

Miss S Garner  
Planning Department  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB3 6EA

From: Mr & Mrs Lowe  
St John's Farm  
Station Road  
Meldreth  
Royston  
Herts.  
SG8 6JP



14<sup>th</sup> December 2010.

We are writing to object to the following application at S/1728/10 at 32 Station Road, Meldreth, know as Fieldgate Nurseries.

Firstly we would like to yet you know that we are lodging a formal complaint regarding the re-submission of this retrospective application.

Following a 2-year investigation by the L.G.O, this application has been accepted despite its many, many inaccuracies all of which are designed to deceive. This is a fact you are well aware of as the development already exists and you regularly visit the sight.

The problem with the application is that it fails to address the 3 major issues, access, parking and night noise that the application was intended for.

This application would merely create more problems (and does as it exists), as it does not show any planned parking that could be enforced. The spaces shown are not demarcated on the site. The application was meant to be accompanied by a survey regarding traffic- flow. The heritage statement states that the warehouse extension enables 24/7 deliveries and working. Therefore any restrictions regarding hours of use could be called into question.

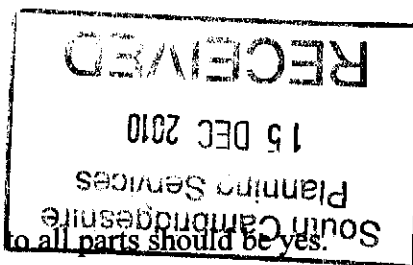
The blue and red lines are missing from the site plan (vital in this instance to the application). The certificates of ownership are also missing. For this reason alone the application should not have been accepted.

This application would be an intensification of the retail use specified in 82 and 85 (on a plan with a blue line) on a sight outside the village envelope, designated as open country-side, within the curtilage of a listed building.

Therefore we believe it would be sensible to have the whole sight sent before full planning committee for consideration.

Yours sincerely  
Mr & Mrs Lowe

*N.M. Lowe*



Planning application form referred to as doc.1

Question 6. Is filled in incorrectly the answer

A new public access and H.G.V road is submitted as a major part of the plan through third party land.

Question 7. Whilst this has been filled in correctly it should be linked to question 23.

Question 11. 40 spaces are listed however in reality the plans do not back this up. We have listed the errors on the plans which have the accumulative effect of reducing the parking spaces to nearly half that. Also there are no demarked spaces on this site for the purpose of planning.

Question 12. States that the toilet block has been connected to the mains sewer. This work should have been carried out under building regulations. Did the site owner apply for building regulations? Anglian Water have regularly had to jet the manhole in Station Road, since the occupation of a shed by a butchers shop and toilet block have been connected to it (illegally.) Anglian Water have we believe documented the concern that they have found it blocked with butchers waste coming from within the Fieldgate site.

Question 13. We are not on a flood plane but flooding is a regular occurrence on and around this site, due to excessive tar-mac on the site and removal of open ditches to accommodate the development on the site.

Question 14. Part c is answered no however as the plans depict our land adjacent to the site has a spring fed 16<sup>th</sup> century pond and moat that is of historic geological conservation importance.

Question 16. This is incorrectly answered. There are trees and hedges on the site which impact on its accessibility. This also contradicts the lie on the design and access statement that describes a 'woodland setting'.

Question 17. This should relate to question 23

Question 19. Where did the numbers come from, they are not correct.

Question 21. Incorrect opening hours are listed they should be  
Mon-fri 8am -6pm Sat 8am-5.30pm Sun 9.00ish - 4ish

(Sunday- Retail trading law limits the opening hours a shop the size of Fieldgate as it is, in its current form, now it has been illegally extended to 10.00 am opening and fro a period of 6 hours. Planning permission has only however been granted for 180 sq ft).

Question 22. The site area is a total fabrication it states there are 3.45 hectares. In reality there is a maximum of 1.5 hectares on this site.

Question 23. This is incorrectly filled in as no. Yes should be ticked and filled in conjunction with questions 7 and 17.

Design & Access Statement referred to as doc.2

The statement states that the site comprises approximately 4.5 acres this is a total lie. The site is approximately 2.5 acres.

