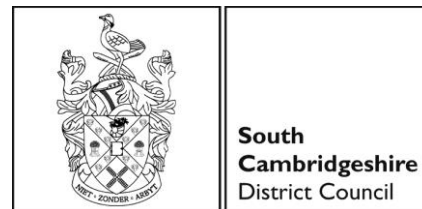


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Please note day and time change

3 September 2019

To: Chairman – Councillor John Batchelor
Vice-Chairman – Councillor Pippa Heylings
All Members of the Planning Committee - Councillors Dr. Martin Cahn,
Peter Fane, Bill Handley, Brian Milnes, Judith Rippeth, Deborah Roberts,
Peter Topping, Heather Williams and Nick Wright

Quorum: 3

Substitutes Councillors Grenville Chamberlain, Mark Howell, Dr. Shrobona Bhattacharya,
(if Sue Ellington, Graham Cone, Henry Batchelor, Anna Bradnam, Eileen Wilson,
needed): Dr. Tumi Hawkins and Dr. Douglas de Lacey

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **THURSDAY, 12 SEPTEMBER 2019 at 12.45 p.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully

Mike Hill

Interim Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

AGENDA

PAGES

PUBLIC SEATING AND SPEAKING

Public seating is available both in the Council Chamber (First Floor) and the Public Gallery / Balcony (Second Floor). Those not on the Committee but wishing to speak at the meeting should first read the Public Speaking Protocol (revised October 2016) attached to the electronic version of the agenda on the Council's website.

PROCEDURAL ITEMS

1. Apologies

To receive apologies for absence from committee members.

2. Declarations of Interest

1. Disclosable pecuniary interests (“DPI”)

A DPI is where a committee member or his/her spouse or partner has any kind of beneficial interest in the land under consideration at the meeting.

2. Non-disclosable pecuniary interests

These are interests that are pecuniary involving a personal financial benefit or detriment but do not come within the definition of a DPI. An example would be where a member of their family/close friend (who is not their spouse or partner) has such an interest.

3. Non-pecuniary interests

Where the interest is not one which involves any personal financial benefit or detriment to the Councillor but arises out of a close connection with someone or some body /association. An example would be membership of a sports committee/ membership of another council which is involved in the matter under consideration.

3. Recorded Voting

4. Minutes of Previous Meeting

1 - 6

To authorise the Chairman to sign the Minutes of the meeting held on 14 August 2019 as a correct record.

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

To view plans, drawings and other documents submitted with the application, follow the link called ‘Application file’ and select the tab ‘Plans and Docs’.

5. S/3849/18/RM - Arrington (Plot 1, Church End)

7 - 24

Matters reserved for the appearance, design and scale of the detached dwelling to Plot 1 only along with approval for the siting of the dwelling and detached garage and the proposed landscaping and boundary treatment following outline planning permission S/3462/16/OL

MONITORING REPORTS

6. Enforcement Report

25 - 34

7. Appeals against Planning Decisions and Enforcement Action

35 - 42

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

Notes to help those people visiting the South Cambridgeshire District Council offices

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

Security

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

Public seating in meeting rooms is limited. For further details contact Democratic Services on 03450 450 500 or e-mail democratic.services@scambs.gov.uk

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Leave the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park opposite the staff entrance

- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

First Aid

If you feel unwell or need first aid, please alert a member of staff.

Access for People with Disabilities

We are committed to improving, for all members of the community, access to our agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

Toilets

Public toilets are available on each floor of the building next to the lifts.

Recording of Business and Use of Mobile Phones

We are open and transparent about how we make decisions. We allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

Banners, Placards and similar items

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

Disturbance by Public

If a member of the public interrupts proceedings at a meeting, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The meeting will be suspended until order has been restored.

Smoking

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one is allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. You are not allowed to bring food or drink into the meeting room.

EXCLUSION OF PRESS AND PUBLIC

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

Notes

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 14 August 2019 at 10.00 a.m.

PRESENT: Councillor John Batchelor – Chairman
Councillor Pippa Heylings – Vice-Chairman

Councillors: Sue Ellington (substitute) Peter Fane
Bill Handley Brian Milnes
Judith Rippeth Deborah Roberts
Peter Topping Heather Williams
Eileen Wilson (substitute)

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), Nigel Blazeby (Planning Delivery Manager), Stephen Reid (Senior Planning Lawyer), Aaron Sands (Senior Planning Officer), Ian Senior (Democratic Services Officer), Charles Swain (Principal Planning Enforcement Officer) and Rebecca Ward (Principal Planning Officer)

Councillor Bunty Waters was in attendance, by invitation.

1. APOLOGIES

Councillors Dr. Martin Cahn and Nick Wright sent Apologies for Absence. Councillors Eileen Wilson and Sue Ellington were their respective substitutes.

2. DECLARATIONS OF INTEREST

For clarity, Councillor Brian Milnes reminded those present that he represented Sawston on South Cambridgeshire District Council (S/0375/19/FL - Sawston (Falkner Road)).

Councillor Heather Williams declared a non-pecuniary interest in Minute 7 (S/3849/18/RM - Arrington (Plot 1, Church End)) and Minute 8 (S/0411/19/RM - Arrington (Plot 2, Church End)). As the local Member, Councillor Williams had attended meetings of Arrington Parish Council along with the Planning case officer. However, she had not taken part in any material discussion.

3. RECORDED VOTING

Upon the proposal of Councillor Brian Milnes, seconded by Councillor Judith Rippeth, the Committee unanimously agreed that all substantive votes at the current Planning Committee meeting should be recorded by name and / or number and name.

4. MINUTES OF PREVIOUS MEETINGS

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 28 June 2019.

Councillor Heather Williams requested a small change in order to provide greater clarity. On the second page, between the words "...conflict with that." And "...suggested...", the word "She" should become "Councillor Williams". By affirmation, the Committee agreed that the relevant paragraph should now read as follows:

“Councillor Heather Williams urged officers to ensure effective consultation with parishes neighbouring the site of West Cambourne, including Caxton and Papworth Everard. She also expressed concern about proposed densities and said that sustainability issues must be mandatory. Any departure from the Design Code should be referred to the Planning Committee for determination. The Assistant Director (Delivery) reminded Members about the Scheme of Delegation to officers and said it was important not to cause any conflict with that. Councillor Williams suggested that, in the interests of efficiency, minor departures should be dealt with by officers and only major departures (such as from the mandatory elements of the Code) should be presented to the Committee.”

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 10 July 2019.

Councillor Heather Williams requested a small change in order to provide greater clarity. In Minute 10 (Enforcement), between the words “...Update...” and “...on the...” the words “...from the Principal Planning Enforcement Officer...” should be added. By affirmation, the Committee agreed that the relevant paragraph should now read as follows:

“The Committee **received and noted** an Update from the Principal Planning Enforcement Officer on the enforcement report from the Joint Director of Planning and Economic Development.”

5. **S/0375/19/FL - SAWSTON (FALKNER ROAD)**

Members visited the site on 13 August 2019.

Denise Farnham (objector) and Councillor David Bard (Sawston Parish Council) addressed the meeting.

The case officer verbally corrected an error on the first page of the report: the application was Outline only not Full as stated.

The Senior Planning Lawyer reminded the Committee that issues surrounding the access constituted a civil matter, which was not a material consideration in determining this planning application.

Councillor Heather Williams asked why the application was for self-build rather than Council housing. The case officer reminded Members about their duty towards those on the self-build register, and said that each application had to be dealt with on its merits.

Councillor Peter Topping had some sympathy with local residents, particularly in connection with the adverse impact on neighbour amenity.

The Committee unanimously **approved** the application subject to the Conditions and Informatives set out in the report from the Joint Director of Planning and Economic Development.

6. **S/3187/18/FL - BAR HILL (INDUSTRIAL ESTATE KNOWN AS NORMAN PARK, LAND AT SAXON WAY)**

Members visited the site on 13 August 2019.

The case officer gave a verbal presentation based on the following points:

- Highways issues were being addressed as part of the A14 upgrade
- Implications for Northstowe Town Centre
- Unsustainability of the proposed development
- Departure from the South Cambridgeshire Local Plan 2018

Members sought and received clarification about appropriate marketing of the redundant buildings on site, and the sequential retail test.

Matthew Morris (objecting on behalf of Homes England, who were developing Northstowe Town Centre), Peter Keenan (applicant's agent), and Councillor Bunty Waters (local Member) addressed the meeting.

Most Members focussed on the proposal's conflict with Local Plan policies, retail hierarchy and marketing requirements and were minded to refuse the application. However, Councillor Peter Fane said that the proposal should be viewed in terms of striking a balance between existing retail in South Cambridgeshire and the proposal's specific benefits, including job creation. Councillor Fane noted that traffic issues were being addressed and that there was overwhelming public support for the proposal. He referred to a comment made by the applicant's agent that the retailers lined up for the development had stated that, for commercial reasons, they were no longer interested in trading from town centres the size of Northstowe.

By ten votes to one, the Committee **refused** the application for the reasons set out in the report from the Joint Director of Planning and Economic Development.

(Councillors John Batchelor, Ellington, Handley, Heylings, Milnes, Rippeth, Roberts, Topping, Heather Williams and Wilson voted to refuse the application. Councillor Fane voted to approve it.)

