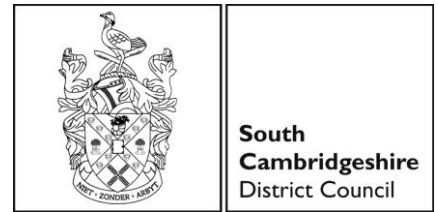


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Tuesday 06 December 2022

To: Chair – Councillor Peter Fane  
Vice-Chair – Councillor Geoff Harvey  
All Members of the Planning Committee - Councillors Henry Batchelor,  
Ariel Cahn, Dr. Martin Cahn, Bill Handley, Dr. Tumi Hawkins,  
William Jackson-Wood, Peter Sandford, Heather Williams and  
Dr. Richard Williams

Quorum: 3

Substitutes Councillors Graham Cone, Sue Ellington, Mark Howell, Bunty Waters,  
if needed: Dr. Shrobona Bhattacharya, Anna Bradnam, Brian Milnes,  
Richard Stobart, Dr Lisa Redrup and Helene Leeming

Dear Councillor

You are invited to attend the next meeting of **Planning Committee**, which will be held in the **Council Chamber, First Floor** on **Wednesday, 14 December 2022** at **10.00 a.m.**. **A weblink to enable members of the press and public to listen to the proceedings will be published on the relevant page of the Council's website , normally, at least 24 hours before the meeting.**

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  
**Liz Watts**  
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.**

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## Agenda

- |   | Pages |
|---|-------|
| 1. <b>Chair's announcements</b>   |       |
| 2. <b>Apologies</b><br>To receive apologies for absence from committee members. |       |

### 3. **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.

#### 4. **Minutes of Previous Meeting**

To authorise the Chairman to sign the Minutes of the meeting held on 9 November 2022 as a correct record.

1 - 6

#### 5. **22/03957/HFUL - 62 High Street, Melbourn**

Outdoor swimming pool

7 - 16

#### 6. **Member Site Visit Protocol**

17 - 24

#### 7. **Enforcement Report**

25 - 30

#### 8. **Appeals against Planning Decisions and Enforcement Action**

31 - 48

#### **Exclusion of Press and Public**

By virtue of paragraph 7 of Part 1 of Schedule 12 A of the Local Government Act 1972 the following report is exempt from the press and public:

(7) Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

#### 9. **Planning Compliance - Smithy Fen Traveller Site**

49 - 60

### **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'.

### **Declarations of interest**

#### **Disclosable pecuniary interests**

A "disclosable pecuniary interest" is an interest of you or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) which falls within the categories in [Table 1 of the code of conduct, which is set out in Part 5 of the Constitution](#). Where a committee member or their partner has any kind of beneficial interest in the land under consideration at the meeting, this would be a disclosable pecuniary interest.

Where a matter arises at a meeting which directly relates to one of your disclosable pecuniary interests you must:

- disclose the interest;
- not participate in any discussion or vote on the matter; and
- must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

It is a criminal offence to:

- fail to notify the monitoring officer of any disclosable pecuniary interest within 28 days of election
- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register
- fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting
- participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting.

#### **Other registerable interests**

These are categories of interest which apply to the Councillor only (not to their partner) and which should be registered. Categories are listed in [Table 2 of the code of conduct, which is set out in Part 5 of the Constitution](#). Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter; and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

### **Disclosure of non-registerable interests**

Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which affects – a. your own financial interest or well-being; b. a financial interest or well-being of a relative or close associate; or c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in Table 2 you must disclose the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied. Where a matter (referred to in the paragraph above) affects the financial interest or well-being: a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and; b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

[Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

# Agenda Item 4

## South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on  
Wednesday, 9 November 2022 at 10.00 a.m.

PRESENT: Councillor Henry Batchelor – Chair  
Councillor Peter Fane – Vice-Chair

Councillors: Ariel Cahn Dr Martin Cahn  
Bill Handley Geoff Harvey  
Peter Sandford Heather Williams  
Dr Richard Williams

Officers in attendance for all or part of the meeting:

Vanessa Blane (Senior Planning Lawyer), Tom Chenery (Senior Planner),  
Laurence Damary-Homan (Democratic Services Officer), Heather Jones  
(Assistant Director Planning and Building Control), Phil McIntosh (Interim  
Delivery Manager), Sumaya Nakamya (Senior Planner), John Shuttlewood  
(Principal Planning Enforcement Officer), Charlotte Spencer (Senior  
Planner) and Alice Young (Senior Planner)

Councillor Dr Lisa Redrup was in attendance virtually as a local Member.

### 1. Chair's announcements

The Chair made several brief housekeeping announcements

### 2. Apologies

Councillors Dr Tumi Hawkins and William Jackson-Wood sent Apologies for Absence.  
Councillor Dr Richard Williams was not present at the start of the meeting and had sent  
apologies for lateness but was to join the Committee later in the meeting.

### 3. Declarations of Interest

- With respect to Minute 5, Councillor Bill Handley declared that he was a local Member for Willingham but was coming to the matter afresh
- With respect to Minute 7, Councillor Henry Batchelor declared that was a local Member for Great Abington and had been present at Parish Council meetings where the application had been discussed but was coming to the matter afresh. Councillor Geoff Harvey declared that he lived in Great Abington but was coming to the matter afresh
- With respect to Minute 8, Councillor Henry Batchelor declared that his employer had previously held a business relationship with the architect, who was speaking as an agent of the applicant, but that his employer did not have any ongoing business with said architect and subsequently had no conflict of interest. Councillor Ariel Cahn declared that he was a local Member for Comberton but was coming to the matter afresh
- With respect to Minute 11, Councillor Heather Williams declared that one of the appeals listed in the report was next door to her father's property and that she would withdraw from the Committee for the duration of the item to ensure that there was no conflict of interest

#### 4. Minutes of Previous Meeting

With respect to Minute 7, the wording “The Committee agreed, by affirmation, to the removal of condition 26. The Committee requested, and approved by affirmation, an additional condition stating” at the beginning of the Minute was recognised as having been included as a mistake. The Minutes were corrected to remove this wording. It was also requested that the full details of who voted which way in the vote in Minute 7, and future votes, be listed. The final paragraph of the Minute subsequently opened with:

“By 5 votes (Councillors Henry Batchelor, Dr Martin Cahn, Peter Fane, Dr Tumi Hawkins and William Jackson-Wood) to 4 (Councillors Ariel Cahn, Peter Sandford, Heather Williams and Dr Richard Williams), with one abstention (Councillor Geoff Harvey)”

With the amendments, the Committee authorised the Chair to sign the Minutes as a correct record by affirmation.

