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10 JAN 2020
Planning Services



South
Cambridgeshire
District Council

Kerry Byrne,
Fowlmere Parish Council Clerk
4, Yorke Cottages
Long Lane
Fowlmere
Royston
Cambridgeshire
SG8 7TB

Planning and New Communities
Contact: Luke Simpson
Tel: 03450455215
Email: planningcomments@scambs.gov.uk
Our Ref: S/4002/19/VC
Your Ref:
Date 28 November 2019

This letter (with no plans attached) has been emailed to the Parish Council prior to sending out in the post, and for information, to the Ward Members

Dear Sir/Madam

Proposal: Removal of condition 2 of planning permission S/1156/92/F
Application Ref: S/4002/19/VC
Location: Apple Acre Park, London Road, Fowlmere, Cambridgeshire
Applicant: co, Park View Group Ltd

Attached is a copy of the above application for your retention.

We welcome any comments your Parish Council wishes to make, but would ask that they are made using either the online web form available, or on the form below and returned no later than **21 days from the date of this letter**. After the expiry of this period, the District Council may determine the application without receipt of your comments.

Below is a link for your convenience to view all copies of documents, plans and forms in respect of the above proposal. As the website updates overnight, these will be available to view the following day from the date of this letter. Please note your comments will be placed on the website.

<http://plan.scambs.gov.uk>

Should the Parish Council wish to request that the application be considered by the District Council's Planning Committee, please state the material considerations and planning

EXPLANATION OF APPLICATION SUFFIX

OL	Outline	LD	Lawful Development Certificate
FL	Full	PA	Prior Notification of Agricultural Development
RM	Reserved Matters	PD	Prior Notification of Demolition Works
LB	Listed Building Consent	PT	Prior Notification of Telecommunications Development
CA	Conservation Area Consent	HZ	Hazardous Substance Consent
AD	Advertisement Consent	DC	Discharge of Conditions
VC	Variation or Removal of Condition		

reasons. Examples of material considerations can be found below. The Chairman of the District Council Planning Committee will respond to all reasonable requests.

The Parish Council: - (Please delete appropriately)

Supports Objects Has no recommendation

Comments: Please see letter enclosed

The Parish Council ~~does/does not~~ request that the application be referred to the District Council Planning Committee ~~*(please delete)~~ Inspector

Planning reasons:

Please see letter enclosed

Note: Where a Parish Councils requests that an application is determined by Planning

Committee there is real value and importance in Parish Council representatives attending Planning Committee to support their comments. Please note that the Parish Council can be represented at Planning Committee by any of it Councillors or the Parish Clerk (with the approval of their Parish Council).

Signed..... Kenny Byrne Date..... 8/1/2020

Clerk to the Parish Council or ~~Chairman of the Parish Meeting~~

Guidance:

What are Material Considerations?

A material consideration is a matter that should be taken into account in deciding a planning application or appeal against a planning decision.

Examples of material considerations can include (but are not limited to).

- Overlooking /loss of privacy
- Loss of light/overshadowing
- Highway Safety

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Royston
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8 January 2020

Dear Mr Simpson

S/4002/19/VC – Apple Acre Park, London Road, Fowlmere

Removal of condition 2 of planning permission S/1156/92/F

Fowlmere Parish Council Planning Committee discussed this new planning application at our meeting on 17th December.

We note that in the South Cambridgeshire District Council Planning Committee meeting of 13th November a decision was taken regarding the position that SCDC would take at the forthcoming appeal against non-determination of application S/0913/19/VC. However, the committee did not propose or agree that the condition should be removed with immediate effect; it only resolved the opening position that SCDC would take as one of the interested parties in the appeal.

We strongly believe that the current appeal process should be allowed to run its course. SCDC have publicly recognised and minuted that now that an appeal is underway it is no longer the determining Authority for the application to remove the condition. It should therefore be in the hands of a Planning Inspector to consider the application on its relative merits and allow all interested parties to make submissions as part of this process. It would be wrong for SCDC to now make a determination on an equivalent application.

Fowlmere Parish Council wishes to have the opportunity to make its case against the removal of the planning conditions to the Planning Inspector as an interested party in the forthcoming appeal, and believe that it is probable that an Inspector may decide to uphold the position of the 2018 planning appeal on this very same matter and find against the removal of the condition. To determine in advance of that appeal would deprive Fowlmere PC of the ability to put forward their case to the Planning Inspector. We therefore urge the planning officers to refuse this fresh application and allow the existing appeal to correctly run its course.

Should officers be minded to consider approving this application prior to the forthcoming appeal, we bring their attention to our previous submissions on this matter and the clear

conclusions of the Planning Inspector in appeal reference: APP/W0530/W/17/3183813. However, in such a situation we would also take independent advice regarding the legality of a decision to determine outside of an appeal and may seek an independent review of the way that the planning department has handled the range of applications and the breaches of conditions that have occurred regarding this site over recent years. We therefore also wish to put you on notice of a potential freedom of information request, and request that the case files from all relevant planning applications and enforcement cases are properly archived and retained in full so that they can be made available for inspection, if required.

Yours sincerely

Kerry Byrne

Fowlmere Parish Clerk

On behalf of Fowlmere Parish Council