7. S/3849/18/RM - ARRINGTON (PLOT 1, CHURCH END)

Members visited the site on 13 August 2019.

Colin Wilson (objector), Mike Briggs (applicant) and Avril Taylor (Arrington Parish Council) addressed the meeting.

There was some concern about the proposal's prominence, including in terms of the height due to the ground level differences.

On the proposal of Councillor Heather Williams, seconded by Councillor Deborah Roberts, and by nine votes to two, the Committee **deferred** the application to enable officers to explore with the applicant ways to address Members' concerns about visual impact, render and flooding.

(Councillors Ellington, Handley, Heylings, Milnes, Rippeth, Roberts, Topping, Heather Williams and Wilson voted for deferral. Councillors John Batchelor and Fane voted against deferral.)

8. S/0411/19/RM - ARRINGTON (PLOT 2, CHURCH END)

Members visited the site on 13 August 2019.

Colin Wilson (objector), Craig Smith (applicant) and Avril Taylor (Arrington Parish Council) addressed the meeting.

There was some concern about scale, bulk and design. However, the majority of Members expressed satisfaction with the application subject to a Condition limiting use of the garage.

By nine votes to two, the Committee **approved** the application subject to

1. The Conditions and Informatives referred to in the report from the Joint Director of Planning and Economic Development; and
2. An additional Condition preventing the permitted garage from either being used as, or being converted for use as, a habitable property.

(Councillors John Batchelor, Ellington, Fane, Handley, Heylings, Rippeth, Topping and Wilson voted to approve the application. Councillors Roberts and Heather Williams voted to refuse.)

9. S/3072/18/FL - BALSAM (15 PRINCES CLOSE)

Members visited the site on 13 August 2019. They also viewed in passing an example of cladding existing in Herward Close, Impington.

The case officer explained that 15 Princes Close was a non-designated heritage asset.

Elaine Butterworth (Warm Homes Surveyor, South Cambridgeshire District Council) addressed the meeting.

By ten votes to nil, with Councillor Deborah Roberts abstaining, the Committee voted to **approve** the application subject to

1. The Conditions set out in the report from the Joint Director of Planning and Economic Development; and
2. Any rewording of those Conditions being agreed between officers and the Chairman and Vice-Chairman of the Committee prior to the issue of a Decision Notice.

10. S/3063/18/FL - BALSAM (16 PRINCES CLOSE)

Members visited the site on 13 August 2019. They also viewed in passing an example of cladding existing in Herward Close, Impington.

The case officer explained that 16 Princes Close was a non-designated heritage asset.

Elaine Butterworth (Warm Homes Surveyor, South Cambridgeshire District Council) addressed the meeting.

By ten votes to nil, with Councillor Deborah Roberts abstaining, the Committee voted to **approve** the application subject to

1. The Conditions set out in the report from the Joint Director of Planning and Economic Development; and
2. Any rewording of those Conditions being agreed between officers and the Chairman and Vice-Chairman of the Committee prior to the issue of a Decision

Notice.

11. **ENFORCEMENT REPORT**

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

Councillor Deborah Roberts asked about the Queens Head in Fowlmere. In reply, the Principal Planning Enforcement Officer said that the Council was working closely with the Owner to resolve the breach of planning control.

Members noted the tables contained in Appendices 1 and 2.

The Committee paid tribute to the Principal Planning Enforcement Officer, whose last appearance before the Planning Committee this was likely to be. On behalf of the Committee, the Chairman thanked the Principal Planning Enforcement Officer for all of his hard work on behalf of South Cambridgeshire District Council.

12. **APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

The Committee received and noted a report on Appeals against Planning Decisions and Enforcement Action.

The Vice-Chairman asked officers to consider expanding the report to show trends, and to highlight the impact of Appeal outcomes on the Council's five-year housing land supply target.

The Meeting ended at 2.40 p.m.

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Agenda Item 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	12 September 2019
AUTHOR/S:	Joint Director of Planning and Economic Development	

Application Number:	S/3849/18/RM
Parish(es):	Arrington
Proposal:	Approval of matters reserved for the appearance, design and scale of the detached dwelling to Plot 1 only along with approval for the siting of the dwelling and detached garage and the proposed landscaping and boundary treatment following outline planning permission S/3462/16/OL
Site address:	Land at Church End, Arrington, SG8 0BH
Applicant(s):	Mayen Briggs
Recommendation:	Approval subject to conditions
Key material considerations:	Design and Character Heritage Assets Highway and Transport Impacts Residential Amenity
Committee Site Visit:	13 th August 2019
Departure Application:	No
Presenting Officer:	Aaron Sands, Senior Planning Officer
Application brought to Committee because:	Referred from Chairs Delegation following requests from the Parish Council and previously deferred from Planning Committee on the 14 August 2018.
Date by which decision due:	5 February 2019

Proposal

1. This application comprises the reserved matters for plot 1 of the two dwellings granted permission under outline application S/3462/16/OL. Following amendment, the proposed dwelling is one and a half storey, measuring approximately 8m in height to the ridge, 4m to the eaves, 10.6m in overall depth and 11.3m in overall width.
2. The proposed garage measures approximately 4.4m in height to the ridge, 3m in height to the eaves, 6.3m in depth and 6.3m in width.

Consultees

3. **Cambridgeshire Ramblers** – Objection to the proposed layout, which would obstruct the legal alignment of the footpath. Planting is shown close to the PROW, which should be at least 2m from the footpath to allow for future growth.

Planning Assessment

4. Comments were received from the Cambridgeshire Ramblers on the 16th August. The comments reflect those of the County Definitive Maps Team and have been considered in the previous committee report. Officers remain of the view that the proposal is acceptable in planning terms.
5. Following the meeting of the Planning Committee on the 14th August (Committee Report attached at Appendix A), a revised street scene plan (Appendix B) has been submitted that sets the dwelling down by a further 1m, to overcome member's concerns regarding the scale of the dwelling in comparison to surrounding dwellings. While the recommendation remains the same, members are advised that, as this is a fresh meeting, members must consider the application afresh, and the debate, including speakers and questions of clarification, of the previous meeting, should not be considered as part of this meeting.
6. Officers note this would require further earth movement, but consider that, as this is a reserved matters application, it would fall outside the scope of the reserved matters to be considered. In any event it would be sufficiently short scale that it is not considered it would be materially harmful to neighbouring property.
7. No further consultation has been carried out on this revised plan as officers consider there is sufficient understanding of the objections from consultees and local residents to understand the concerns and consider they should be weighted in the same manner as previously. The application remains recommended for approval, subject to conditions set out below. A further condition regarding a restriction on the ridge height above ordnance datum has been recommended in order to ensure compliance with the submitted plan.

Recommendation

Officers recommend that the Committee **grants** planning permission, subject to:

Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location and Block Plans – Drawing no. 02 rev p4
Proposed Site Plan – Drawing no. 03 rev P6
Public Right of Way Plans – Drawing no. 05 rev P2
Proposed Floor Plans and Elevations – Drawing no. 06 rev P1
Proposed Site Elevational Sections – Drawing no. 07 rev P7
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990).
2. Prior to any development above ground level full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees

and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development, specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. The details shall also include the details of the materials, position and permeability of areas of hardstanding, and elevations at a scale of not less than 1:50 of any boundary fencing.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018).

3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018).
4. The pedestrian visibility splays shown on drawing no. 03 rev P6 (Proposed Site Plan) shall be provided prior to the occupation of the dwelling hereby approved and shall thereafter be maintained free of obstruction above 600mm.
(Reason – To ensure safe visibility between pedestrians and vehicles using the access in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018.)
5. The access to serve the dwellings hereby approved shall be constructed in a manner that prevents surface water run-off onto the highway and shall be constructed from a bound material so as to prevent displacement of material onto the highway. The development shall be retained as such thereafter.
(Reason – To protect the highway from displaced material and water that could result in unsafe conditions, in accordance with paragraphs 108 and 110 of the South Cambridgeshire Local Plan 2018.)
6. The height of dwelling hereby permitted shall not exceed 57.5m above ordnance datum.
(Reason – To ensure the satisfactory appearance of the development in the street scene in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018.)

Informatives

1. Public Footpath No 4 Arrington must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).
No alteration to the Footpath's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).
Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that

any transfer of land should account for any such boundaries (s154 Highways Act 1980).

The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).

If a temporary closure is necessary in connection with a development proposal you should contact the County Council's Street Works Team on 0345 045 5212 or email street.works@cambridgeshire.gov.uk

2. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway. A separate permission must be sought from the Highway Authority for such works.
3. All soakaways will be required to be 5m from any structure, including the carriageway.