#### 5. 21/00915/REM - Land To The Rear Of 1B Over Road, Willingham

The Senior Planner, Alice Young, presented the report and informed the Committee that the applicant had responded to the reasons for deferral given at the previous hearing of the application. The Committee agreed, by affirmation, to the addition of a condition (condition 9) which stated:

“The development hereby permitted shall be in accordance with the following documents, unless otherwise agreed in writing with the Local Planning Authority:

- Surface Water Drainage Report, A E Designs Ltd, Ref: 1414 Rpt, Dated: October 2017
- Proposed Site Drainage, Chiltern Design, Ref: 853/1102 Rev P03, Dated: 17 June 2022
- Drainage Construction Details Sheet 1 of 2, Chiltern Design, Ref: 853/1103 Rev P01, Dated 20 September
- Drainage Construction Details Sheet 2 of 2, Chiltern Design, Ref: 853/1104 Rev P01, Dated 20 September
- Proposed Site Levels, Chiltern Design, Ref: 853/1101 Rev P03, Dated: 16 June 2022
- External Works Details, Chiltern Design, Ref: 853/1105 Rev P02, Dated: 17 June 2022
- Ground Investigation, Paddock Geo Engineering Ltd, Ref: P21-249inf, Dated: 27 July 2021
- Stormwater Hydraulic Calculations, Chiltern Design, Dated: June 2022
- Surface Water Exceedance Routes, Chiltern Design, Ref: 853/1106 Rev P01, Dated: 20 July 2021

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/7 and CC/9 of the South Cambridgeshire Local Plan 2018.”

Members asked questions of clarity on the potential for piling on site, further detail on the split and locations of affordable units and the working hours for construction. The Senior Planner informed the Committee that affordable housing matters had been agreed in the Outline consent and the S106 agreement; working hours for construction had been conditioned in the Outline consent. A comment was raised on the potential for overbearing from the 3 storey properties and the Senior Planner assured the Committee that this had been considered and that officers were satisfied that there was no negative impact on neighbour amenity.

The Committee was addressed by Colin Williams, the agent of the applicant. Member

asked the agent questions of clarity regarding piling and affordable housing.

In the debate, piling concerns were revisited and the Committee was informed that condition 20 of the Outline consent covered piling. A comment was raised on the provision of 3.5KW electric vehicle charging points, it was stated that 7KW charging would be preferable, but this was not considered to be a material reason for refusal. The Committee expressed support for the application as the issues raised when the application was previously deferred had been addressed.

By affirmation, the Committee **approved** the application in accordance with the officer's recommendation, subject to the agreed additional condition (9) and the conditions laid out in the report from the Joint Director of Planning and Economic Development.

#### **6. 22/00209/S73 - Cambridge City Football Club, West Way, Sawston**

The Senior Planner, Tom Chenery, presented the report. Clarity was offered over the moving of the cycle parking and traffic management. The Committee felt that the changes to the scheme were minor, as well as positive and sensible. The Chair noted that there was an error in the paperwork and clarified that there was no S106 agreement linked to the proposal.

By affirmation, the Committee **approved** the application in accordance with the officer's recommendation, subject to the conditions laid out in the report from the Joint Director of Planning and Economic Development.

#### **7. 22/01272/FUL - 33 South Road, Great Abington**

The Senior Planner, Sumaya Nakamya, presented the report. The Committee was informed that compliance with policy GAL/2 (7) of the Great Abington Land Association Estate Neighbourhood Plan was not possible due to the constraints of the site but, on balance, the application was acceptable.

The Committee was addressed by a representative of Great Abington Parish Council, Councillor Tony Orgee, who informed Members that the Parish Council objected to the proposal for a variety of reasons, including the contravention of policy GAL/2. Councillor Orgee also raised concerns about the accuracy of the location of the piggery shown in the maps. Members asked a number of questions of clarity of the Parish Council's representative.

In the debate, Members agreed that the decision on the application must be based on the location of the piggery as listed in the adopted Neighbourhood Plan, despite the uncertainty around its location. The Committee agreed that the proposal was not compliant with policy GAL/2 of the Neighbourhood Plan and felt that approval was a balance between the harm of the contravention of policy GAL/2 and the harm to amenity than an alternative proposal, which would comply with GAL/2, would incur. Some Members felt that the proposal was the best possible for the constraints of the site, with the amenity benefits tilting the balance in favour of the application, whereas others felt the non-compliance with policy GAL/2 and violation of a Neighbourhood Plan carried more weight.

The Committee agreed that, if it were minded to refuse, the reason for refusal would be contravention of policy GAL/2 of the Great Abington Neighbourhood Plan. Concerns were raised over design (policy HQ/1 of the South Cambridgeshire Local Plan), due to a "jutting" edge facing the road rather than a flat edge, but this was not deemed a reason for refusal.

The Committee voted on the application. 3 Members voted for the application (Councillors Dr Martin Cahn, Peter Fane and Geoff Harvey), 3 voted against (Councillors Henry Batchelor, Ariel Cahn and Heather Williams) and two abstained (Councillors Bill Handley and Peter Sandford). The Chair, staying consistent with his initial vote, used his casting vote to **refuse** the application, contrary to the officer's recommendation, on the basis of contravention of policy GAL/2 of the Great Abington Neighbourhood Plan.

#### **8. 22/02337/FUL - Land At The Rear Of 64 Barton Road, Comberton**

The Senior Planner, Charlotte Spencer, presented the report and offered clarity on the history of decisions on the site.

The Committee was addressed by an objecting resident, Edward Halford, who felt that the proposal would cause harm to the Protected Village Amenity Area (PVAA), the Conservation Area, listed buildings in the area and wider public amenity. An agent of the applicant, Simon Redman, addressed the Committee in support of the application. Members asked questions on the impact of the proposal on badger sets as well as the types of foundations that would be used and the impact of this, alongside soakaways, on drainage on site. Councillor Jessica Marshall of Comberton Parish Council addressed the Committee, representing the Parish Council's view that the application should be rejected. Councillor Dr Lisa Redrup addressed the Committee as a local Member and represented the views of a number of residents who had concerns about the application and felt that permission should be refused.

#### **Councillor Dr Richard Williams joined the meeting but, as he was not present for the duration of the discussion, would not vote on the application**

In the debate, it was noted that a number of Members had received direct communications from residents regarding the application. The Committee was informed that, if the application was to be approved, any changes to the location of the soakaway could be dealt with by officers. Members discussed the "slinky" that would be part of the ground source heat pump, but were informed that this would be underground and thus would not be harmful to the PVAA. Opinion in the Committee was divided on a number of points:

- Badger sets- some Members felt that there was no evidence of badger activity in the area, whereas others questioned how up to date the ecological survey was
- Impact on the PVAA- some Members felt that the impact on the PVAA would be minimal, whereas others felt it would be notably detrimental
- Impact on the Conservation Area- some felt that the impact would be minimal and noted the lack of objection from the Conservation Officer, whereas others felt the impact on the Conservation Area was unacceptable
- Design- some felt that the modern design would bring a point of interest to the area and was not harmful, whereas others felt the design was not suitable and would be harmful to the historic character of the area

The Committee agreed that, if it were minded to refuse, the reasons for refusal would be the contravention of policies HQ/1, NH/11 and NH/14 of the South Cambridgeshire Local Plan as well as National Planning Policy Framework legislation around harm to Conservation Areas and PVAAs.