The statement only states that the farmhouse is listed in reality the 2 storey brick barn and the single storey wooden barn alongside are also listed. These are being used by IT Solutions, Eco Design & build and until recently an equestrian retail outlet. All trading without planning permission from within the listed building. This creates a need for commercial parking within the curtilage of the listed building. These illegally sited businesses are taking up more valuable parking spaces.

The barns mentioned on the east side are claimed to be at least 100 years old. A small part is old and may indeed be listed as well. The rest that mainly houses 'Cambridge Juice' were built less than 10 years ago to accommodate the business. The only planning consent sought was a retrospective change of use. This change of use conflicted with the existing planning application of the site, causing it to become over-developed.

The barn on the south side of the site was built without planning permission being sought in 2006/2007 the statement states that the building has been here for 25 years. This is a total lie it is not shown on doc no.4 the site plan that is clearly dated 16/05/2006. This building houses builders and plumbers. No planning application has been sought for the building or its use.

On the west side of the property is the FARM SHOP (they are not allowed to sell general groceries the planning consent granted is for farm grown produce and bought in fruit and veg') this has been here for 25 years. Beside it is an illegally built shed now housing an entirely separate butchers shop (this is not part of the Fieldgate enterprise). Alongside the illegal butchers is an ugly metal container converted for refrigeration use by the butchers, alongside a porta-cabin style toilet block. The butchers, and refrigeration are illegal and defy the conditions attached to Mr Wards retail use.

It also does not seem hygienic to site toilets almost touching meat storage. The butchers also operate a large volume wholesale business that should be subject to planning permission and food and hygiene regulations. The butchers advertised in the press that they were going to move from their existing retail premises in the village envelope to the 'Fieldgate' site outside the village envelope. Residents advised S.C.D.C of the butcher's intention and were told verbally that the matter would be dealt with; unfortunately they have failed to do their job.

These 2 entirely separate shops in a countryside setting outside the village envelope, selling all manner of produce including meat, bread, and general groceries, alongside the fruit and veg' goes against the planning policy for the countryside. It is also harmful to the legitimate retailers on the high street in Melbourn. Melbourn High Street is less than ½ mile away and has 2 grocery stores and a very good butchers shop all of who have planning permission.

A majority of the customers that visit the Fieldgate site come from Melbourn and travel by car. This site is taking its custom from Melbourn high Street.

Meldreth itself also has a small village shop.

The warehouse extension is used 24/7 as stated and causes noise disturbance. The statement claims that the extension represents less than 10% of the floor space. In reality it is a gain of 20-30%. The statement refers to its use to do essential recycling of waste created by the businesses on the site but this is omitted from the planning application form.

Some buildings are not mentioned in the statement, such as the illegal dwelling behind the shop.

There is a newly installed Swiss chalet type building on the site.

At the south of the site is a greenhouse that was erected under permitted development on agricultural/horticultural land. This building that measures approximately 700 meters square has been clad in tin and a concrete floor installed and is now being used as an industrial scale warehouse without any planning permission.

This building is directly adjacent to our 16<sup>th</sup> century pond and moat and a public footpath.

This 2.5-acre site has been continually illegally developed over the last decade.

A planning contravention notice has been served on the site.

The owner of the site did not give accurate information to S.C.D.C on receipt of the P.C.N

This is punishable by a fine of up to £5,000.00, has a fine been issued to the owner of the site?

This site is trading completely outside the planning laws of this country.

Even without considering the many errors and omissions on the application documents it would be sensible to have this application rejected and the entire site to planning committee for whole site evaluation.

Heritage Statement referred to as doc 3

The heritage statement states that new warehouse extension and toilet block are not visible from the ground floor of the listed building. The site plan and the ariel photo quite clearly show that they would be entirely visible, if as the site plan indicates the refrigeration unit is moved.

This refrigeration unit is also in the view of the listed building.

There is a boundary hedge around the abode (not shown on any documents) but even this does not obscure the view of industrial buildings.

The toilet block and part of the warehouse extension can be seen from 2 footpaths, station Road and a listed building.

Contrary to the report the warehouse extension is in fact visible from St John's Farm dwelling picture enclosed.