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- [South Cambridgeshire Local Plan 2018](#)
- Planning File Ref: [S/3849/18/RM](#)
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Report Author:

Aaron Sands
Telephone Number:

Senior Planning Officer
01954 713237

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	14 August 2019
AUTHOR/S:	Joint Director of Planning and Economic Development	

Application Number:	S/3849/18/RM
Parish(es):	Arrington
Proposal:	Approval of matters reserved for the appearance, design and scale of the detached dwelling to Plot 1 only along with approval for the siting of the dwelling and detached garage and the proposed landscaping and boundary treatment following outline planning permission S/3462/16/OL
Site address:	Land at Church End, Arrington, SG8 0BH
Applicant(s):	Mayen Briggs
Recommendation:	Approval subject to conditions
Key material considerations:	Design and Character Heritage Assets Highway and Transport Impacts Residential Amenity
Committee Site Visit:	13 th August 2019
Departure Application:	No
Presenting Officer:	Aaron Sands, Senior Planning Officer
Application brought to Committee because:	Referred from Chairs Delegation following requests from the Parish Council.
Date by which decision due:	5 th February 2019

Planning History

1. S/3462/16/OL – Outline planning application for two dwellings with all matters reserved. Approved. 12/09/2017.

Plot 2;
2. S/0411/19/RM – Approval of matters reserved for Access, appearance, landscaping, layout and scale following outline planning permission S/3462/16/OL for two dwellings. Pending Decision

Site Constraints

3. The site comprises an area of open land located within the Development Framework at the end of a cul-de-sac. A Public Right of Way (PROW) (ref. 10/4) runs through the site. To the south is a Grade II listed building.
4. The site is set at an elevated ground level in comparison to the road, with a parking area along the eastern boundary serving properties in the surrounding area to the immediate south of the access point. There is a mix of forms and architectural styles in the area, but properties are largely reflective of prevailing styles at the time they were built. To the north and west of the site the land slopes away notably into a valley.

Proposal

5. This application comprises the reserved matters for plot 1 of the two dwellings granted permission under outline application S/3462/16/OL. Following amendment, the proposed dwelling is one and a half storey, measuring approximately 8m in height to the ridge, 4m to the eaves, 10.6m in overall depth and 11.3m in overall width.
6. The proposed garage measures approximately 4.4m in height to the ridge, 3m in height to the eaves, 6.3m in depth and 6.3m in width.

Relevant Policy

7. **National Guidance**
National Planning Policy Framework 2019 (NPPF)
National Planning Practice Guidance (NPPG)
8. **South Cambridgeshire Local Plan 2018**
S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/6 The Development Strategy to 2031
S/7 Development Frameworks
S/11 Infill Villages
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Water Efficiency
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
NH/14 Heritage Assets
H/8 Housing Density
H/9 Housing Mix
H/12 Residential Space Standards
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/10 Noise Pollution
SC/11 Land Contamination
TI/2 Planning for Sustainable Travel
TI/3 Parking Provisions

TI/8 Infrastructure and New Developments
TI/10 Broadband

9. **Supplementary Planning Documents (SPD)**

Cambridgeshire Flood and Water SPD – Adopted 2016
District Design Guide – Adopted 2010
Landscape in New Developments – Adopted 2010
Listed Buildings – Adopted 2009
Biodiversity – Adopted 2009

Consultees

10. **Parish Council** – Objection and request referral to Planning Committee. The dwellings are too large and would affect the visual impact of the area. Further details are requested in respect of the ridge heights of the properties in comparison to the surroundings. Surface water drainage and the threat of flooding during heavy rainfall is of concern.
11. **Local Highway Authority** – No objection subject to conditions requiring pedestrian visibility splays, falls and levels to be such that it prevents surface water discharging onto the highway, and that the access is constructed of a bound material.
12. **Ecology Officer** – No objections. There is a requirement for a submission for a scheme of ecological enhancement by condition on the outline.
13. **Environmental Health Officer** – No comments.
14. **Sustainable Drainage Officer** – No objection subject to a condition requiring details of foul and surface water drainage.
15. **County Historic Environment Team** – There is a condition attached to the outline permission that requires a written scheme of investigation, which is sufficient to secure an archaeological programme on the site.
16. **Historic Buildings Officer** – Objection. The proposed dwelling would cause less than substantial harm to the significance of the designated and non-designated heritage assets by virtue of its unsympathetic design and as other properties within the area are clearly subservient to the traditional built form in the vicinity. (*Officer note; no objections were raised by the historic buildings officer to the application as originally submitted.*)
17. **Contaminated Land Officer** – No objection. Request condition applied requiring remediation works in the event of unidentified contamination.
18. **County Definitive Maps Team** – Objection to the proposed layout, which would obstruct the legal alignment of the footpath. Planting is shown close to the PROW, which should be at least 2m from the footpath to allow for future growth.

Representations

19. 13no. representations received incorporating the following summarised material considerations;
 - Appropriate conditions should be imposed to ensure minimal disruption during the course of the development.

- The dwelling is too large and would dominate the street scene to the detriment of the character of the area.
 - The scale of the dwelling would impact the neighbouring listed buildings.
 - Dwellings along the west have retaining walls to the rear as they are cut into the hillside, while this dwelling would sit on top of the hill, out of character with other dwellings.
 - The proposal would impact views to and from Wimpole estate from the top of the hill.
 - There are no details of the finish to the road.
 - There are no drainage details provided and the proposal would impact existing foul and surface water drainage systems in the area. Details should be provided.
 - The proposal will exacerbate existing drainage problems in the area due to landscape topography and heavy clay soil.
 - The access road will have an adverse impact to the access to other properties and should be reduced.
 - The height of the buildings will block out light to properties in the area because of their height.
 - The proposal would impact the enjoyment of the public right of way and result in a suburban form of development.
 - Concerns regarding how the development would be undertaken in terms of the removal and disposal of waste soil.
 - The applications should be considered in a joined-up manner.
 - The garages are large and dominate in the street scene.
 - The materials are not in keeping with the character of the area.
 - The details indicate landscaping outside the red line, and this is an error in the application.
 - The drainage officer has requested a condition and the application therefore should be refused on the grounds of insufficient drainage details.
 - The proposed dwellings cover significant portions of the site and represent over development.
20. The following summarised matters have been raised that are not material planning considerations;
- The letters sent in respect of the application were sent second class and arrived late into the consultation period. *(Officer note; this appears to have been a postal issue, and in any event, subsequent re-consultations and extensions to the time period have provided further opportunity for consultation.)*
 - The proposed dwellings differ in design from the dwellings shown at outline stage. *(Officer note; the details provided at outline were indicative only, and do not bind any subsequent reserved matters application.)*
 - The dwellings could be enlarged at later date, through permitted development extensions. *(Officer note; purely theoretical scenarios are not material to the decision, which must consider a likely impact).*
 - Other applications have historically been amended to reduce building heights. *(Officer note; all applications must be considered on their own merits.)*
 - Concerns regarding potential future development that might come forward in the area. *(Officer note; potential future development is not material to this decision, which is based on the application as submitted. Future development would need the relevant permissions which would be assessed at that time.)*
 - The application has included a larger boundary than the original outline application and there is concern the proposal includes a change of use. *(Officer note; this was an error at the time of submission and has since been rectified. The application is not for a change of use and cannot consider that.)*

- Matters of private rights of access over land. (*Officer note; this is a civil issue.*)
- There is no confirmation external lighting is restricted. (*Officer note; restrictions are applied to the outline consent, which remain in place and must be accorded with.*)
- There is no indication archaeological requirement has been met. (*Officer note; a condition was imposed on the outline consent, which remains in place and must be discharged through a separate application.*)
- The ecology requirements have not been provided in the amended scheme and appear to be incorrectly including the parking area to the front of the site. (*Officer note; a condition was imposed on the outline consent, which remains in place and must be discharged through a separate application.*)
- The original outline application was for the whole plot and you cannot only consider part of it. (*Officer note; a reserved matters application may consider sections of an outline grant of planning permission.*)
- The address of the site was incorrect on the letters. (*Officer note; this was error in the submitted application and has since been rectified.*)

Planning Assessment

21. The key considerations in this application are;

- Design and Character
- Heritage Assets
- Highway and Transport Impacts
- Residential Amenity
- Other Matters

This application was granted outline planning permission under application S/3462/16/OL, which has established the principle of development on the site. The considerations of this application are limited to matters of access, appearance, landscape, layout and scale for plot 1, and those matters related to these elements.

Design and Character

22. The application site sits on a hill at the end of Church End, a cul-de-sac accessed by a narrow road. There is a mix of forms, materials and designs in the locality such that there is no single prevalent character of built form, and properties are set at varying distances from the road, with outbuildings interspersed. There is a significant variation in the topography of the area, with a notable drop to a valley to the north east, and with the hill continuing to rise to the south west.
23. The application proposes a dwelling of a more modern design, set back from the road, with a garage to the side. Given the mix of architectural styles in other dwellings in the locality, which appear reflective of prevalent styles at the time of building, and vary in terms of plot to dwelling ratio, width, depth and height. While the proposed dwelling does fill a large area of the site, the proposal maintains appropriate garden sizes, and represents a lower density than many of the surrounding properties, at approximately 13 dwellings per hectare.
24. The site as a whole forms a high point within the context of the cul-de-sac, at approximately 55m AOD. While other properties are in a similar topographical band. Some have lowered the ground levels to the rear of the property, and as a result the dwellings are set closer to the road level. However, there is some similarity in the overall ridge heights of buildings within the locality, though officers do note variance between properties, and those along the western side of the road appear to be higher

than those on the eastern side, where the ground level drops away. Properties along the western side of the site tend to be set closer to the road, such that they are more visually prominent in the street scene.