In the vote, 4 Members voted for the application (Councillors Henry Batchelor, Dr Martin Cahn, Peter Fane and Geoff Harvey) and 4 voted against (Councillors Ariel Cahn, Bill Handley, Peter Sandford and Heather Williams)- Councillor Dr Richard Williams did not vote. The Chair, staying consistent with his initial vote, used his casting vote to **approve**



the application subject to the conditions and in accordance with the officer's recommendation laid out in the report from the Joint Director of Planning and Economic Development.

**9. Greater Cambridge Shared Planning Service Compliance Policy**

The Assistant Director Planning and Building Quality presented the report on the behalf of the Lead Cabinet Member for Planning and the Joint Director of Planning and Economic Development. Context was provided on why the report was being brought to Committee and, following a discussion by Members, the Committee **noted** the report.

**10. Enforcement Report**

**Councillor Bill Handley left the meeting**

The Principal Planning Enforcement Officer presented the report and offered a number of updates. These included staffing in the Enforcement team, the online Enforcement register and the ongoing cases at Smithy Fen. Members asked questions on staffing and requested a report or briefing on Smithy Fen to be brought forward. The Committee noted the report.

**11. Appeals against Planning Decisions and Enforcement Action**

**Councillor Heather Williams withdrew from the Committee, in line with her Declaration of Interest**

The Interim Delivery Manager presented the report and answered Member questions on some of the appeals listed in the report. The Committee **noted** the report.

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**The Meeting ended at 2.25 p.m.**

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# Agenda Item 5



<b>Planning Committee Date</b>	14/12/2022
<b>Report to</b>	South Cambridgeshire District Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/03957/HFUL
<b>Site</b>	62 High Street Melbourn Cambridgeshire SG8 6AJ
<b>Ward / Parish</b>	Melbourn
<b>Proposal</b>	Outdoor swimming pool
<b>Applicant</b>	Mr & Mrs S N Hart
<b>Presenting Officer</b>	Mary Collins
<b>Reason Reported to Committee</b>	Application submitted by an elected member of the Council
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1.Impact on Melbourn Conservation Area 2.Impact on neighbours
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks planning permission for an outdoor swimming pool.
- 1.2 The proposal would preserve the character/appearance of the Melbourn Conservation Area and would not harm heritage assets.
- 1.3 The proposal would respect the amenities of surrounding residential properties.
- 1.4 Officers recommend that the Planning Committee approve

## 2.0 Site Description and Context

None relevant		Tree Preservation Order	
Conservation Area	x	Local Nature Reserve	
Listed Building		Flood Zone 1	x
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

\*X indicates relevance

- 2.1 62 High Street Melbourn is situated on the western side of the High Street and on the southern side of Rose Lane. To the rear of the property runs Cross Lane.
- 2.2 It is a detached two storey dwelling which has a blue painted render finish and which was formerly The Rose Public House. To the Rose Lane side, it has a detached building used as a garage with access off Rose Lane. The property has private amenity space to the rear and to each side of the dwelling, where the garden areas are bounded by brick walls to the High Street frontage, with higher flint/brick walls to the Rose Lane frontage and hedging to the rear boundary.
- 2.3 Adjoining the application site to the south and west are residential properties. To the rear of the property is Cross Lane and there are residential properties opposite the application site in this lane. On the opposite side of the High Street are residential properties.
- 2.4 The site is within the Melbourn Conservation Area. The building is identified as a Non-Designated Heritage Asset in the Melbourn Conservation Appraisal and Management Plan 2021. There is a Eucalyptus tree in the

rear garden to the northern side of the dwelling. No. 60 High Street on the other side of Rose Lane is a Grade II Listed Building.

### **3.0 The Proposal**

- 3.1 Planning permission is sought for the construction of an outdoor swimming pool.
- 3.2 The pool will be constructed with prefabricated polypropylene panels filled with reinforced concrete. The swimming pool will entail excavation to a depth of 1.6m. The finished height of the pool will be flush with existing ground levels. The pool will be 9m in length and 5m in width, with a depth of 1.4m. The pool will be surrounded by 900mm by 600mm, 20mm thick porcelain slabs.
- 3.3 It would have an automatic safety cover sited at one end of the pool which will retract into a sunken pit at a depth of approx 350mm below the finished surface of the pool.
- 3.4 An inverter air source heat pump is proposed to be installed in the corner between the garage outbuilding and the external garden wall. This will provide heating for the pool.

### **4.0 Relevant Site History**

None

### **5.0 Policy**

#### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

## **5.2 South Cambridgeshire Local Plan 2018**

S/1 – Vision

S/2 – Objectives of the Local Plan

S/3 – Presumption in Favour of Sustainable Development

S/7 – Development Frameworks

S/9 – Minor Rural Centres

CC/6 – Construction Methods

HQ/1 – Design Principles

NH/14 – Heritage Assets

SC/10 – Noise Pollution

## **5.3 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

- 5.4** The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Development affecting Conservation Areas SPD – Adopted 2009

District Design Guide SPD – Adopted March 2010

Trees and Development Sites SPD – Adopted January 2009

## **5.5 Other Guidance**

- 5.6** Conservation Area Appraisal and Management Plan September 2021

## **6.0 Consultations**

- 6.1** Melbourn Parish Council – No Objection

- 6.2** **Environmental Health** - Advise that the following conditions / informatives should be attached to any planning consent granted

- Construction hours
- Construction Environmental Management Plan
- ASHP (informative)

**6.3 Tree Officer – No Objection**

**7.0 Third Party Representations**

7.1 No representations have been received.

**8.0 Member Representations**

Not applicable

**9.0 Local Interest Groups and Organisations / Petition**

Not applicable

9.1 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

**10.0 Assessment**

**Principle of Development**

**Design, Layout, Scale and Landscaping**

10.1 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.

10.2 The proposed swimming pool owing to its siting in the rear garden and its minimal visual impact as a result of being sunken into the ground would not have a visual impact outside the application site. The proposal is compliant with Local Plan policy HQ/1.

**Trees**

10.3 Policy HQ/1 seeks to preserve, protect and enhance existing trees and hedges. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.

10.4 There is a Eucalyptus tree in close proximity to the site of the proposed swimming pool. This is to be retained and is not considered to be harmed by the proposal. The Council's Tree Officer has advised that this is acceptable.

10.5 The proposal would accord with policy HQ/1 of the Local Plan.

**Heritage Assets**

- 10.6 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 10.7 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.
- 10.8 Policy NH/14 of the South Cambridgeshire Local Plan (2018) requires development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets. Policy HQ/1 states that all new development must be compatible with its location in terms of scale, density, mass, form, siting, design, proportion, material, texture and colour in relation to the surrounding area.
- 10.9 The application site is within the Melbourn Conservation Area and is adjacent to the listed building at 60 High Street.
- 10.10 There are limited views into the rear garden from the public realm and wider conservation area from the access into the rear. The swimming pool would be sited at the far end of the garden and would be sunk into the ground. By virtue of its scale and siting within an enclosed area of rear garden, the proposal would not harm the character and appearance of the Conservation Area. Given the proposal is separated from the listed building by the intervening Rose Lane and the proposal is in the rear garden of 62 High Street, the proposal is not considered to impact on the setting of the adjacent listed building. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy NH/14.