The report states the extension is needed for the safety of staff when in fact the existing warehouse could meet this need. Its true purpose is indeed to provide facilities for 24/7 deliveries as stated in doc.2.

The toilet block is a mobile unit that could be sited anywhere if drained to a septic tank on the site, just like the illegal mobile home dwelling.

The impact on the surrounding area is not minimal- the site is already over-developed. It is set for planning purposes outside the village envelope, in a countryside setting that acts as break between two separate villages.

The effect of the development on the site is adding to the industrialisation of a countryside setting.

Both the buildings in the proposal are ugly and take up valuable car-parking spaces on a site that cannot accommodate its visitors. Due to the rural location it is necessary for visitors to travel to the site by car.

The site has an illegal butchers shop that would not be allowed under planning law that states that in a countryside setting, only Nursery and farm produce will be allowed. This is the basis on which the farm shop is allowed to operate. By covering the very limited growing space (the site has reduced in size by nearly 6 acres since the application for the farm shop was built) Currently taking into account the correct size of the entire site, over half of it is now covered in tar-mac and industrial buildings. Absolutely nothing is grown on this site at all. The planning permission granted for the sale of brought in fruit and veg was allowed to subsidise produce grown on the site.

The shop is now trading outside its own planning conditions that stated what could be sold and has the condition of not too many deliveries. The size of retail area is specified in the application as 180 sq ft only. It is now a vast supermarket.

Therefore the warehouse extension should not be passed.

An enforcement notice has been served on the warehouse extension. When will it be removed from the site?

Trees and shrubs do not shield the site - it is an eyesore.

Site Plan (index map plan) referred to as doc.4

The site plan does not show north.

The boundary shown on the plan is incorrect.

The boundary near the front of the shop should sweep in (see ariel photo) which reduces the access to the site.

The boundary to the east side of the site shows a bold line alongside the by-pass, with a dashed line further into the site. The bold line should indicate the site boundary. The site boundary line shown includes land that does not, according to his deeds, belong to Mr Ward. The dashed line within the site is the correct line of the site. Unless this land is part of an agricultural holding, does Mr Ward have an agricultural holding certificate that includes this strip of land?

If such a tenancy agreement exists why is it missing from the detail on the planning application form.

In fact where are the certificates of ownership including article 7 certificate (Agricultural holdings) in the planning application?

These certificates are compulsory to all current planning applications to ensure the ownership of land on all planning applications. For example to ensure that new roads are not made through another owners land without their knowledge.

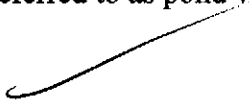
The large barn at the south end of the site is not shown as it had not been built in May, 2006 when this site plan was created by O.S. as it had not been built yet contrary to the information given in the Heritage statement.

This plan also shows a dotted yard cartilage line. It has moved from previous plans and seems to conveniently incorporate all of Mr Ward's buildings within yard curtailage, these buildings were made, installed and or converted without any planning permission on what was agricultural land. The line also seems to sweep out into a strip of land not in Mr Wards ownership.

N.B. The plan shows a 16<sup>th</sup> century pond and moat on our property, which is a historic feature of the land. A footpath also runs to the west of the site. On one side of the footpath is a historic 16<sup>th</sup> century pond, moat and meadow area on the other a vast tin clad industrial unit, an illegally extended shop and a 12-foot high illegal fence hiding an illegal mobile home, which is inhabited. (If the inhabitants choose to remove the fence they can call their abode 'Pond View')

Drawing of toilet block plan referred to as doc.5

The unit depicted (and existing) is a mobile unit which could be placed anywhere on the site if connected to a septic tank- just like the one which has been illegally installed behind the shop and greenhouse (or is it a supermarket) to accommodate the illegally installed mobile home accommodation (hereafter referred to as pond view). In contrary to doc.2.



Drawn of traffic Flow Details referred to as doc.6

Where is the long awaited survey that was meant to accompany this document? The plans were withdrawn by S.C.D.C in December, 2008  
Nearly 2 years have past and it does not appear to have been done, without it this document is not fit for purpose.

