

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

4<sup>th</sup> April 2007

**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/1260/05/F - GAMLINGAY**  
**Temporary Mobile Home at Land at Little Heath for E Sale**

**Recommendation: Refusal**

**Date for Determination: 19<sup>th</sup> August 2005**

**Notes:**

**This Application has been reported to the Planning Committee for determination because additional information has been submitted relating to the requirement for the proposed mobile home.**

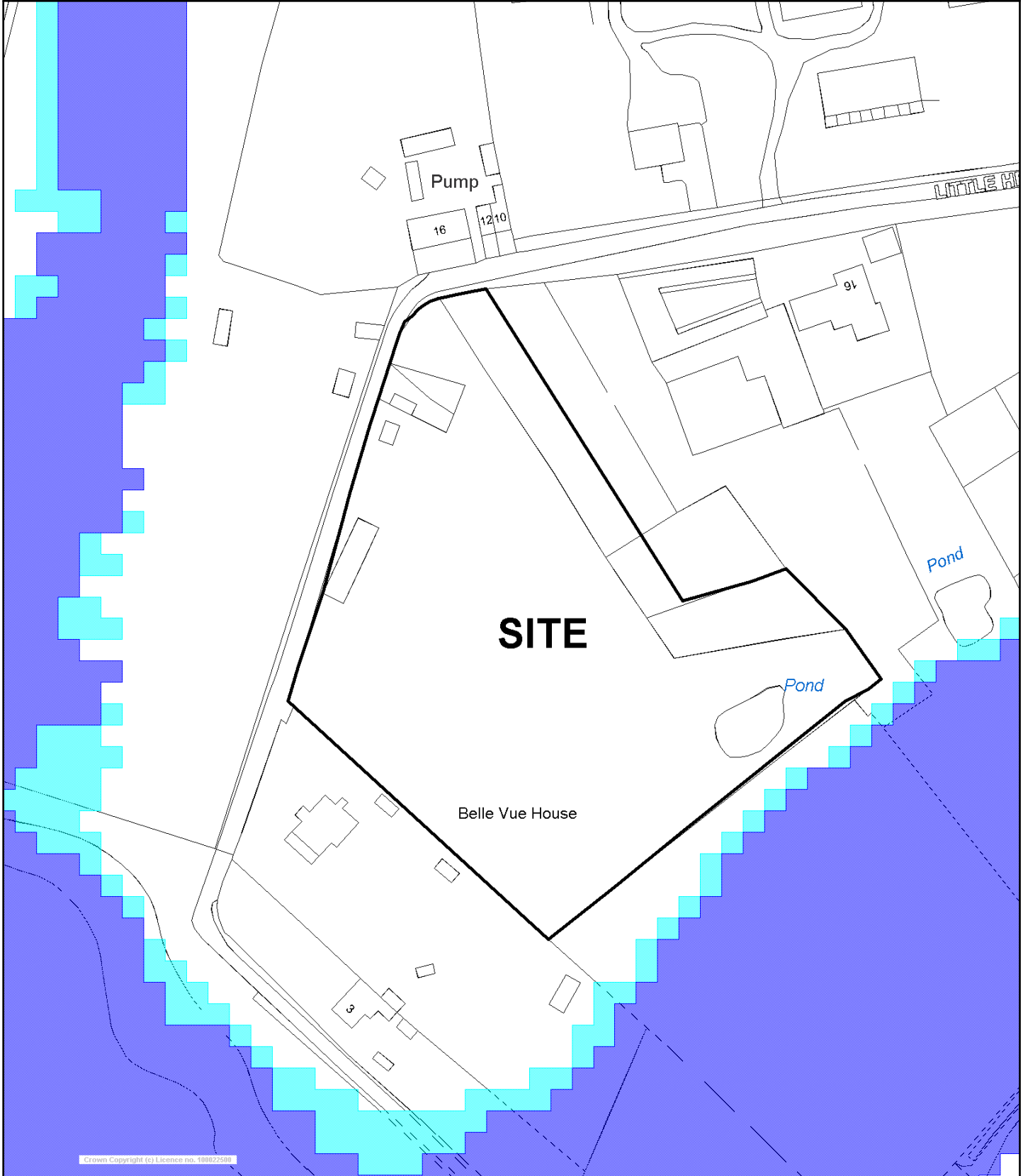
**Departure application**

**Update**

1. Members originally discussed this application at the August Committee meeting in 2005 (item 12) when it was resolved to request further justification for the proposal. The application was then brought back to Committee in December of the same year (item 7).
2. Attached as electronic appendices 1 and 2 are the committee reports of the 3<sup>rd</sup> August and the 7<sup>th</sup> December 2005 (items 12 and 7 respectively).