25. Overall, the ridge of the proposed dwelling would sit approximately 10.1m above the road level, and the ridge of the proposed garage would sit approximately 6.3m above the road level. The submitted site sections indicate the proposed garage is of a similar ridge point to the garage to the south in neighbouring ownership, though the road level variation means that garage is not so high above road level. Given the position of the plot, the dwelling would be read most in conjunction with no. 5 to the south and with the development to plot 2 to the north, proposed under application S/0411/19/RM.
26. The proposed dwelling is set further back into the site than other properties along the west side of Church End road, and the roof is shallower in pitch such that this would minimise the overall visual impact of its height. There is a substantial separation between the proposed and neighbouring dwellings such that there are limited viewpoints the dwelling would be read in conjunction with others. This would limit visual impact in street scene terms, as variation from other property would be less readily notable. In addition, position of the dwelling, set back from the road in comparison to the neighbouring properties along this side of Church End would lessen any dominance in the street scene. On the whole, officers consider the proposed dwelling is of an appropriate design and form to preserve and respond to the character of the area, in accordance with policy HQ/1.
27. There are limited details provided in respect of the surfacing materials to be used in areas of hardstanding and with regards to species to be planted. Officers consider it appropriate to impose a condition requiring details of the boundary treatments, hard surfacing materials and planting specifications to be submitted for approval, in order to ensure these are of an appropriate form in the context of the area and in accordance with policy NH/2. That said, the layout of the site is considered to be readily appropriate and sufficient space is included that officers readily consider a suitable landscape scheme can be achieved.

Heritage Assets

28. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is had to the preservation of listed buildings or their setting where development affects a listed building or its setting. The historic buildings officer has raised an objection to the proposal on the basis of the contemporary design and the buildings overall height in comparison to the surrounding heritage assets.
29. The application site is north of no. 5 Church End, a Grade II listed 1½ storey dwelling. There is a reasonable separation between the proposed dwelling and this building, with the new dwelling set at a depth into the site in comparison to no. 5. In addition, there is an existing garage to the north, and a further garage would intervene between the dwellings. There is existing, well established planting in neighbouring control within the site that limits visual relationship between the site and the listed building, though views are available looking southward from within the cul-de-sac. The distance, together with intervening outbuildings and the position of the dwelling set further back into the site is considered to sufficiently mitigate any impact through the development in the setting of the listed building such that its significance is adequately preserved.

30. Further south is a Grade I listed Church of St Nicholas, sited on a prominent corner position on the junction to Church End. There is a number of buildings intervening between the site and that church such that the proposal is not considered likely to adverse impact its setting. The proposed development maintains the pattern of built form within the area, extending along Church End.
31. Comments have been received regarding the impact to the Wimpole Hall estate to the east, which comprises a Grade I Listed Park and Garden, a Scheduled Ancient Monument and a number of listed buildings of varying grades. Given the topography of the land and intervening tree planting and built form, it would be some distance into the estate before views of the site were readily apparent. That the site might be visible from Wimpole estate is not harmful in itself. At such a distance, officers consider it very unlikely there would be any material harm to the setting of the estate that would affect the significance of these assets.
32. The proposal is therefore considered to safeguard the significance of the heritage assets in the area in accordance with policy NH/14.

Highway and Transport Impacts

33. The position of the access was fixed at the outline stage, being provided from the end of the cul-de-sac turning head. The ground level would be altered to provide a slope upwards, to maintain access through the site along the existing PROW.
34. Officers note the objection from the Definitive Maps Team in terms of the relocation of the public right of way and that the proposed layout does not accord with the existing PROW alignment. Notwithstanding, the outline application made provision for the PROW to be moved through details to be agreed under the subsequent reserved matters application. As such, that the PROW might be moving is not considered harmful, though any movement appears to be wholly minor as the route shown is very much in line with the existing route shown on the County Council website. A route is maintained through the site that would result in very little change from the existing PROW, and its function would be protected through the development.
35. The highway authority has raised no objection to the proposal, subject to conditions regarding that would be necessary to ensure the long term safe functioning of the access and the wider highway network. The proposed access is of a sufficient width to provide sufficient opportunity for cars to pass off the highway, such that it would not result in any significant harm to the safety of the highway. Officers note comments regarding the width of the access impacting other property. The access appears to be of the minimum width to accord with Manual for Streets and allows cars to pass and matters regarding rights of access onto neighbouring land are not material planning matters, which would be a civil matter.
36. The proposed development incorporates a double garage, with further parking space in front of that. Policy TI/3 requires that proposals provide 2no. parking spaces, and 1no. cycle space per bedroom. Given the space within the site, officers consider this is readily achieved through the proposed development.
37. On the whole, therefore, the proposal is considered to be of a suitable form to provide sufficiently safe access and parking arrangements, and maintain the safety of the highway, in accordance with policies TI/2 and TI/3.

Residential Amenity

38. The application site is sufficient distant from most property that it would not adversely impact the amenity of neighbouring property in terms of overshadowing and overlooking. The proposed site shares a boundary with only a single neighbour, no. 5 Church End, to the south. Comments have specifically noted the bungalows opposite the site in terms of limited distance, but the details provided indicate there is approximately 27m between those bungalows and the proposed dwelling, which is in excess of the required 25m of the district design guide.
39. There is a shorter distance to the boundary to the immediate south, shared with no. 5, however the area in the neighbouring property is a driveway and garage, not external amenity space that contributes materially to the enjoyment of the property, such as the rear garden. As such, while there are windows that face towards this property, these would not result in any material harm in terms of overlooking, or perceived overlooking, and any noise from the movement of cars would be mitigated by the distance from more private amenity space. The proposal is therefore considered to sufficiently protect the amenity of neighbouring property such that it would accord with policy HQ/1.
40. The proposed dwelling is of a sufficient size to provide internal space to accord with policy H/12, though officers note the outline application did not condition this requirement such that it could not be insisted upon in this reserved matters application. The proposal includes a private external garden space that is in excess of the 80m² required by the district design guide. It is therefore considered the proposed development would create a suitable amenity environment for the future occupants of the dwelling.

Other Matters

41. Comments have been received in respect of ecology, archaeology and external lighting. Conditions on the outline application remain to be discharged, and this cannot be carried out under a reserved matters application. These details will require a separate application for details reserved by condition.
42. Officers note matters of drainage were considered at outline stage, and it was considered that, given the scale of the development, there was sufficient provision under building regulations that it was not necessary to impose further conditions. Officers do not consider there is any reason to differ from the previous assessment. Soakaways are indicated within the site such that it appears there is ready opportunity to achieve a satisfactory drainage scheme within the site.
43. Officers note the condition requested by the contaminated land officer. Contaminated land is a matter of principle and cannot be considered as part of this application as it does not relate to the reserved matters. This would have been considered at outline stage. Though no consultation response was received, it does not appear officers considered it was necessary to impose any specific condition with regards to contamination.

Recommendation

Officers recommend that the Committee **grants** planning permission, subject to:

Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location and Block Plans – Drawing no. 02 rev p4
Proposed Site Plan – Drawing no. 03 rev P6
Public Right of Way Plans – Drawing no. 05 rev P2
Proposed Floor Plans and Elevations – Drawing no. 06 rev P1
Proposed Site Elevational Sections – Drawing no. 07 rev P3
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990).
2. Prior to any development above ground level full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development, specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. The details shall also include the details of the materials, position and permeability of areas of hardstanding, and elevations at a scale of not less than 1:50 of any boundary fencing.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018).
3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018).
4. The pedestrian visibility splays shown on drawing no. 03 rev P6 (Proposed Site Plan) shall be provided prior to the occupation of the dwelling hereby approved and shall thereafter be maintained free of obstruction above 600mm.
(Reason – To ensure safe visibility between pedestrians and vehicles using the access in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018.)
5. The access to serve the dwellings hereby approved shall be constructed in a manner that prevents surface water run-off onto the highway and shall be constructed from a bound material so as to prevent displacement of material onto the highway. The development shall be retained as such thereafter.
(Reason – To protect the highway from displaced material and water that could result in unsafe conditions, in accordance with paragraphs 108 and 110 of the South Cambridgeshire Local Plan 2018.)

Informatives

1. Public Footpath No 4 Arrington must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).
No alteration to the Footpath's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).
Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).
The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).
If a temporary closure is necessary in connection with a development proposal you should contact the County Council's Street Works Team on 0345 045 5212 or email street.works@cambridgeshire.gov.uk
2. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway. A separate permission must be sought from the Highway Authority for such works.
3. All soakaways will be required to be 5m from any structure, including the carriageway.