Access point A is shown on the highway and conflicts with the access rights of other users of Bury Lane and our access rights which all pre-date Fieldgate Nurseries, the pinch point where the first red arrow is shown is incorrect it would be reduced if the 4 parking spaces shown in front of the shop are positioned correctly as they are in reality (see photo enclosed) this point becomes further reduced.

This area has already been allowed to encroach public land, thus removing all the drainage from Bury Lane, Station Road bend opposite Fieldgate Cottage and all the drainage to St John's Farm, and causing a dam effect to the natural spring on our private property which should be the start of a feeder to the river Mel. All of the afore-mentioned water is meant to flow across the front of the shop.

The purpose for this encroachment was to provide a lorry access to a property which otherwise has only a typical domestic sized access.

The access area to Bury Lane marked KEEP CLEAR is not demarcated nor are the boundary markers. Some boundary markers are to be re-instated when funds allow following the previous ones being knocked down from within the site on purpose in order to create a larger access area into the site.

On the plan Fences and hedges within the site are missing including the hedge around the listed dwelling, 2 illegal fences at the site entrance are missing and a fence within the site creating 2 separate areas is missing.

The illegal refrigeration unit is missing.

The illegal mobile home accommodation at the rear of the shop is missing.

3 storage containers are missing

A porta-cabin is missing.

Parking spaces shown on the plan are not part of a planned car park; they are merely shown randomly around the site wherever it looks remotely viable to squeeze one.

In reality a lot of these spaces do not exist or are incorrectly positioned i.e.:

The 4 at the front of the shop are incorrectly positioned shown encroaching into Bury Lane at least 1 of them does not exist as an illegal outdoor raised selling area has not been shown on the plan. 2 spaces shown next to the listed dwelling (which has planning consent to become 2 dwellings) are domestic.

The single space showed alongside the listed dwelling causes a pinch point if the 4 spaces in front of the illegal butchers shop are there. The hedge line beside the domestic parking is missing from the plan.





The 4 spaces shown in front of the illegal butchers shop do not in reality exist, as there is a raised path and shop signage installed in front of the butchers shop. The raised path and signage are not shown on the plans.

Therefore the reality is a severe pinch point created between the illegal butchers shop and the listed dwelling.

The flow shows cars making a circuit at this point but they just disappear on the plan and are not shown exiting the site.

There are 4 and 5 parking spaces shown beside barns on the east side of the site .In reality this area has a fence through the middle of it segregating customers from commercial vehicles and 1 space only is attached to the planning permission for Cambridge Juice.

 Following this there are 8 staff car parking spaces sited on agricultural land and a further 4 and 2 spaces shown on land which is not owned by Mr Ward, according to paperwork provided by him (enclosed plan – copy of deeds) 

No H.G.V parking spaces have been shown for the parking of Mr Wards H.G.V and H.G.V. trailer. These are a requirement for Mr Wards operators license.

The new proposed road shown to the east of barns on the site is fact on land that is not shown on Mr Ward's deeds. Mr Ward's barns on the east side of the site are on the outer boundary of his property.

Mr Ward has been using an access along side the east side of his site as a route to his agricultural land on a personal basis, does an easement exist for its use.



This land is included in the planning of the by-pass and should be left unused for any necessary slip road in the future. The beginning of the slip road is completed in the form of a large lay-by. There have been accidents at the junction of Station Road and the A10 and it becomes ever more hazardous to pull out. With continually increasing traffic levels which can only increase especially considering the development at Trumpington Meadows. The road safety of users of the A10 must not be compromised in order to regulate an illegally over-developed site. Compensations were made to the landowners at the time, and this strip of land did not (according to his deeds) belong to Mr Ward.

Therefore the entire outflow shown exiting the site is on land outside the boundary of the site. The site line on the east side of the site is not shown on this plan.