### **Amenity**

- 10.11 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.
- 10.12 The swimming pool would be sited to the side of the existing dwelling and in the private rear garden. It adjoins 3 Rose Lane, with other neighbouring properties being separated from the site by the width of a lane. An air source heat pump (ASHP) for heating the pool is proposed to be sited against the wall. No concerns are raised with regard to the presence of an ASHP



however, an informative regarding their operation and maintenance has been recommended by the Environmental Health team.

#### Construction and Environmental Health Impacts

- 10.13 The noise and vibrational impacts associated with the construction and occupation of the site are addressed by Local Plan policies CC/6 'Construction Methods' and SC/10 'Noise Pollution', Paragraphs 183 - 188 of the NPPF are relevant.
- 10.14 The Council's Environmental Health Team have recommended a condition regarding the submission of a construction and environmental management plan (CEMP), with specific reference to details of piling to be provided, if forming part of the construction process. The applicant has not stated piling is required, noting the construction will be from prefabricated polypropylene panels filled with reinforced concrete. It is therefore, not considered necessary to impose the CEMP condition for this development. A condition regarding control of construction hours is also proposed and considered reasonable, in the interests of residential amenity.

#### Summary

- 10.15 The proposal adequately respects the amenity of its neighbours and of future occupants. Subject to conditions, the proposal is compliant with policy HQ/1 and the District Design Guide 2010. The associated construction and environmental impacts would be acceptable in accordance with policies CC/6 and SC/10 of the Local Plan.

#### Planning Balance

- 10.16 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 10.17 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

#### 11.0 Recommendation

##### 11.1 **Approve** subject to:

The planning conditions as set out below with minor amendments to the conditions as drafted, delegated to officers.

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

- 3 No construction site machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries taken at or dispatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

#### Informatives

1. The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level.

To avoid noise complaints, it is recommended that operating sound from the ASHP does not increase the existing background noise levels by more than 3dB (BS 4142 Rating Level - to effectively match the existing background noise level) at the boundary of the development site and should be free from tonal or other noticeable acoustic features. In addition, equipment such as air source heat pumps utilising fans and compressors are liable to emit more noise as the units suffer from natural aging, wear and tear. It is therefore important that the equipment is maintained/serviced satisfactory, and any defects remedied to ensure that the noise levels do not increase over time.

2. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of

water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environment Planning Team.

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# Agenda Item 6



## **GREATER CAMBRIDGE SHARED PLANNING**

### **PLANNING COMMITTEE PROTOCOL FOR OFFICER-LED SITE VISITS**

**Planning Committee Date:** 14 December 2022

**Report to:** South Cambridgeshire District Council Planning Committee

**Report by:** Phil McIntosh, Interim Delivery Manager (West) and s106, Greater Cambridge Shared Planning Service.

Email: [phil.mcintosh@greatercambridgeplanning.org](mailto:phil.mcintosh@greatercambridgeplanning.org)

**Ward/parishes affected:** All

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## **1. Executive summary**

- 1.1 Procedural guidance on the conducting of committee site visits can be found in Part 6 of the Cambridge City Council Constitution and Part 4 of the South Cambridgeshire District Council Ethical Handbook (May 2020). The District's Ethical Handbook does not form part of the District's Constitution, but supplements some of the documents that are, such as the Code of Conduct.
- 1.2 On occasions, the South Cambridgeshire District Council Planning Committee (SCDC PC) may wish to visit a site, where development is planned, before making a decision. This report confirms the procedure for requesting site visits and the conduct of site visits, that will be followed on those occasions when such site visits take place
- 1.3 The Greater Cambridge Shared Planning Service is supported by three planning committees, and as such the need for consistency in arranging

and undertaking planning committee site visits is recognised. A planning committee protocol for officer-led site visits (Appendix A) has been prepared which sets out the approach which will be followed by all three planning committees - JDCC, Cambridge City Council Planning Committee and South Cambridgeshire District Council Planning Committee. It is the intention that this protocol will supplement the City and District Councils' existing procedural guidance on the conduct of site visits.

## **2. Recommendation**

2.1 Officers recommend that the South Cambridgeshire District Council Planning Committee:

- (i) Notes this report and the accompanying planning committee protocol for officer-led site visits.
- (ii) Confirms the protocol for officer-led site visits for the South Cambridgeshire District Council Planning Committee.

## **3. Background**

3.1 Planning committee site visits are helpful in enabling Members to see the site of a planning application, so that they gain a better understanding of its location, physical characteristics and relationships to neighbouring uses, before the application is determined.

3.2 During a planning committee site visit, the merits of the application are not discussed, nor is a decision reached at this time. The proper forum to discuss the application is at the Planning Committee meeting, when all information is in the public arena, and Councillors' debate and decide on the full proposal.

3.3 The purpose of the protocol for officer-led site visits is to guide the conduct of Planning Committee site visits, to enable Members to ensure that such visits are conducted in accordance with the Councils' procedural guidance.

### **Requests for SCDC PC Site Visits**

3.4 The decision on whether to organise a formal SCDC site visit will rest with the Delivery Manager, taking into consideration the views of the SCDC PC Chair.

- 3.5 A site visit can result from any one of the following:
- (i) A request by a Councillor of the SCDC PC in writing (giving reasons why the site visit is considered necessary) during the time that an application is being processed.
  - (ii) The Director of Planning and Economic Development, or Delivery Manager considers that one is necessary in the interests of proper decision making.
  - (iii) The SCDC PC calls for a site visit following a deferral of a decision purposely for a site visit.
- 3.6 The site visit will take place at a date and time fixed by the Delivery Manager, following discussion with the Chair of SCDC and Democratic Services.
- 3.7 For complex or sensitive applications which are being referred to SCDC, a site visit agenda as appropriate will be prepared by the planning case officer and circulated to Members in advance of the site visit. The site visit agenda will confirm the meeting point, set out the purpose and format of the visit, and highlight any important notes such as the need for appropriate attire.
- 3.8 Members will be encouraged to attend organised site visits: in the event that this is not possible, and Members wish to independently visit, the site visit should be undertaken from public land only; contact with applicants and objectors should be avoided. By failing to do so a perception of bias could arise, which in turn might lead to the SCDC PC's decision being susceptible to challenge.