Background Papers:

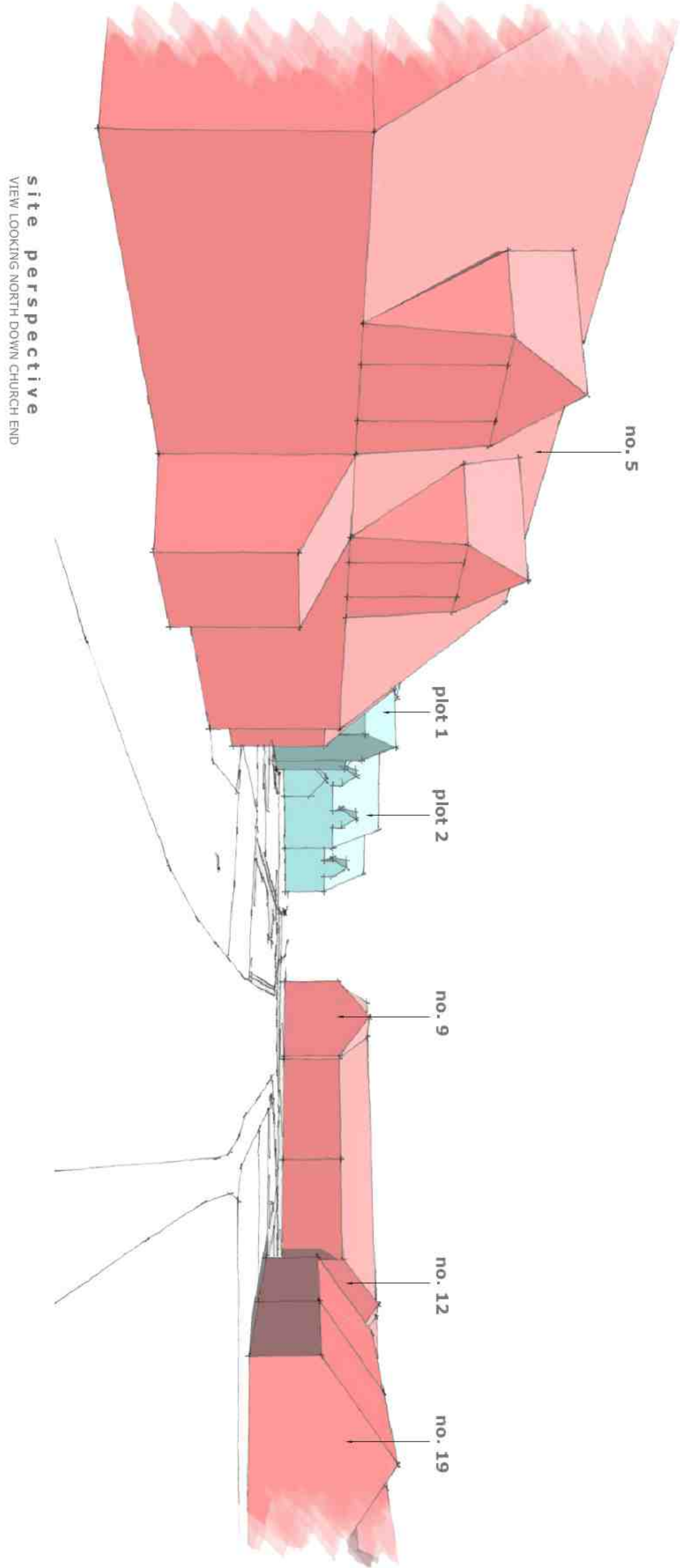
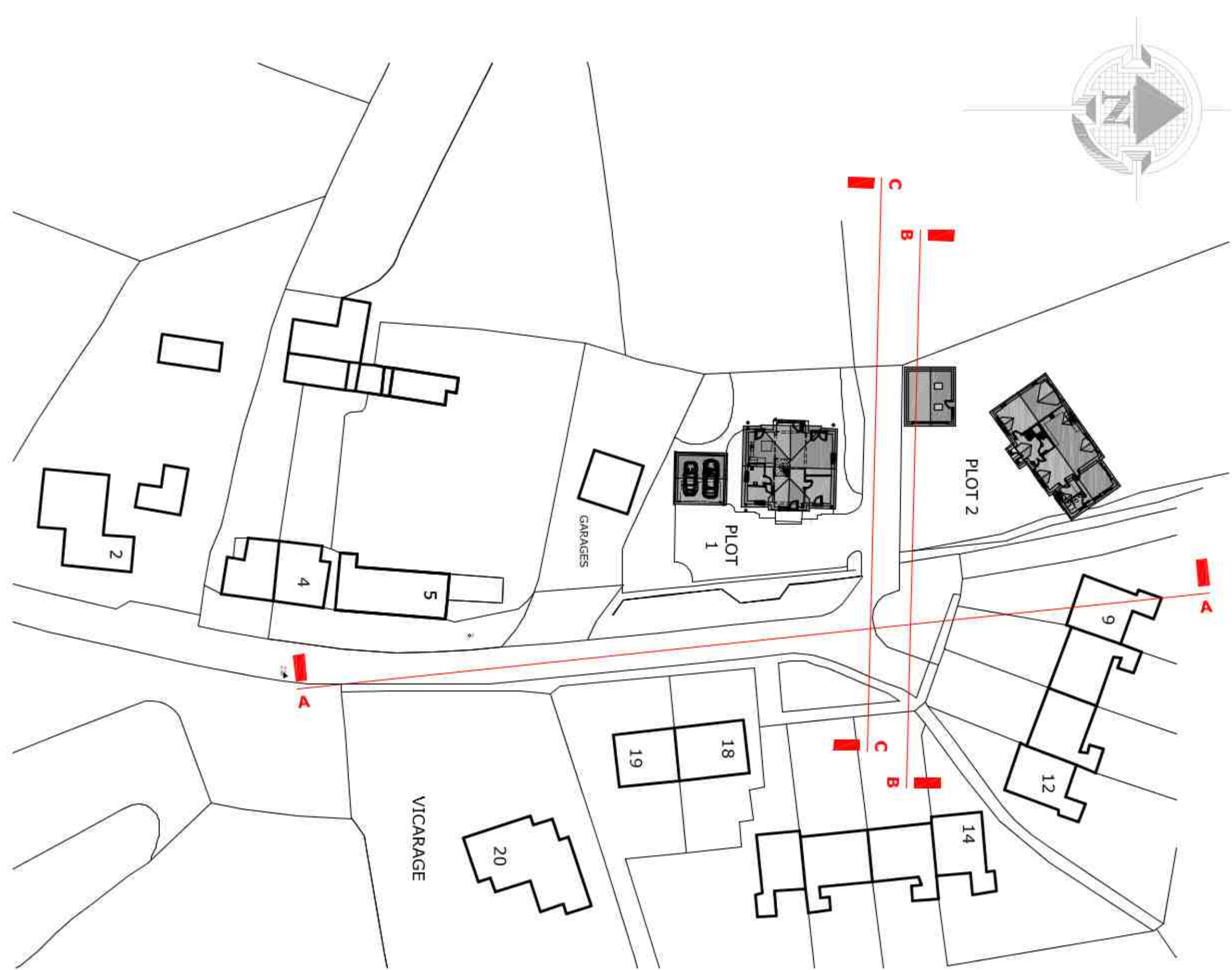
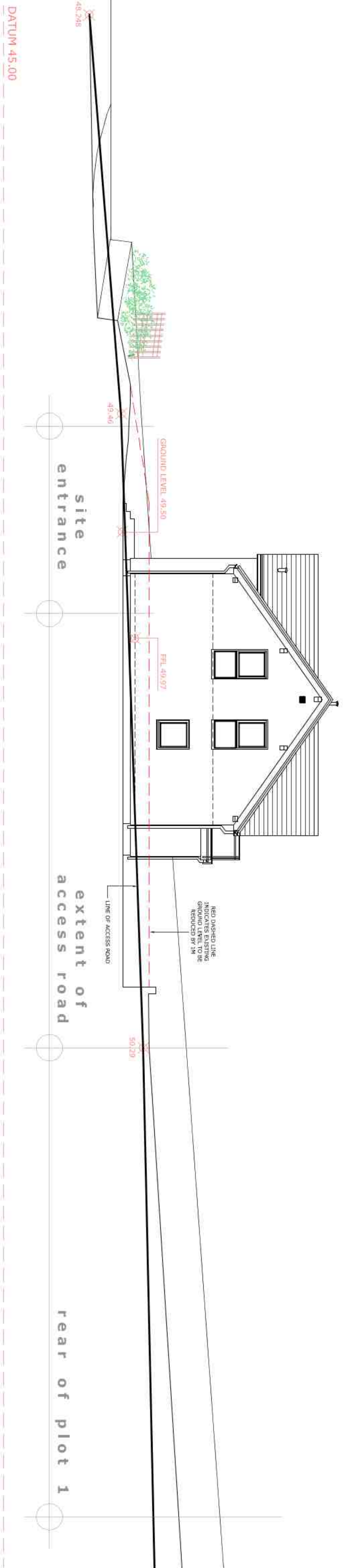
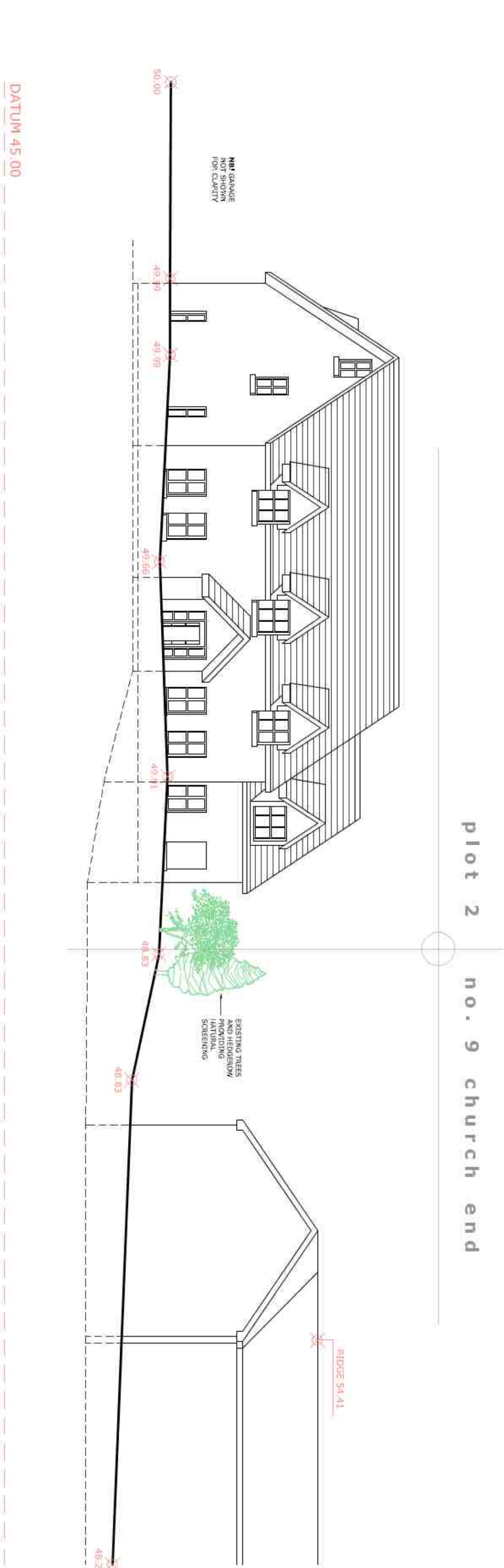
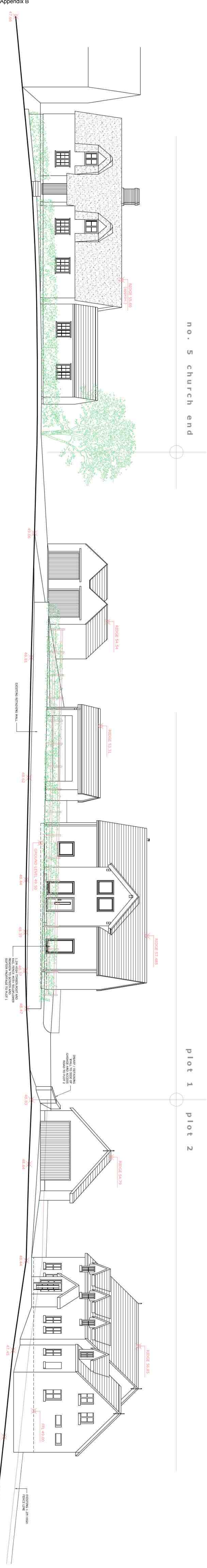
The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- [South Cambridgeshire Local Plan 2018](#)
- Planning File Ref: [S/3849/18/RM](#)
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Report Author:

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Telephone Number:

Senior Planning Officer
01954 713237



FOR PLANNING APPROVAL

P7	WIREFRAME STUDIO LTD TO SITE ELEVATIONAL SECTION 'A'	29th AUG 2019
P6	GROUND LEVELS TO PLOT 1 AND PLOT 2	29th AUG 2019
P5	SITE PERSPECTIVE ADDED	29th AUG 2019
P4	NO. 5 CHURCH END ADDED TO SITE SECTION 'A'	29th AUG 2019
P3	NO. 9 CHURCH END ADDED TO SITE SECTION 'A'	29th AUG 2019
P2	NO. 12 CHURCH END ADDED TO SITE SECTION 'A'	29th AUG 2019
P1	PRELIMINARY FOR DISCUSSION PURPOSES ONLY	29th AUG 2019

Wireframe Studio Ltd

Studio One, Newton Court, 301 Eccleall Road, S11 8NN	tel: 0114 266 9993	email: studio@wireframestudio.co.uk
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Project title	LAND AT CHURCH END, ARBINGTON, ROTSTON, CAMBRIDGESHIRE, 568 0BN	Project no	1700	Rev	P7	Scale	1:100 @ A0
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Drawing title	PROPOSED SITE ELEVATIONAL SECTIONS	Drawing no	07	Date	29th AUG 2019	Drawn	ATF
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FOR INTERNAL USE ONLY

Scale - 1:1250

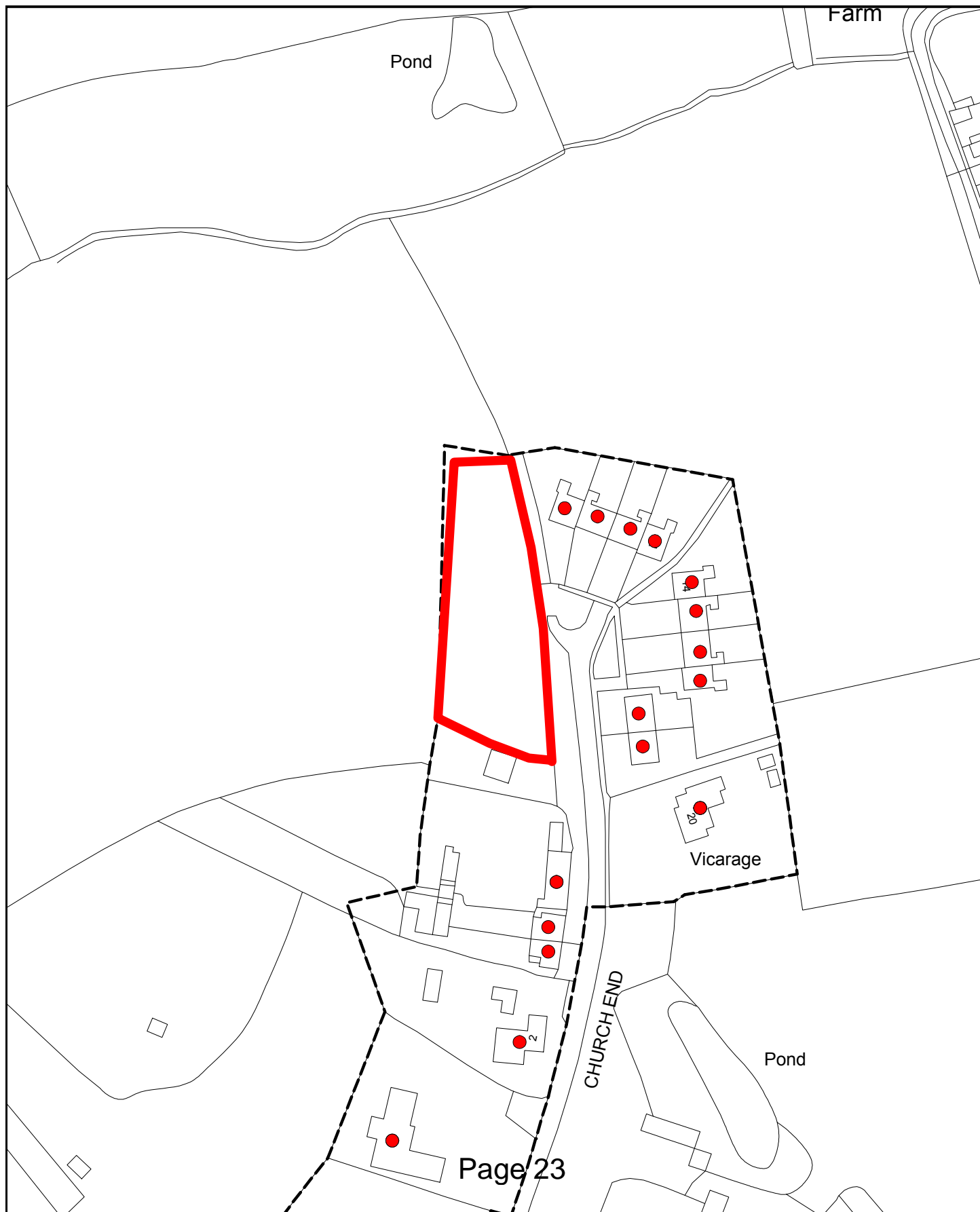
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Date of plot: 25/07/2019



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Cambridgeshire
District Council**

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Agenda Item 6



REPORT TO: Planning Committee

11 September 2019

LEAD OFFICER: Joint Director of Planning & Economic Development

Enforcement Report

Purpose

1. To inform Members about planning enforcement cases as at 21 August 2019
Summaries of recent enforcement notices are also reported, for information.

Executive Summary

2. There are currently at the end of July 2019, 90 active cases (Target is maximum 150 open cases, Stretch target 100 open cases).
3. Details of all enforcement investigations are sent electronically to members on a weekly basis identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.
4. Statistical data is contained in Appendices 1, and 2 to this report.

