

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

At a meeting of the Development and Conservation Control Committee held on
Wednesday, 4 January 2006 at 10.00 a.m.

PRESENT: Councillor Dr JPR Orme – Chairman
Councillor NIC Wright – Vice-Chairman

Councillors:	Dr DR Bard	JD Batchelor
	RF Bryant	SM Edwards
	Mrs A Elsby	R Hall
	Mrs CA Hunt	SGM Kindersley
	RB Martlew	Mrs JA Muncey
	Mrs CAED Murfitt	CR Nightingale
	R Page	A Riley
	Mrs DP Roberts	NJ Scarr
	Mrs HM Smith	Mrs DSK Spink MBE
	RJ Turner	JF Williams
	Dr JR Williamson	SS Ziaian-Gillan

Councillors JA Hockney and Dr SEK van de Ven were in attendance, by invitation.

Apologies for absence were received from Councillors RE Barrett, Mrs SA Hatton, Mrs JM Healey, HC Hurrell, EJ Pateman and JA Quinlan.

1. S/2135/05/F - IMPINGTON

This application had been **WITHDRAWN** from the agenda.

2. S/1860/05/F- LINTON

REFUSED, contrary to the recommendation contained in the report from the Director of Development Services. Members considered that , by virtue of its size and bulk, the proposed dwelling would be unduly overbearing when viewed from Barhams, Bakers Lane and that the proposal, therefore, was contrary to Policy SE/2 of the South Cambridgeshire Local Plan 2004.

3. S/1846/04/F - LONGSTANTON

RESOLVED that the Committee consents to an Order quashing the planning permission dated 11th November 2005 and that appropriate enforcement of Planning Condition 18 of the outline planning permission reference S/0682/95/0 be undertaken in two months' time, if necessary.

Members noted that the recommendation at paragraph 22 of the report prepared by the Director of Development Services had been **WITHDRAWN** from the agenda to allow further consultation with all relevant parties prior to the application being presented again to the Development and Conservation Control Committee for final determination.

Councillor A Riley declared a personal interest as a member of Longstanton Parish Council, but confirmed that he was considering the application afresh. For the sake of clarification, Councillor Riley did not vote.

4. S/1984/05/F - ORWELL

This application had been **WITHDRAWN** from the agenda.

5. S/1888/05/LB - NEWTON

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

6. S/2204/05/O - GREAT SHELFORD

REFUSED for the reasons set out in the report from the Director of Development Services.

Councillor R Hall declared a personal and prejudicial interest as a personal friend of the applicant, withdrew from the Chamber prior to consideration of the item, took no part in the debate and did not vote.

Councillor CR Nightingale declared a personal and prejudicial interest by virtue of his relationship by marriage to the applicant, withdrew from the Chamber prior to consideration of the item, took no part in the debate and did not vote. Members noted, and accepted upon the advice of the Head of Legal Services, that Councillor CR Nightingale's e-mail to the Director of Development Services on this subject had been copied to all Elected Members in error.

Councillor Mrs DP Roberts declared a personal and prejudicial interest by virtue of being seen to park outside the property from time to time when visiting London by train on Council business, withdrew from the Chamber prior to consideration of the item, took no part in the debate and did not vote.

Councillor Dr DR Bard abstained from voting.

7. S/2187/05/F - LANDBEACH

REFUSED in line with the recommendation in the report from the Director of Development Services, revised to reflect the fact that the amended plans still did not show a building which was designed for an appropriate use in the Green Belt Enforcement Action referred to in paragraph 4 of the report would now be pursued.

Councillor JA Hockney informed the Committee that he was a member of Landbeach Parish Council, but had not voted when that Council had considered this application.

Councillor Dr J Williamson informed the Committee that she had attended the meeting of Landbeach Parish Council at which this application had been discussed, but was not a member thereof and so did not have a vote.

8. S/2109/05/F - WILLINGHAM

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to Conditions 1, 2, 4 and 5 referred to therein, Condition 3 (external surfacing materials) being omitted.

Councillor Dr J Williamson declared a personal interest as a customer of the applicant.

