

APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

TOWN AND COUNTRY PLANNING ACT 1990

This item is intended to update Members on appeals against planning decisions and enforcement action. Information is provided on appeals lodged, proposed hearing and inquiry dates, appeal decisions and when appropriate, details of recent cases in interest.

1. Decisions Notified By The Secretary of State

| Ref. No. | Details | Decision and Date |
|--------------|--|-------------------------|
| S/6300/05/F | Mr R Hume Site of garage at 13 Willow Lane Cambourne House (Delegated Refusal) | Dismissed 15/02/2006 |
| S/0140/05/F | D Kennedy & K Meaby The Bungalow, Cambridge Road Girton Extension (Delegated Refusal) | Dismissed 16/02/2006 |
| S/0909/05/F | Hutchison 3G UK Ltd Land at Solopark, Station Road (adj A11) Pampisford 17.5m high telecommunications mast & associated development (Delegated Refusal) | Dismissed 16/02/2006 |
| S/0645/05/O | Mr & Mrs J Hedges R/o 34 Rampton Road Cottenham Erection of bungalow & garage (Delegated Refusal) | Dismissed 16/02/2006 |
| S/1484/05/O | Ms T A Hanson Adj 4 Portway Melbourn Dwelling (Delegated Refusal) | Allowed 16/02/2006 |
| S/0576/05/LB | St Andrews Bureau The Old Well, 55-59 Station Road Stow-cum-Quy Alterations and extension for gazebo containing hot tub with attached fence and timber decking (retrospective). (Delegated Refusal) | Dismissed 17/02/2006 |
| S/0577/05/F | St Andrews Bureau The Old Well 55-59 Station Road Stow-cum-Quy Gazebo, fence & decking (retrospective application). (Delegated Refusal) | Dismissed 17/02/2006 |

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| S/1150/05/O | Mrs B Ward r/o 12 West Drive Caldecote Dwelling and garage (Delegated Refusal) | Allowed 17/02/2006 |
| S/1515/05/O | Warmwell Homes Ltd 14 Green End Comberton 2 dwellings and garages following demolition of existing dwelling (Delegated Refusal) | Dismissed 20/02/2006 |
| S/1520/05/F | Warmwell Homes Ltd 14 Green End Comberton Dwelling (Officer Recommendation to Approve) | Allowed 20/02/2006 |
| S/1249/05/F | Mr P Rai White House Farm. Cambridge Road Melbourn Wall (Retrospective Application) (Officer Recommendation to Refuse) | Dismissed 20/02/2006 |
| S/0938/05/F | Mr & Mrs Harrison Weathercock Barn, Little Linton Farm Barns Linton Extension (Delegated Refusal) | Dismissed 20/02/2006 |
| S/0937/05/LB | Mr & Mrs Harrison Weathercock Barn, Little Linton Farm Barns Linton Extension and external alterations. (Delegated Refusal) | Dismissed 20/02/2006 |
| S/2460/03/F | Mr & Mrs L Holmes 5 Middle Street Thriplow Appeal against condition 3 of permission (Officer Recommendation to Refuse) | Dismissed 20/02/2006 |
| S/0420/05/F | Mr & Mrs Lauterpacht Old Webbs, 44 West Green Barrington Extension (Delegated Refusal) | Dismissed 21/02/2006 |
| S/0419/05/LB | Mr & Mrs Lauterpacht Old Webbs, 44 West Green Barrington Internal and external alterations (Delegated Refusal) | Dismissed 21/02/2006 |

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| S/1478/05/A | ING Real Estate Sawston Trade Park, London Road Sawston Signs (Retrospective) (Delegated Refusal) | Part Dismissed 07/03/2006 |
| S/0984/05/F | Intermax Ltd 5 Meeting Lane Melbourn Extension to dwelling and erection of garage and store/studio (Delegated Refusal) | Part Dismissed 10/03/2006 |

2. Summaries of recent decisions of interest

Ms T Hanson – Outline permission for dwelling and garage – Land adj. 4 Portway, Melbourn - Appeal allowed

1. The main issue in this appeal was the effect of the proposed dwelling on the character and street scene along Portway. These are former local authority houses, laid out with wide gardens giving a low-density feel to the street. This uniformity has since been changed by large side extensions to nos. 7, 20 and 21. The two latter extensions will fill the gap between the two houses. Other extensions to properties are either planned or have been built.
2. Although all the dwellings in the street are semi-detached, the inspector saw nothing intrinsically wrong by introducing a small, detached house. The original wide and regular spacing between dwellings has already been significantly altered. A small house would add to the mix of property available in terms of both size and type.
3. The inspector's attention was drawn to the refusal of an appeal in 2001 for a detached house in the garden of no 8. The latest inspector concluded that the approval of extensions since then have introduced such variety into the street scene that such concerns now carry little weight. The new house would maintain this theme.
4. The proposal was therefore in line with development plan policies. Permission was granted subject to conditions regarding the need for reserved matters covering the design and external appearance of the buildings, landscaping of the site and boundary treatment.

Mrs B Ward – Outline permission for dwelling and garage – R/o 12 West Drive, Caldecote – Appeal allowed

1. In this case, the proposal was to develop a backland plot. The existing bungalow on the site is set close to the road on a long and narrow plot. The Council's argument was that the rear garden of this and adjoining properties acts as a transition area between the built-up part of the village and the countryside beyond. It should therefore remain open.
2. The inspector did not agree. The area is flat and there are no views of the village from roads or public footpaths. When viewed through the gap between nos 12 and 14 West Drive, the proposed dwelling would be seen to be close to and associated with a recent development called The Willows. It would not be out of keeping with the linear pattern and character of development on the west side of West Drive. It would not amount to an undesirable form of backland development.
3. The Council had also expressed concern for residential amenity at the existing bungalow and 14 West Drive. The inspector did not consider that the additional vehicle movements close to the boundary with no 14 would cause significant disturbance. Loss of privacy would not be a problem if the dwelling was restricted to a bungalow.
4. Permission was therefore granted for a bungalow subject to conditions regarding the need for reserved matters covering the siting, design and external appearance of the building and landscaping of the site.