Updates to significant cases

5. Updates are as follows:

(a) **Cottenham - Smithy Fen:**

Work continues at Setchel Drove, following the placement of a number of static caravans on four plots in breach of the current planning consent and High Court Injunction applicable to each plot. Formal letters have been issued to those reported owners and occupants on Setchel Drove, covering the breaches of planning control and breach of the High Court Injunction - Copies of the Injunction and Housing leaflets, covering those that may be threatened with homelessness or eviction has been issued – Given the complexity and number of departments within the organisation that may be involved in any future action the Councils Tasking & Coordination group are facilitating a joint approach with Planning, Environmental Health, Housing, Benefits & Council Tax, and Legal.

Following a full survey of the site , Including Needs assessments preparation was made for the issue of twenty two (22) Breach of Condition Notices

covering five plots in Water Lane, one plot in Orchard Drive, four plots in Pine Lane, three plots in Park Lane, and nine plots in Setchel Drove, who have been found to breach their planning permission.

A compliance inspection carried out after the 31 July 2017 confirmed that 54% of the plots previously identified as being in breach of their planning permission in relation to planning conditions are now complying with them. Work is currently underway to identify the persons continuing to breach planning and to instigate prosecution proceedings against them. Investigation now complete and prosecution files relating to ten (10) plots, which are still in breach of the notice have been submitted to the council's legal team for summons. Cambridge Magistrates Court are now currently processing the application for Summons. All cases have now been heard and where breaches were identified Cambridge Magistrates levied fines totalling £72,566.57p – A further inspection and survey of the site has now been carried out on the 26th June 2018 which revealed that 12 plots are currently in breach of planning control. Further prosecutions will now be considered /carried out in addition to two further breaches of Condition Notices issued and one prosecution in the High Court for breaching the current site Injunction. A further application to the High Court for an Injunction is to be made at the earliest opportunity. Barrister identified; detailed chronology compiled next steps agreed - Work in progress

(b) Whaddon – 9A Bridge Street

Without planning permission, the erection of a six-metre-high pole for CCTV equipment. Enforcement Notice SCD-ENF-094/17/A was issued with a compliance date of 25th November 2017 to remove the pole and CCTV equipment. The notice has not been complied with and a file was submitted to the Councils Legal office to issue a Summons. The date of the summons was set for 10am 15th March 2018 however the accused did not attend, and the Court issued a Warrant for his arrest. Case continues - No further information at this time – Legal office have liaised with the Court and have been informed that the Arrest Warrant is live and waiting to be executed by Police. Referred to Legal as Police have no current knowledge of the Warrant – No further details are available at this time. Councils Legal and Planning department to review next steps including Injunctive action to remove unauthorised Pole and CCTV camera. Report to be submitted to Planning Committee seeking approval for direct action – Costings now obtained, and it is proposed to take direct action for the removal of the unauthorised pole and cctv equipment

(c) Gothic House 220 High Street Cottenham

The property which is a grade 2 Listed building is unoccupied and in a serious state of disrepair which not only affects the fabric of the building but is also considered an immediate danger to the Public. A s215 Amenity Notice was issued in order to address the immediate concerns with a compliance date of 19 May 2018. Which due to circumstances was extended to 19th June 2018. An inspection carried out on the 21 June 2018 revealed that no works had commenced, and the situation remained outstanding. A prosecution file was raised and a date to attend Cambridge Magistrates Court was set for the 9th August 2018. The owners of the property appeared before the Court and admitted the charge and were fined £907.00p with costs totalling £150.00p and Victim surcharge of £90.00p the grand total being £1147.00p. Work has now commenced to comply with the s215 Notice – Report received regarding the security of the main entrance door – Owner visited the property, building now secure. Monitoring continues.

(d) **73 High Street West Wratting**

Following reports that the amenity of the above property including the main building which was a Public House known as the Lamb Inn and had been closed for many years a s215 Notice was issued to address the unacceptable amenity issue. The compliance period given was to complete the works by no later than 19th June 2018 however the building caught fire during the early hours of Friday 8 June 2018 before works had commenced and the building was destroyed leaving only the outer walls standing. The site has been fenced off to prevent access to unauthorised persons. The owners have submitted an application to demolish the building due to its condition and safety to the Public. Separate planning application to be submitted to develop the whole site Situation continues to be monitored. Further s215 Notice to be considered Information received that the Landowner has sadly passed away and the estate is currently being dealt with by the executors of the estate. The family have submitted a "Pre-Application" for planning advice regarding this property under reference PRE/0090/19 Situation to be monitored. A point of clarification has been requested by the case officer in relation to the site and currently waiting on information

(e) **147 St. Neots Road, Hardwick**

A fire which took place several years ago and severely damaged the building on the site and although heavily screened by high hedging has remained unrepaired and a general eyesore to the neighbouring properties and the general Public passing the site. The owner of the land who has stated that he will demolish the building however the Neighbouring business unit has not given its authority for the National Grid to disconnect the live main gas supply which it shares with number 147 St Neots Road. Given the time that has elapsed and opportunity for the parties concerned to resolve the Gas termination to no 147 the Council is reviewing its powers under s79 in order that arrangements can be made with the relevant statutory undertakers for the disconnection of the gas supply, electricity and water as applicable, and the building demolished. The gas governor was due to be disconnected by the end of September 2018 however the company carrying out the work was again refused access and turned away. Local Parish informed of current impasse. Work continues to resolve access issues. Possible April 2019 date was given to resolve however work still not commenced. Case review to be carried out regarding next steps. The owners of the land are still waiting for a date from Cadent/Triio for the gas works on site and are actively chasing them for a date to carry out the work. It is understood that insurance details prior to commencement have been requested and once received and satisfactory work will commence.

(f) **19 Bandon Road Girton**

Not built in accordance with approved drawings relating to visibility splays Breach of Condition Notice issued 22 February 2018 with 28-day compliance period. Despite compliance discussions with the builder works still not carried out. Prosecution file has been raised, waiting issue of summons, still with legal Legal case officer now allocated waiting for further information as to timings

(g) **14 Church End Rampton – Grade2 Listed Building**

The above property is a thatched cottage that has fallen into disrepair in particular the thatch and woodwork. The owners have failed to engage with the

Council and as a result an Amenity Notice s215 was served on the owners 11th October 2018 to carry out urgent repairs to the building. The compliance date was 6 months in order to allow specialist contractors to carry out the work. The owners have decided to challenge the Council which is their right and their appeal will be heard at Cambridge Magistrates Court on the 10th January 2019. The owner attended the Court but was unrepresented or in a position to make his appeal therefore in the circumstances the Court adjourned the case until the 8th May 2019. Due to the owners age it was agreed that we would assist the Court and the owner by preparing the evidence bundles.

The appeal was heard on the 8th May 2019 and was based on the notice being unlawful and if it wasn't then the compliance period of 6 months was insufficient to arrange for the works to be carried out? Having listened to the evidence from both sides the Court upheld the notice as lawful but decided to allow the appellant more time to arrange for the works to be undertaken. The compliance period is now 18 months from the date of the appeal hearing.

(h) **Burwash Manor Farm**

Without planning permission, the erection of children's play equipment within land designated as Green Belt. A retrospective planning application, reference S/3494/18/FL had been refused. The size, scale and height of the development is contrary to paragraph 144 of the National Planning Policy Framework (NPPF) 2019. The enforcement notice issued requires the owners to cease the use of the play equipment specifically the adventure tower and remove the play equipment from the land. The compliance period is one (1) month from the date it takes effect on the 21 May 2019 – A Planning Appeal has been submitted to the Inspectorate on the 20th May 2019

(i) **Cottage Nursery, Cardinals Green, Horseheath**

Without planning permission (Advert Consent) displaying advertising signs measuring 6ft x 4ft for Cardinal Barns Kitchen and Blooms @ the Barn. On the junction of Howards Lane and the A1307 and a further smaller sign at the entrance to the nursery advertising Caravan Site which is approximately 1 metre square. Although the owner of Cottage Nursery was informed of the breach and asked to remove them by the 14 March 2019. The owner of the site failed to remove the signs and when interviewed under caution stated that "Do what you want I am not going to remove them" As a result of a criminal offence being committed by displaying unauthorised signs a prosecution file has been raised.

Investigation summary

- 6 Enforcement Investigations for July 2019 reflect an 20.9% reduction in the number of cases investigated when compared to the same period in 2018. Sixty-eight (68) cases in total for the July period versus eighty-six (86) cases in 2018

The year to date comparison 2019 versus 2018 revealed a 13.4% reduction or 54 cases less for the same period.

A review of the fifty-six (56) cases closed in July 2019 revealed that 22 cases were

found not to be in breach of planning control or were permitted development, 16 cases complied, and 1 case was not expedient to enforce. The remaining 17 cases were as a result of express consent already granted, consent on appeal and express consent granted – Time Limited, awaiting further instruction and retrospective planning applications submitted.

Effect on Strategic Aims

- 7.. South Cambridgeshire District Council delivers value for money by engaging with residents, parishes and businesses. By providing an effective Enforcement service, the Council continues to provide its residents with an excellent quality of life.