9. S/2076/05/F - WEST WICKHAM

DELEGATED APPROVAL/REFUSAL. The application would be approved if the gablets on the front elevation were omitted but refused on design grounds if they were not omitted. Approval would be subject to the Conditions referred to in the report from the Director of Development Services and to an additional Condition requiring finished floor levels to be agreed.

10. S/2132/05/F - WEST WICKHAM

APPROVAL for the reason set out in the report from the Director of Development Services, subject to the Condition referred to therein.

11. S/2050/05/F - COTON

DELEGATED APPROVAL, for the reasons set out in the report from the Director of Development Services, subject to a revised layout plan showing additional land for planting on the southern boundary, the submission of a Flood Risk Assessment satisfactory to the Local Planning Authority, an amended layout plan addressing Local Highways Authority comments including the provision of a footway, with dropped curbs where appropriate, whilst retaining appropriate access width, to the Conditions referred to in the report, any other Conditions deemed appropriate as a result of outstanding consultations, and to those further consultations

Councillor JD Batchelor abstained from voting.

12. S/2119/05/F - OAKINGTON

This application had been **WITHDRAWN** from the agenda.

RESOLVED to issue an Enforcement Notice immediately to secure the cessation of unauthorised uses of land and the removal of unauthorised structures and hardstandings, with a six month compliance period.

13. S/2227/04/F - COTTENHAM

In updating the report, the Deputy Director of Development Services corrected a number of minor errors, and referred Members to Applications S/2037/04/F, S/1144/05/F and S/1336/05/F on the agenda and, in particular, to the human rights and race relations issues involved in each instance. He confirmed that the report had regard to the recent decision by the Secretary of State at the adjacent Victoria View site. In the case of the current application, the personal circumstances were such that a longer compliance period of 12 months was justified. In moving the proposal, Councillor SGM Kindersley stated that the harm caused by this application outweighed all the other relevant issues.

REFUSED for the reasons set out in the report from the Director of Development Services.

RESOLVED to issue an Enforcement Notice to secure the removal of the mobile home, caravans, day room and hardstandings and the cessation of the unauthorised uses of land, with a twelve month compliance period. Authority was also given to commence proceedings in the Magistrates' Court should the applicant fail to comply with the Notice and subject to there being no material change in circumstances.

RESOLVED that the Head of Legal Services seek an Injunction to secure compliance with

the Enforcement Notice should it not be complied with during the compliance period.

14. S/2037/04/F - COTTENHAM

In updating the report, the Deputy Director of Development Services corrected a number of minor errors, and referred Members to Applications S/2227/04/F, S/1144/05/F and S/1336/05/F on the agenda and, in particular, to the human rights and race relations issues involved in each instance. He confirmed that the report had regard to the recent decision by the Secretary of State at the adjacent Victoria View site. In response to a Member's question, the Deputy Director of Development Services agreed that the compliance period should be the same as for the Pine View site where the personal circumstances were similar to that of this applicant. In moving the proposal, Councillor SGM Kindersley stated that the harm caused by this application outweighed all the other relevant issues.

REFUSED for the reasons set out in the report from the Director of Development Services.

RESOLVED to issue an Enforcement Notice to secure the removal of the mobile home, caravans, day room and hardstandings and the cessation of the unauthorised uses of land, with a three month compliance period. Authority was also given to commence proceedings in the Magistrates' Court should the applicant fail to comply with the Notice and subject to there being no material change in circumstances.

RESOLVED that the Head of Legal Services seek an Injunction to secure compliance with the Enforcement Notice should it not be complied with during the compliance period.

15. S/1144/05/F - COTTENHAM

In updating the report, the Deputy Director of Development Services corrected a number of minor errors, and referred Members to Applications S/2227/04/F, S/2037/04/F and S/1336/05/F on the agenda and, in particular, to the human rights and race relations issues involved in each instance. He confirmed that the report had regard to the recent decision by the Secretary of State at the adjacent Victoria View site. In response to a Member's question, the Deputy Director of Development Services agreed that the compliance period should be the same as for the Pine View site where the personal circumstances were similar to that of this applicant. In moving the proposal, Councillor SGM Kindersley stated that the harm caused by this application outweighed all the other relevant issues.

REFUSED for the reasons set out in the report from the Director of Development Services.