**Further Representations**

3. A copied letter from Mr and Mrs Halpin to Yvonne Sale has been submitted to officers. The letter is a written notification of a requirement for Mrs Sale to vacate her present site by the 9<sup>th</sup> April 2007.
4. A further representation has been made by Mr Newman who states that Mrs Sale has been employed by him part time for the last eight years, and that she is essential for the welfare of his horses during the fouling and recovering season. It is also stated that the proposed location of the new mobile home would allow Mrs Sale to be only 50 yards from the stables in the case of an emergency. Mr Newman has also offered to help maintain the site to keep it up to the standard requested by the local neighbourhood.
5. Mr Newman is against relocating Mrs Sale on his own land as it would leave her in the same position as she is currently in. If anything happened to Mr Newman Mrs Sale would again be homeless and she would again have to relocate. It is suggested that planning permission be granted for a mobile home on Mrs Sale's land with restrictions to cover her own personal use.



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Scale 1/1250 Date 22/3/2007

Centre = 523126 E 251492 N

APRIL 2007 PLANNING COMMITTEE

## Planning Comments – Key Issues

6. The key issue for Members to consider in the determination of this application is the justification for a residential use of land outside of the Gamlingay village framework.
7. The previous discussions about this application have been concerned with the security of tenure that Mrs Sale has at her present site, which is to be developed for a new dwelling under planning reference S/1273/05/F. It would appear that Members were of the belief that the owner would relocate Mrs Sale to the remaining mobile home on his site in Little Heath.
8. Clearly the 'Notice to Quit' is evidence that Mr Halpin has no such intention, and the Local Planning Authority has no powers with which to secure Mrs Sale's occupation of the remaining mobile home on Mr Halpin's site. Therefore it is evident that Mrs Sale will effectively become homeless on the 9<sup>th</sup> April 2007.
9. Mrs Sale's connection with Little Heath is unique in that she was born in the area and has spent most of her life there. However I do not consider that these personal circumstances should override the policies of the Local Plan. Moreover Mrs Sale's part time employment in horsiculture is certainly a reason for her to be located close to the Little Heath area though I do not consider that this argument alone is a strong enough justification for a departure from planning policy. Therefore for the two aforementioned reasons I have to maintain the officer recommendation that the application be refused.
10. Planning Policy Statement 7 "Sustainable Development in Rural Areas," says that Local Planning Authorities should apply the same stringent levels of assessment to applications for new isolated dwellings associated with rural enterprises as they apply to applications for agricultural workers. Such criteria includes functional need and clear evidence that the proposed enterprise has been planned on a sound financial basis. These criteria have not been satisfied in this case.
11. Saying that, the uniqueness of Mrs Sale's situation means that if Members were minded to grant a conditional consent it would be unlikely to set a precedent for similar developments in the District. Clearly Mrs Sale performs an important role for Mr Newman and his business. It was therefore requested that Mr Newman look at the possibility of a mobile home being sited on his land, especially as the need for Mrs Sale to be close to the mares during the fouling season is one of the primary reasons why Mr Newman is being so supportive of the planning application. Mr Newman stated that he was against relocating Mrs Sale on his land as she would be left in a similar situation to the one she is in now if anything were to happen to him. Although it would be preferable for the mobile home to be located on Mr Newman's land so that its future subdivision from the existing planning unit would be more difficult I agree with Mr Newman's argument.
12. The facts of the case that Members have to consider is that Mrs Sale will no longer be able to occupy Mr Halpin's site after the 9<sup>th</sup> of April and that she has strong personal connections with the area. If consent were granted and securely conditioned to require that the mobile home only be occupied by Mrs Sale, and any dependants, and removed when Mrs Sale no longer occupied the site, I am of the opinion that although such a consent would be a departure from the policies of the Local Plan it could be controlled in order to prevent the situation from becoming a permanent one. Any consent granted should therefore be accompanied by a carefully worded informative stating that the future use of the mobile home by anyone other than Mrs

Sale would not be supported, given that the over-riding need appears to be personal rather than functional.

### **Recommendation**

13. Refusal

### **Reasons for Refusal**

1. Insufficient justification has been given for a residential use in the countryside outside of any Village Framework as defined in the Development Plan. Such a use would be contrary to the aim and objective of the settlement policies of the Development Plan of preventing sporadic residential development away from the built up areas of villages which will cumulatively harm the countryside and result in a pattern of development that is unsustainable. As such the proposal is contrary to Policy SE8 of the South Cambridgeshire Local Plan 2004 and Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003.

**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Development and Conservation Control Committee Reports of 7th December and 3rd August 2005
- Planning Files Ref: S/1260/05/F and S/2461/04/O

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