### **Conduct of SCDC PC Site Visits**

- 3.9 SCDC PC site visits are solely for the purpose of viewing the site, understanding its location and immediate environs to be able to put the development proposal into context, and discussing the facts of the application. It is not a meeting to discuss the planning merits of the scheme or to make decisions.
- 3.10 SCDC PC site visits will be led by the Delivery Manager and/or the planning case officer with support from the Chair of SCDC PC. On occasion, technical officers of the Council or officers from other authorities may be invited to attend a site visit by the planning case officer to clarify factual or technical matters.
- 3.11 The site visit will only be attended by Members of SCDC PC, unless there are circumstances where it is necessary for the landowner or their representatives to be in attendance. As a private meeting, public rights of attendance and speaking do not apply.

- 3.12 Members will travel to the meeting point for the site visit independently, unless the Director of Planning and Economic Development or Delivery Manager agrees that alternative arrangements shall be provided by the shared planning service.
- 3.13 Members may ask their questions including any requests for specific information from the Applicant (or any representatives of the Applicant) if they are present. Members should ensure that they can hear the Officers' presentation and the questions and answers.
- 3.14 Before closing the site visit, the Delivery Manager or planning case officer will seek confirmation that Members are satisfied they have seen everything they need to make a decision, after which will draw the site visit to a close.
- 3.15 Members should avoid engaging in private conversations with each other on the subject of the application or with the Applicant (or any representatives of the Applicant) if they are present at the time of the site visit. Questions regarding points of clarification in relation to the proposed development may be asked at the discretion of the Delivery Manager/planning case officer.
- 3.16 For the purposes of factual record, attendance at a site visit will be recorded by officers including the locations visited. No formal notes of a site visit will be recorded.

## **4. Implications**

### **Financial Implications**

- 4.1 The cost of the SCDC PC meetings are covered within existing budgets. The introduction of a planning committee site visit protocol is not anticipated to increase the frequency of SCDC PC meetings or its caseload so as to introduce significant additional costs. The arrangement and attendance of SCDC PC site visits is also not anticipated to introduce significant additional costs. Officers will nevertheless keep these ongoing costs under review.

### **Staffing Implications**

- 4.2 There are no staffing implications arising from this report.

### **Equality and Poverty Implications**

- 4.3 An Equality Impact Assessment (EQIA) has not been undertaken in respect of this report, because the site visit protocol relate to the terms of



reference of a committee and no material changes are proposed to the operation of the Committee meetings which will follow existing practices.

#### **Environmental Implications**

4.4 None.

#### **Procurement Implications**

4.5 None.

#### **Community Safety Implications**

4.6 None.

### **5. Consultation and Communication Considerations**

5.1 No formal consultation has been undertaken in the preparation of this report. The committee site visit protocol is a matter for the Local Authorities and no formal consultation is required.

### **6. Background Papers**

6.1 Background papers used in the preparation of this report:

- South Cambridgeshire District Council Ethical Handbook (May 2020) [Ethical Handbook.pdf \(moderngov.co.uk\)](#) and Constitution. [Agenda for Constitution on Thursday, 9 June 2022 \(moderngov.co.uk\)](#)

### **7. Report Author**

Phil McIntosh, Interim Delivery Manager (West) and s106, Greater Cambridge Shared Planning Service.

Email: [phil.mcintosh@greatercambridgeplanning.org](mailto:phil.mcintosh@greatercambridgeplanning.org)

## **APPENDIX 1:**



### **PLANNING COMMITTEE PROTOCOL FOR OFFICER-LED SITE VISITS**

**JOINT DEVELOPMENT CONTROL COMMITTEE (JDCC); CAMBRIDGE CITY COUNCIL PLANNING COMMITTEE (City PC); SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL PLANNING COMMITTEE (SCDC PC)**

### **FORMAL PLANNING COMMITTEE PROTOCOL FOR OFFICER-LED SITE VISITS**

**JOINT DEVELOPMENT CONTROL COMMITTEE (JDCC); CAMBRIDGE CITY COUNCIL PLANNING COMMITTEE (City PC); SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL PLANNING COMMITTEE (SCDC PC)**

#### **Purpose of a Planning Committee Site Visit**

Planning committee site visits are solely for the purpose of viewing the site, understanding its location and context immediate environs to be able to put the development proposal into context, and discussing the facts of the application.

Site visits will be led by the relevant Lead Delivery Manager (Lead DM) and/or the planning case officer with support from the Chair of Planning Committee. On occasion, technical officers of the Council or officers from other authorities may be invited by the planning case officer to attend a site visit to clarify factual or technical matters.

A site visit is not a meeting to discuss the merits of a development proposal, and no decisions will be made at the site visit by the Planning Committee. The Lead DM/planning case officer will make this clear at the beginning of the visit within their introduction.

As a private inspection to gain an understanding of the facts relating to an application, site visits are not part of the formal consideration of the application, and public rights of attendance and speaking do not apply.

## **Requests for Site Visits:**

The decision on whether to organise a formal committee site visit rests with the relevant Lead DM. For the JDCC this is the Strategic Sites Delivery Manager and for the City PC and SCDC PC this is the Delivery Manager or Area Delivery Managers. The Lead DM will take into consideration the views of the relevant Planning Committee Chair with regard to:

1. The complexity or sensitivity of the development proposal.
2. The characteristics of the site and its surroundings.

A site visit can result from any one of the following:

1. A request by a Member of the JDCC, City PC or SCDC PC in writing (giving reasons why the site visit is considered necessary) during the time that an application is being processed.
2. The Director of Planning and Economic Development, or Lead DM considers that one is necessary in the interests of proper decision making.
3. The JDCC, City PC or SCDC PC calls for a site visit following a deferral of a decision purposely for a site visit.

The site visit will take place at a date and time fixed by the Lead DM and/or the planning case officer following discussion with both the Chair of the relevant Planning Committee (or if they are not available, the Vice Chair), and the Committee Services Manager.

Members will travel to the meeting point for the site visit independently, unless the Director of Planning agrees that alternative arrangements shall be provided by Greater Cambridge Shared Planning (GCSPS).

For complex or sensitive applications which are being referred to a Planning Committee, a site visit agenda as appropriate will be prepared by the planning case officer and circulated to Members of that committee in advance of the site visit. The site visit agenda will confirm the meeting point, set out the purpose and format of the visit, and highlight any important notes such as the need for appropriate attire.

Members are encouraged to attend organised site visits. In the event that this is not possible, and Members wish to independently visit, the site visit should be undertaken from public land only and contact with applicants and objectors should be avoided. By failing to do so a perception of bias could arise which in turn might lead to the Planning Committee's decision being susceptible to challenge.