Warmwell Homes Ltd – Demolition of existing bungalow and erection of replacement dwelling and garage – 14 Green End, Comberton – Appeal allowed

1. In this appeal, the two main issues were the impact on the character and appearance of the street scene and the effect on the outlook of residents at 16 Green End.
2. The inspector acknowledged that Green End is an attractive street running north from the crossroads in Comberton into the surrounding countryside. It is characterised by a pleasant mix of traditional and more modern properties set behind hedges. Replacing the existing bungalow with a house would produce a more dominant feature in the street scene, although the site is the last in a short row of bungalows and directly adjoins a row of existing detached houses. In such a position, a two-storey property would not significantly disrupt the pattern of development along the street. The plots at this end of the street become wider and the house would be well set back within the plot with gaps on either side. It would not appear unreasonably cramped and the detailing of the house would act to reduce its massing when seen from the street. A suitable landscaping scheme would complement its integration into the street scene.
3. No. 16 has a ground floor and bedroom window facing the site. There would be a gap of around 8 m. between the side wall of the new property and the existing ground floor bay window. The appellant provided evidence to demonstrate that there would be adequate sunlight available to this window and that this room and the bedroom above have other windows that face the rear garden. The inspector concluded that the outlook from no 16 would not be unreasonable.
4. Permission was granted subject to conditions regarding landscaping, protection of trees during development, details of materials, boundary treatment and a restriction on further windows at first floor level to prevent overlooking of adjoining properties.

3. Appeals received

| Ref. No. | Details | Date |
|-------------|--|------------|
| S/1550/05/F | Mr & Mrs I Silvain Adj 1 Clarkes Way Bassingbourn-cum-Kneesworth House (Delegated Refusal) | 15/02/2006 |
| S/1899/05/F | Mr & Mrs I Silvain Adj 1 Clarkes Way Bassingbourn-cum-Kneesworth House (Delegated Refusal) | 22/02/2006 |
| S/1473/05/O | Mr B R Davis Adj 1 Beechtree Cottages, London Road (Balsham) West Wrating Chalet Bungalow (Delegated Refusal) | 01/03/2006 |

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| S/2053/05/F | Camstead Homes R/o High Street & Long Furlong Over Erection of 30 dwellings, provision of playing field for Over primary school and new front and side boundary walls to No's 15 & 17 High Street (Delegated Refusal) | 03/03/2006 |
| C/0255/55/ | Westmead Homes Ltd Plot 7 Galewood, Haverhill Road Stapleford Dwelling | 06/03/2006 |
| S/2088/05/O | Mr I R Quince College Barn, Common Road Weston Colville Erection of 3 houses (Delegated Refusal) | 08/03/2006 |
| S/1922/05/F | Mr & Mrs P Hobbs 56 High Street Teversham Dwelling (Delegated Refusal) | 08/03/2006 |
| S/1426/05/F | Mr I Jackson 16 West Drive, Highfields Caldecote Extension (Officer Recommendation to Approve) | 13/03/2006 |
| S/1339/05/O | Mr M Gadsby & Ms S Dence R/o 58 Lambs Lane Cottenham Bungalow & garages (Officer Recommendation to Refuse) | 17/03/2006 |

4. Local Inquiry and Informal Hearing dates scheduled before the next meeting on 10th May 2006

| Ref. No. | Details | Date/Time/Venue |
|-------------|--|--|
| S/0321/05/O | Unwins Properties Ltd Land north of Impington Lane Impington Residential Development (Hearing) | 27/04/2006 10.00am Swansley room |
| S/1581/04/F | MPM Properties and Huntingdonshire Housing Partnership Livanos House & Abberley House, Granhams Road Great Shelford Appeal against NON-DETERMINATION of Residential development through new build development and residential conversion of Livanos House (98 No. units in total to include 29 | 04/05/2006 10.00am Swansley room |

affordable units), new means of access, new internal access roads and footways, public open space, hard and soft landscaping and other ancillary elements at Livanos House/Abberley House.
(Hearing)

5. Appeals withdrawn or postponed

| Ref. No. | Details | Reason and Date |
|--------------|--|--|
| S/0823/05/F | Mrs L Sorrentino The Barn, Charity Farm, Haslingfield Road (Harston) Haslingfield Extension to dwelling incorporating stable block | Withdrawn By Appellant 08/03/2006 |
| E503 | Mr R Worboys & Mr R Wood Poplar Farm, off Poplar Farm Close Bassingbourn Enforcement against change of use from agriculture to storage of building and road making materials and depot for ground engineering business | Enforcement Notice Withdrawn 13/03/06 |
| S/6258/04/RM | MCA Developments Land South of Great Cambourne Cambourne Alterations in land form (dispersion of soil from building works.) | In Abeyance until 17/05/06 |

6. Advance notification of future Local Inquiry and Informal Hearing dates (subject to postponement or cancellation)

| Ref. No. | Details | Date |
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| S/1663/04/F | Cambridge Wind Farm Ltd Land South West of Huntingdon Road (A14) Boxworth Wind farm comprising 16 wind turbines, anemometry mast, substation and associated infrastructure. | 17/10/2006 Confirmed |