meeting of the Planning Enforcement Sub-Committee would be on

Tuesday 20 April 2010, starting at 2.00pm.

The Meeting ended at 2.15 p.m.