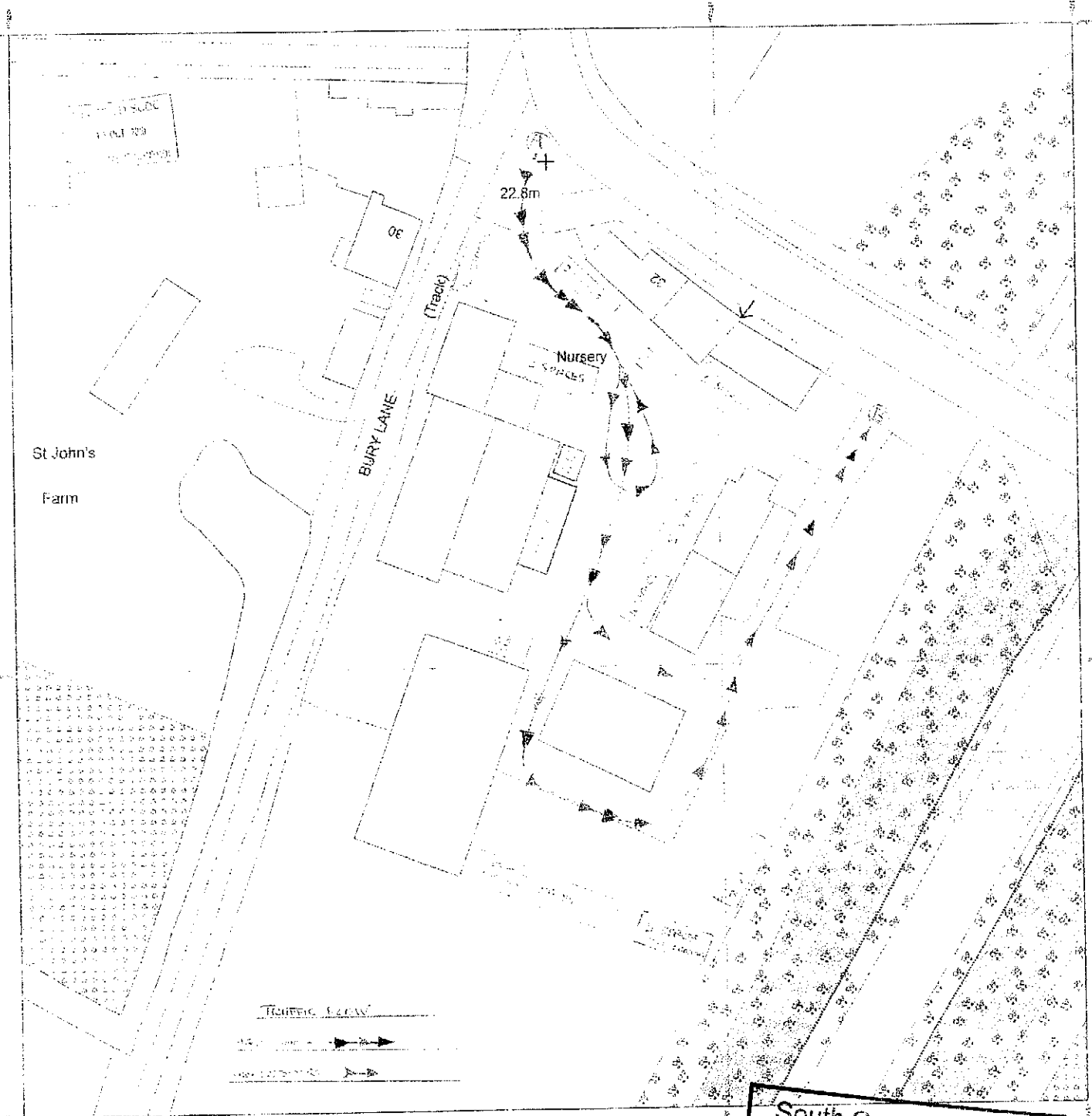
Highways advised us that they could not accept a road for H.G.V's at this location due to its close proximity to a blind bend. Any cars coming along station Road towards Mellbourn could find themselves compromised by an H.G.V side on exiting the site. Accidents have occurred at this location.

If this land is not in Mr Ward's ownership it should comprise any part of this application. Unless possibly there is documentation to support Mr Ward's ownership, has a transaction of sale of the land occurred? Before the by-pass was built this strip of land did not belong to the Fieldgate site.

Drawing of warehouse plans – (referred to as doc.7)

This building looks ugly.

The drawing does not show any drainage or lighting.