## Conduct of Site Visits:

- Members will view the site from the nearest public space and any other public spaces as considered appropriate by the planning case officer. Should access to the application site (or any other private land) be considered necessary to view the site, the planning case officer will seek the consent of the relevant landowner in advance.
- The site visit will usually only be attended by Members of the Planning Committee unless there are circumstances where it is necessary for the landowner or their representatives to be in attendance.
- Officers will open the site visit; give a brief presentation on the site, the setting of the proposed development and the specific reasons why the site inspection was requested.
- Members may ask their questions of officers including any requests for specific information that may be required to assist their consideration of the item at the Committee meeting. Exceptionally, questions may be asked directly to the Applicant's representative should they be present. Members need to ensure that they can hear the officers' presentation and the questions and answers.
- Before closing the site visit the Lead DM or planning case officer will seek confirmation that Members are satisfied that they have seen everything they need, after which will draw the site visit to a close.
- Members should avoid engaging in private conversations on the subject of the application with each other during the site visit as this can give the wrong impression to others present or anyone observing the site visit outside of it.
- Members should avoid engaging in conversations with the public should any be present at the time of the site visit.
- Members should avoid engaging in conversations with the applicant (or any representatives of the applicant) if they are present at the time of the site visit. Questions regarding points of clarification in relation to the proposed development may be asked at the discretion of the Lead DM/planning case officer.
- For the purposes of factual record, no formal notes of the site visit will be made. The Lead DM or planning case officer will make a record of the date and time of the site visit, attendance and the locations visited.

# Agenda Item 7

## **REPORT TO:**

**Planning Committee November 2022**

## **LEAD OFFICER:**

**Joint Director of Planning and Economic Development**

**Compliance Report**

## **Executive Summary**

1. On 1<sup>st</sup> December 2022 there were 165 open cases in South Cambridgeshire, compared with 139 cases two months beforehand.
2. Details of all compliance 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.
3. Statistical data including October 2022 and November 2022 is contained in Appendices 1 and 2 to this report.

## **Updates to Service Delivery**

The Planning Compliance Team is part of the Development Management service of the Greater Cambridge Shared Planning Service and I have attached below an organisational chart of the team for your information.

Toby Williams  
Interim Development Manager (East Team) and Planning Compliance

Vacancy  
Principal Planning Compliance Lead Officer

John Shuttlewood  
Principal Planning Compliance Officer (2 days a week)  
Alistair Funge  
Senior Planning Compliance Officer

Nick Smith  
Senior Planning Compliance Officer

Tony Wallis  
Senior Planning Compliance Officer

Neil Langley (3 days a week)  
Senior Planning Compliance Officer

Rachel Arnall  
Senior Planning Compliance Officer

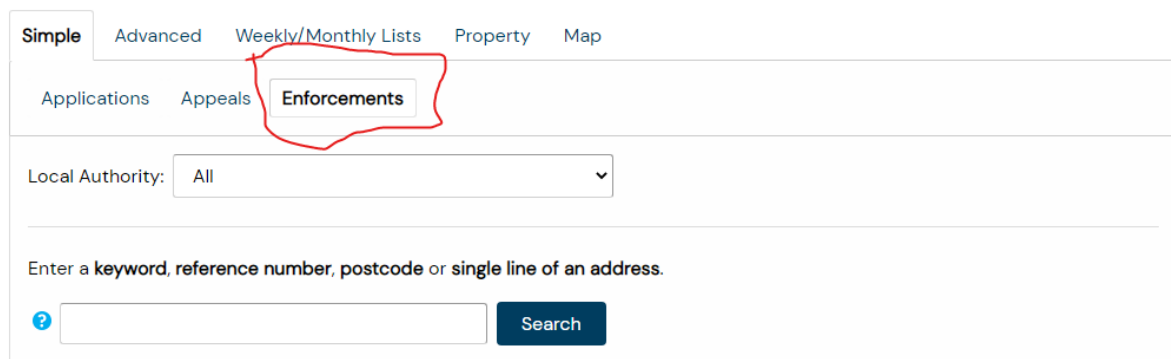
Alleged breaches of planning control continue to be reported online, alongside the introduction of online information being provided to residents and businesses as to what constitutes a breach of planning control. Statistics are being collected by the Transformation Team to assess the impact this new way of working is offering.

This month has seen the launch of the public online digital planning enforcement register. This brings the two Council's registers together, showing notices that go back to 1990. Copies of the notices are also published, where available.

Hopefully this will start to reduce the copies of notice requests, as well as FOIs. So when a relevant notice is served it will automatically appear on the Register, including the site polygon on the mapping system and a copy of the Notice.

### Planning – Simple Search

Search for Planning Applications, Appeals and Tree Works Applications by keyword, application reference (e.g. 11/0945/FUL or S/4480/17/OL), postcode or by a single line of an address.



Simple Advanced Weekly/Monthly Lists Property Map

Applications Appeals **Enforcements**

Local Authority: All

Enter a **keyword**, **reference number**, **postcode** or **single line of an address**.

Search

Finally, the draft Greater Cambridge Shared Planning Compliance Policy will be open to consultation across the next two months. Details will be placed online.

### Updates on significant cases

Should Members wish for specific updates to be added to the Compliance Report then please request these from the Principal Planning Compliance Officer and they will be added to the next available Planning Committee.

Updates are as follows:

**Smithy Fen, Cottenham, Cambridge, Cambridgeshire, CB24 8PT**

A report is being presented to Planning Committee this month.

**Background Papers**

Planning Enforcement Register.

Statistical Analysis of Uniform Planning Enforcement Software Program.

**Appendices**

Appendix 1: Compliance Cases Received and Closed.

Appendix 2: Notices Served.

**Report Author:**

John Shuttlewood – Principal Planning Compliance Officer Date: 5/12/22

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## Appendix 1

### Enforcement Cases Received and Closed.

Month	South Cambridgeshire						
	Received	No Breach	Resolved	Not Expedient	Application Approved	Other	LPA Total
November 2022	23	5	0	4	3	2	<b>14</b>
October 2022	27	6	0	3	0	2	<b>11</b>
September 2022	9	8	0	3	0	1	<b>12</b>

### Quarterly Totals for Past 5 Years

Quarter	South Cambridgeshire						
	Received	No Breach	Resolved	Not Expedient	Application Approved	Other	LPA Total
Qtr 1 2022	85	26	0	19	1	21	<b>67</b>
Qtr 2 2022	42	33	0	12	3	18	<b>66</b>
Qtr 3 2022	51	11	0	7	3	4	<b>25</b>
Qtr 4 2022	0	0	0	0	0	0	<b>0</b>
Qtr 1 2021	93	58	48	22	22	53	<b>203</b>
Qtr 2 2021	132	24	25	12	16	40	<b>117</b>
Qtr 3 2021	91	46	47	14	13	32	<b>152</b>
Qtr 4 2021	113	59	20	15	9	29	<b>132</b>
Qtr 1 2020	100	44	2	5	1	6	<b>58</b>

## Appendix 2

### Public Enforcement Notices served

#### November 2022

Reference	Ward	Parish	Address	Notice Issued
EN/00184/22	Barrington	Barrington CP	Acre Orwell Road Barrington Cambridge Cambridgeshire CB22 7SF	Enforcement Notice - Material Change of Use Annexe

#### October 2022

Reference	Ward	Parish	Address	Notice Issued
*** No Notices Issued ***				

#### September 2022

Reference	Ward	Parish	Address	Notice Issued
EN/01503/20	Fen Ditton & Fulbourn	Great Wilbraham CP	31 Frog End Great Wilbraham Cambridgeshire CB21 5JB	Operational Development Notice

### Planning Contravention Notices served

These notices are served as part of the investigation process into allegations concerning breaches of planning control and as such, full details are not available to the public.