Members noted that Recommendation B had been **WITHDRAWN** as authority for enforcement action had already been given.

RESOLVED that the Head of Legal Services seek an Injunction to secure compliance with the Enforcement Notice should it not be complied with during the compliance period.

16. S/1336/05/F - COTTENHAM

In updating the report, the Deputy Director of Development Services corrected a number of minor errors, and referred Members to Applications S/2227/04/F, S/2037/04/F and S/1144/05/F on the agenda and, in particular, to the human rights and race relations issues involved in each instance. He confirmed that the report had regard to the recent decision by the Secretary of State at the adjacent Victoria View site. In response to a Member's question, the Deputy Director of Development Services agreed that the

compliance period should be the same as for the Pine View site where the personal circumstances were similar to that of this applicant. In moving the proposal, Councillor SGM Kindersley stated that the harm caused by this application outweighed all the other relevant issues.

REFUSED for the reasons set out in the report from the Director of Development Services.

Members noted that Recommendation B had been **WITHDRAWN** as authority for enforcement action had already been given.

RESOLVED that the Head of Legal Services seek an Injunction to secure compliance with the Enforcement Notice should it not be complied with during the compliance period.

17. S/1963/05/F - FULBOURN

REFUSED for the reason set out in the report from the Director of Development Services.

18. .APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

The Committee **NOTED** the following from the report prepared by the Director of Development Services:

- Decisions notified by the Secretary of State
- Summaries of recent decisions of interest
- Appeals received
- Local Inquiry and Informal Hearing dates scheduled before the next meeting on 1st February 2006
- Appeals withdrawn or postponed.

On behalf of the Committee, the Chairman conveyed Members' appreciation of the professionalism and dedication of the Appeals Officer and his team.

19. ENFORCEMENT ACTION PROGRESS - INDEX

Members **NOTED** the Enforcement Action Progress Report dated 4th January 2006.

On behalf of the Committee, the Chairman conveyed Members' appreciation of the professionalism and dedication of the Enforcement team. The Deputy Director of Development Services reported on developments within the Enforcement Section, and expressed a hope that it would soon be fully staffed.

20. TRAVELLERS' HOUSING NEEDS SURVEY - FINDINGS

The Committee **NOTED** a report on emerging official guidance, to be taken into account when preparing the Council's Supplementary Guidance to the Local Development Framework (LDF) on the future provision of Traveller sites, and on the provisional outcomes of the Travellers' Housing Needs Survey, carried out in partnership with other agencies in the Cambridge Sub-Region.

The Deputy Director of Development Services highlighted paragraph 27 of the report.

Members identified the following as issues in need of attention:

- Concentration of sites. While South Cambridgeshire District Council was right

in arguing, at a national level, that there needed to be a fairer distribution of Travellers' sites throughout the country, it must also ensure a fair distribution within South Cambridgeshire so as to avoid concentrations of Travellers in specific villages or groups of villages.

- The cumulative effect of Traveller site development

In response to a Member's question, the Deputy Director of Development Services said that officers were formulating a bid for funding from the Office of the Deputy Prime Minister in respect of new sites planned within the District, but added that there was no current need for similar funding for improving existing sites.

21. **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED that the Press and public be excluded from the meeting during consideration of the following item in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 (exempt information as defined in Paragraphs 3, 4 and 12 of Schedule 12A to the Act).

22. **TRAVELLERS' HOMELESSNESS APPLICATIONS - PINE VIEW, COTTENHAM**

The Committee **NOTED** a report on the Council's impending High Court action against four named travellers and their families encamped at Pine View, Cottenham.

Members looked at the four cases afresh against a backcloth of all relevant considerations relating to, among other things, human rights and race equality. They concluded that, since the same four cases were last considered by the Committee, there had been no material change in circumstances. The four individuals, and their families, must therefore move from Pine View. Nevertheless, the Council would fulfil its obligations to its residents by using its best endeavours to minimise the hardship that eviction was likely to cause these travelling families.

Passing reference was made to an upcoming meeting in Cottenham, involving the Commission for Racial Equality, and at which the District Council would be represented.

The Meeting ended at 2.25 p.m.