Background Papers:

The following background papers were used in the preparation of this report:

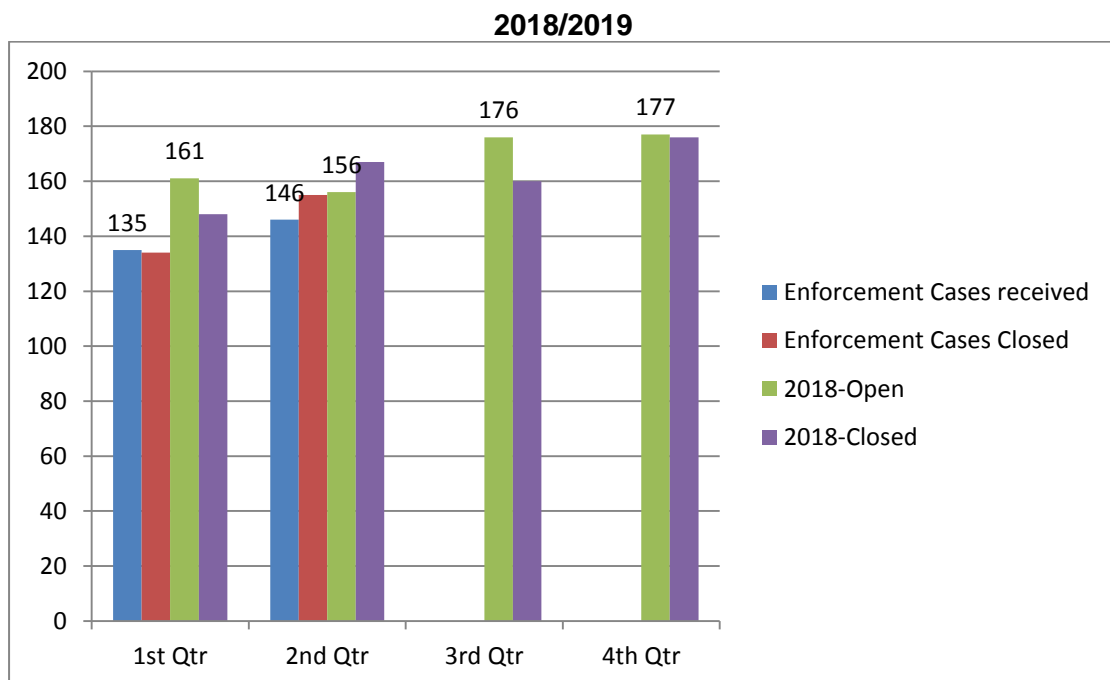
- **Appendices 1 and 2**

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Enforcement Cases Received and Closed

Month – 2019	Received	Closed
July 2019	68	56
August 2019	-	-
September 2019	-	-
1 st Qtr. 2019	135	134
2 nd Qtr. 2019	146	155
1 st Qtr. 2018	161	148
2 nd Qtr. 2018	156	167
3 rd Qtr. 2018	176	160
4 th Qtr. 2018	177	176
1 st Qtr. 2017	122	122
2 nd Qtr. 2017	157	165
3 rd Qtr. 2017	148	118
4 th Qtr. 2017	175	158
2019 - YTD	349	345
2018 - YTD	670	651
2017 - YTD	602	563
2016 - YTD	565	563
2015 - YTD	511	527
2014 -YTD	504	476



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Notices Served and Issued

1. Notices Served

Type of Notice	Period	Calendar Year to date
	July 2019	2019
Enforcement	1	3
Stop Notice	0	0
Temporary Stop Notice	1	1
Breach of Condition	1	13
S215 – Amenity Notice	0	2
Planning Contravention Notice	0	2
Injunctions	0	1
High Hedge Remedial Notice	0	1

2. Notices served since the previous report

Ref. no.	Village	Address	Notice issued
SCD-ENF 0234-19 Failure to discharge Pre – Commencement conditions	Caldecote	32 West Drive Highfields	Temporary Stop Notice
SCD-ENF 0332-19 Failure to comply with condition 10 – Planning ref S/3515/17 Machinery operations out of hours	Eltisley	82 Caxton End	Breach of Conditions Notice
SCD-ENF 0373-19 Change of use of paddock land to garden land	Castle Camps	Land at East View, Haverhill Road	Enforcement Notice

3. Case Information

Thirty-Seven (37) of the sixty-eight (68) cases opened during July were closed within the same period which represents a 54.4.0% closure rate.

A breakdown of the cases investigated during July is as follows

Low priority - Development that may cause some harm but could be made acceptable by way of conditions e.g. Control on hours of use, parking etc.
Two (2) cases were investigated.

Medium Priority -Activities that cause harm (e.g. adverse affects on residential amenity and conservation areas, breaches of conditions)
Sixty-one (61) cases were investigated.

High Priority (works which are irreversible or irreplaceable (e.g. damage to, or loss of, listed buildings and protected trees, where highways issues could endanger life)
Five (5) cases were investigated.

The enquiries received by enforcement during the July period are broken down by case category as follows.

Adverts	x 02
Amenity	x 00
Breach of Condition	x 31
Breach of Planning Control	x 05
Built in Accordance	x 04
Change of Use	x 06
Conservation	x 00
High Hedge	x 00
Conditions	x 00
Listed Building	x 01
Other	x 07
Unauthorised Development	x 10
Unauthorised Demolition	x 02
Permitted Development	x 00
Monitoring	x 00
<u>Total Cases reported</u>	<u>68</u>

Agenda Item 7



REPORT TO: Planning Committee

12 September 2019

LEAD OFFICER: Joint Director for Planning and Economic Development

Appeals against Planning Decisions and Enforcement Action

Purpose

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as of 2nd September 2019. Summaries of recent decisions of importance are also reported, for information.

Statistical data

2. Attached to this report are the following Appendices:
 - Appendix 1 - Decisions Notified by the Secretary of State
 - Appendix 2 – Appeals received
 - Appendix 3 - Local Inquiry and Informal Hearing dates scheduled

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Appendix 1

Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
S/1373/18/FL	Land adjacent to Pettetts Barn, High Street, Hinxton	Single storey detached dwelling with basement, detached garage and parking.	Dismissed	14/08/2019	Refused
S/1266/18/FL	4 Pound Lane, Willingham	Erection of 1 new 5 bedroom detached dwelling	Allowed	14/08/2019	Refused
S/4675/18/OL	144, Histon Road, Cottenham, Cambridge, CB24 8UG	Outline planning permission for a New dwelling All Matters Reserved	Dismissed	15/08/2019	Refused
S/0986/18/OL	Land To The South Of 33, Dubbs Knoll Road, Guilden Morden, SG8 0LA	Outline planning application for the erection of 2No detached 1.5 Storey Houses	Dismissed	16/08/2019	Refused
S/3686/18/FL	Land adjacent to The Glebe, Frogge Street, Ickleton, CB10 1SH	Construction of two dwellings along with access, car parking and associated land	Dismissed	21/08/2019	Refused
S/4808/18/FL	16 Chalky Road, Abington	Proposed New Dwelling	Dismissed	30/08/2019	Refused

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Appeals Received

Reference	Address	Details	Date Appeal lodged
S/3485/18/RM	Barrington Cement Plant, Haslingfield Road, Barrington, Cambridge, Cambridgeshire, CB22 7RQ	Application for approval of reserved matters for appearance, landscaping, layout and scale under planning permission S/0057/17/VC for development of 220 residential units	13 Aug 2019
S/4688/18/OL	Rhee Valley Works, Barrington Road, Shepreth, Royston, Cambridgeshire, SG8 6QB	Outline planning permission for Proposed residential development of 8 dwellings	19 Aug 2019
S/0868/19/FL	Carefield, Button End, Harston, Cambridge, Cambridgeshire, CB22 7NX	Siting of an additional 5 Mobile Homes and associated Hardstanding	28 Aug 2019

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Appendix 3

ocal Inquiry and Informal Hearing dates scheduled

- Local Inquiries

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/proposed
S/0913/19/VC	Mr J Hart	Apple Acre Park, London Road, Fowlmere	Non determination	TBC
S/4780/18/FL	Mr Middleton	The Milking Parlour, High Street, Fen Ditton, Cambridge, CB5 8ST	Planning Decision	19 th & 20 th Nov 2019
S/0868/19/FL	John Hedges – C/O WS Planning & Architecture	Carefield, Button End, Harston CB22 7NX	Planning Decision	TBC

- Informal Hearings

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
S/3873/17/OL	Mr A Ashley	Land at Mill Lane, Sawston	Planning Decision	TBC
S/1625/18/OL	Mr A Ashley	Land at Mill Lane, Sawston	Planning Decision	TBC
S/2141/17/OL	Mr Peter Williams, Countryside Properties Plc	Land to the west of Cambridge Road, Melbourn	Planning Decision	TBC
ENF/0587/17	Mr Barry Arliss	Riverview Farm, Overcote Road, Over	Enforcement	TBC
S/1279/18/FL	D & R Rolfe, Abbey Properties Cambridge Ltd	30 New Road, Over	Planning Decision	TBC
S/3485/18/RM	Mr Chris Gatland	Barrington Cement Plant, Haslingfield Road, Barrington	Non-Determination	TBC
S/1502/17/FL	Station Yard Meldreth Ltd	Former GoCold Building, Station Yard, High Street, Meldreth	Planning Decision	13 Nov 2019