November 2022 – 0

October 2022 - 0

September 2022 – 0

# Agenda Item 8



**Report to:** Planning Committee

14 December 2022

**Lead Officer:** Joint Director of Planning and Economic Development

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## Appeals against Planning Decisions and Enforcement Action

### Executive Summary

1. This report informs Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as of 2 December 2022. Summaries of recent decisions of importance are also reported, for information.

### Appendices

Appendix 1: Decisions Notified by the Secretary of State

Appendix 2: Appeals received

Appendix 3: Local Inquiry and Informal Hearing dates scheduled

Appendix 4: Appeals Awaiting Decision from Inspectorate

Appendix 5: Appeals Pending Statement

### Report Author:

Ian Papworth

Telephone Number:

Technical Support Officer (Appeals)

01954 713406

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## Appendix 1

### Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
22/00524/FUL	1 And 2 Symonds Lane Grantchester	Consolidation of existing dwellings, Nos. 1 and 2 Symonds Lane, into one single dwelling, including a 2 storey rear extension to No.1 Symonds Lane, single storey rear extension to No. 2 Symonds Lane and a front Porch extension with covered way to No. 2 Symonds lane.	Dismissed	3/11/2022	Refused
21/01085/FUL	Land Adjacent To 74 Station Road Willingham	Erection of 2 detached passive 4 bedroom dwellings on land on the west side of Station Road, Willingham	Allowed	7/11/2022	Refused
21/01134/FUL	Land Adjacent To 283 St Neots Road Hardwick	Erection of 1no single storey dwelling and associated works	Dismissed	14/11/2022	Non Determination

## Appendix 1

21/03475/FUL	Land South Of Coopers Farm Olmstead Green Castle Camps	Erection of a single dwelling	Allowed	21/11/2022	Refused
21/00772/OUT	Technology Park Fulbourn Road Cambridge	A hybrid planning application for a total of 56,473sqm of commercial floorspace for Use Classes E(g) i (offices), ii (research and development), ii (light industrial) and B8 (storage and distribution - limited to data centres) uses. Comprising a) an Outline Application with all matters reserved (except for access) for the development of up to 44,671 sqm of floorspace, with associated access, structural landscaping, car and cycle parking and associated infrastructure works; b) a Full Application for the first Phase comprising the main access, one commercial building, a multi- decked car and cycle park and associated landscaping and infrastructure works; and c) a Full Application for the details of initial enabling works comprising site wide earth works and drainage.	Allowed	28/11/2022	Refused
21/01607/FUL	59 Ermine Way Arrington	Erection of 1 No. eco dwellinghouse	Dismissed	29/11/2022	Refused

Appeals Received

Reference	Address	Details	Date Appeal lodged
22/03042/OUT	16 The Lanes Over	Outline planning application for the erection of 14 No. Residential dwellings and associated works with some matters reserved except for access.	4/11/2022
21/01066/FUL	Land East Of Unit 2 Caxton Gibbet Services Site Ermine Street Cambourne	Erection of 4 industrial units (Use Classes B2 (general industrial) and/or E(g) (office)) with associated access and parking	7/11/2022
22/02870/OUT	Land To The South Of 86 Chrishall Road Fowlmere	Outline planning application for 15 No. self-build dwellings, with details pursuant to access and layout, and all other matters including appearance, scale and landscaping reserved for subsequent approval.	15/11/2022
21/03829/FUL	Land Adjacent To 26 Church Street Little Shelford	Erection of 1 No. dwelling with associated highway access.	22/11/2022
EN/00184/22	Land At Acre Orwell Road Barrington	Alleged change of use of the land from agricultural to living in a caravan without permission	30/11/2022

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## Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/proposed
21/00953/FUL	Mr David Roe	Former Hotel Felix Whitehouse Lane Cambridge	Planning Decision	31/1/2023

- **Informal Hearings**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/proposed
EN/00216/21	Nelson Charles Arthur James O'Conner	Land To The North Of The Old Coal Yard Chesterton Fen Road Milton	Enforcement Notice	TBC
EN/00362/21	Mary Siobhan Howe	Cherry Trees Priest Lane Willingham	Enforcement Notice	TBC
21/00629/S73	Abbey Developments Ltd	Land To The North And South Of Bartlow Road Linton	Planning Decision	10/1/2023

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Appeals Awaiting Decision from Inspectorate

Reference	Address	Description	Reason for appeal
EN/00216/21	Land To The North Of The Old Coal Yard Chesterton Fen Road Milton	Mobile homes sited on land without planning permission.	Appeal against enforcement notice
ENF/0214/18	22 Cambridge Road Foxton	Without planning permission: 1. The material change of use of the land hatched in blue on the attached plan to a coach depot including the parking and storage of coaches, and 2. The creation of an area of hardstanding for use as a coach depot on the land hatched in blue on the attached plan.	Appeal against enforcement notice
20/05079/FUL	17 Heydon Road Great And Little Chishill	Erection of one and a half storey dwelling.	Against Refusal of Permission
21/01540/CLUED	Poplar Cottage Nosterfield End Shudy Camps	Certificate of lawfulness under Section 191 for an existing single storey rear extension	Against Refusal of Permission
21/01485/FUL	2A North Brook End Steeple Morden	Conversion and adaption of an existing building to a Self-Build Dwelling	Against Refusal of Permission
21/04068/FUL	Land North East Of 155 Rampton Road Willingham	Demolition of redundant agricultural building and erection of two dwellings with associated development (amendments to application 21/02578/PR103Q)	Against Refusal of Permission
21/01102/FUL	Land Between 2 And 4 High Street Great Eversden	Erection of dwelling	Against Refusal of Permission

## Appendix 4

20/04431/FUL	The Arches Schole Road Willingham	Removal of existing mobile chalet unit and erection of new single storey dwelling with new 'link' to existing brick and tile 'medical Unit', with temporary provision for the siting of 2 no static caravans for occupation during construction phase.	Against Refusal of Permission
21/03864/FUL	2A North Brook End Steeple Morden	Change of use, conversion and adaption of an existing building to a Self-Build Dwelling (Re-submission of 21/01485/FUL)	Against Refusal of Permission
EN/00615/21	Byeways Station Road Harston	Breach of condition 2- 21/02100/HFUL (extension being built bigger than approved) (erection of outbuilding in rear garden exceeding PD)	Appeal against enforcement notice
21/00629/S73	Land To The North And South Of Bartlow Road Linton	S73 Variation of condition 11 (Foul water drainage) of outline planning permission S/1963/15/OL (Residential development for up to 55 dwellings with landscape buffer and new vehicular accesses from Bartlow Road) for revised wording to refer to the foul drainage design.	Against Refusal of Permission
22/00455/CLUED	Blackberry Barn 4 Over Mereway Willingham	Certificate of lawfulness under S191 for the continued use of land as domestic garden.	Against Refusal of Permission
21/03534/FUL	Hoffers Brook Farm Cambridge Road Foxton	Creation of a new vehicular access to the A10 and associated landscape works.	Against Refusal of Permission

## Appendix 4

20/01779/FUL	Land East And West Of 110 Cinqes Road Gamlingay	Erection of 5 dwellings	Against Refusal of Permission
21/00298/FUL	Green Fox Farm Fowlmere Road Melbourn	Farmland diversification, ecological enhancements and erection of 1no. residential dwelling with an associated change of use in land from agricultural to residential.	Non-determined within 8 weeks
EN/00362/21	Cherry Trees Priest Lane Willingham	Without planning permission, the change of use of the land from agricultural use to the use of the land for the running of a dog rescue organisation and the erection of associated kennels	Appeal against enforcement notice
EN/00063/22	The Land And Property Situated And Comprising Willow Grange Farm Ely Road Chittering	Without planning permission: a) The undertaking of works to facilitate a weddings and events venue business at Willow Grange Farm including the erection of a marquee, bell tents, shepherd huts, toilet facilities and safari tents together with hard standings, decking and pathways; b) A Material Change of Use of the land from Agriculture to a weddings and events venue.	Appeal against enforcement notice
EN/00208/22	10 Shirley Close Milton	Without planning permission, the creation of a new dwelling	Appeal against enforcement notice

## Appendix 4

21/04135/PRIOR	Dottrell Hall Farm Newmarket Road Fowlmere	Prior approval for change of use of an agricultural building to 5 dwellings (2no 4bed and 3no 2bed) (Class C3)	Against Refusal of Permission
22/00489/FUL	Heathfield House Hurdles Way Thriplow	Retrospective application for the erection of five air conditioning units within plant compounds for a/c units providing noise mitigation and painting of flues matt black	Against Refusal of Permission
EN/01566/20	Whines Lane Farm Track Over	Without planning permission, the change of use of the land from agricultural to a mixed use of open-air storage and residential use. To include the siting of a caravan used for residential purposes, the storage of motor vehicles and associated paraphernalia, storage of building materials and the construction of a wooden structure.	Appeal against enforcement notice
21/03211/FUL	Land West Of Casa D Foseta St Neots Road	Erection of 2 No. dwellings and associated garages	Against Refusal of Permission
21/05101/HFUL	3 Ravensdale Landbeach	Erection of glazed porch	Against Refusal of Permission

## Appendix 4

21/02117/FUL	The Jolly Millers 73 High Street Cottenham	Change of use of public house (SG) with flat to dwelling (C3), demolition of existing annex/outbuildings, erection of detached dwelling and creation of amenity space, bin storage and parking and manoeuvring for 2 dwellings	Against Refusal of Permission
21/01058/LBC	1 May Street Great And Little Chishill	Listed building permission to rebuild the flint boundary wall (EN/00111/21 & 20/02001/LBC).	Against Refusal of Permission
22/00082/PRIOR	Enterprise Nurseries Ely Road Landbeach	Conversion of existing glasshouse/barn to a 6 bedroom motel	Against Refusal of Permission
22/00484/FUL	Enterprise Nurseries Ely Road Landbeach	Erection of 1 No. bungalow.	Against Refusal of Permission
22/00199/PRIOR	Land At Station Road Longstanton	Proposed 18.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.	Against Refusal of Permission
22/00964/PRIOR	Land And Buildings To The East Of Gage Farm Branch Road Comberton	Change of use of agricultural building to 1 No. dwellinghouse (use class C3) and associated operational development.	Against Refusal of Permission
22/00199/PRIOR	Land At Station Road Longstanton	Proposed 18.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.	Against Refusal of Permission
22/01878/PRIOR	Land At London Road Sawston	Installation of a 15.0m Phase 9 super slimline Monopole and associated ancillary works.	Against Refusal of Permission
21/05251/FUL & 21/05252/LBC	46 High Street Balsham	Conversion of existing annexe into 2no 2bed flats and associated works.	Against Refusal of Permission

## Appendix 4

22/01156/FUL	Land Adj 73 High Street Little Shelford	Erection of a single storey bungalow along with associated works	Against Refusal of Permission
21/02743/FUL	Land Rear Of 11 Bury Road Stapleford	Erection of a single storey dwelling on land to the rear of 11 Bury Road, Stapleford	Against Refusal of Permission
21/04473/FUL	Warren Lodge Fowlmere Road Fowlmere	Erection of a machinery and store building.	Against Refusal of Permission
21/04745/FUL	41 Back Road Linton	Erection of replacement dwelling and associated garage	Against Refusal of Permission
21/05689/OUT	Land To The South Of Banworth Ely Road Landbeach	Outline application for 3 dwellings with some matters reserved except for access.	Non-determined within 8 weeks
21/02795/S73	Land East Of Highfields Road Highfields Caldecote Caldecote	Variation of condition 18 (scheme for a shared use footway/cycleway along the western side of Highfields Road) and 20 (scheme for the design and materials to be used for access and public rights of way) of planning permission S/3777/19/VC (Variation of condition 23 (water drainage scheme) of planning permission S/2510/15/OL for Outline planning permission for up to 140 residential dwellings (including up to 40% affordable housing) removal of existing temporary agricultural structures and debris introduction of structural planting and landscaping informal public open space and children's play area community orchard and allotments surface water flood mitigation and attenuation vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access)	Against Refusal of Permission



## Appendix 4

21/04971/PRIOR	Mill Lane Histon	Installation of a 16.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works	Against Refusal of Permission
EN/00394/21A	Land adjoining 16 Chalky Road Great Abington	Without planning permission, the erection of a building (edged in black on attached plan for identification purposes only).	Appeal against enforcement notice

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Appeals Pending Statement

Reference	Address	Details	Date Statement due
20/03845/HFUL	30 Manor Road Gamlingay	Amendment to S/0371/08/F 'Extension to dwelling and erection of double garage / conservatory' to include the installation of a roof light and the removal of a first floor window on the southern elevation	6/12/2022
21/00953/FUL	Former Hotel Felix Whitehouse Lane Cambridge	Demolition of existing buildings and erection of a care home (Use Class C2) with external amenity space, access, parking, landscaping and other associated works	7/12/2022
22/00664/FUL	25 Station Road Over	Subdivision of existing garden plot and the erection of a detached dwellinghouse including the stopping up of the existing driveway access and creation of new vehicular access to station road.	14/12/2022
21/02235/FUL	The Oaks Blacksmiths Lane Shudy Camps	Demolition of existing dwelling and industrial buildings and erection of 2 x 3bed bungalows and associated garages and alteration of access.	20/12/2022

## Appendix 5

21/05641/OUT	Land To The South Of 86 Chrishall Road Fowlmere	Outline planning application for 15no self-build dwellings, with details pursuant to access and layout, and all other matters including appearance, scale and landscaping reserved for subsequent approval.	27/12/2022
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# Agenda Item 9

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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of the Local Government Act 1972.

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