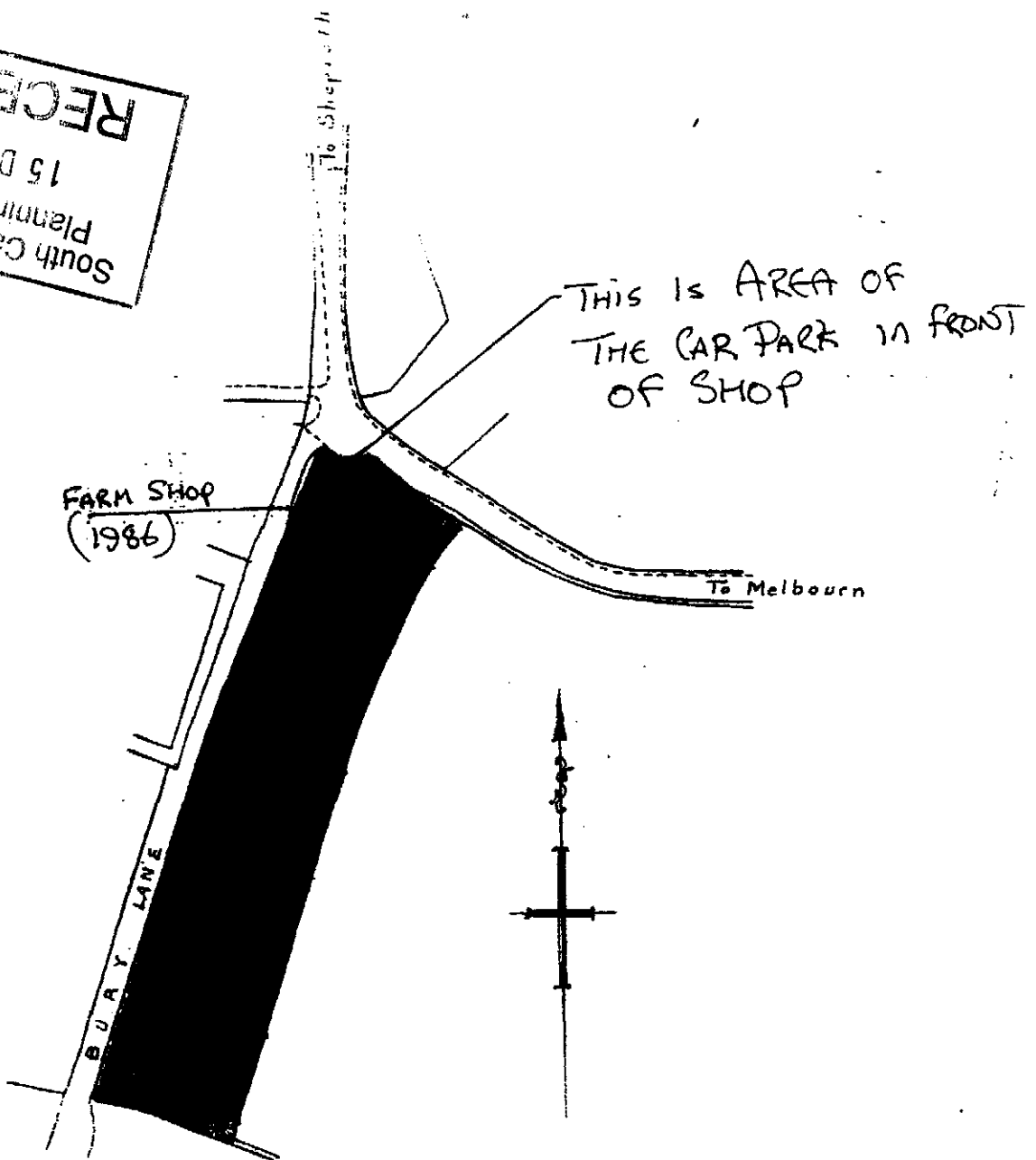


South Cambridgeshire  
Planning Services  
15 DEC 2010  
**RECEIVED**

# FIELDGATE NURSERIES

COPY OF DEEDS (1969)

RECEIVED  
15 DEC 2010  
South Cambridgeshire  
Planning Services





# INDEX MAP PLAN

Plan prepared on 16/05/2006 at 00:00:01

ORDNANCE SURVEY MAP REFERENCE:

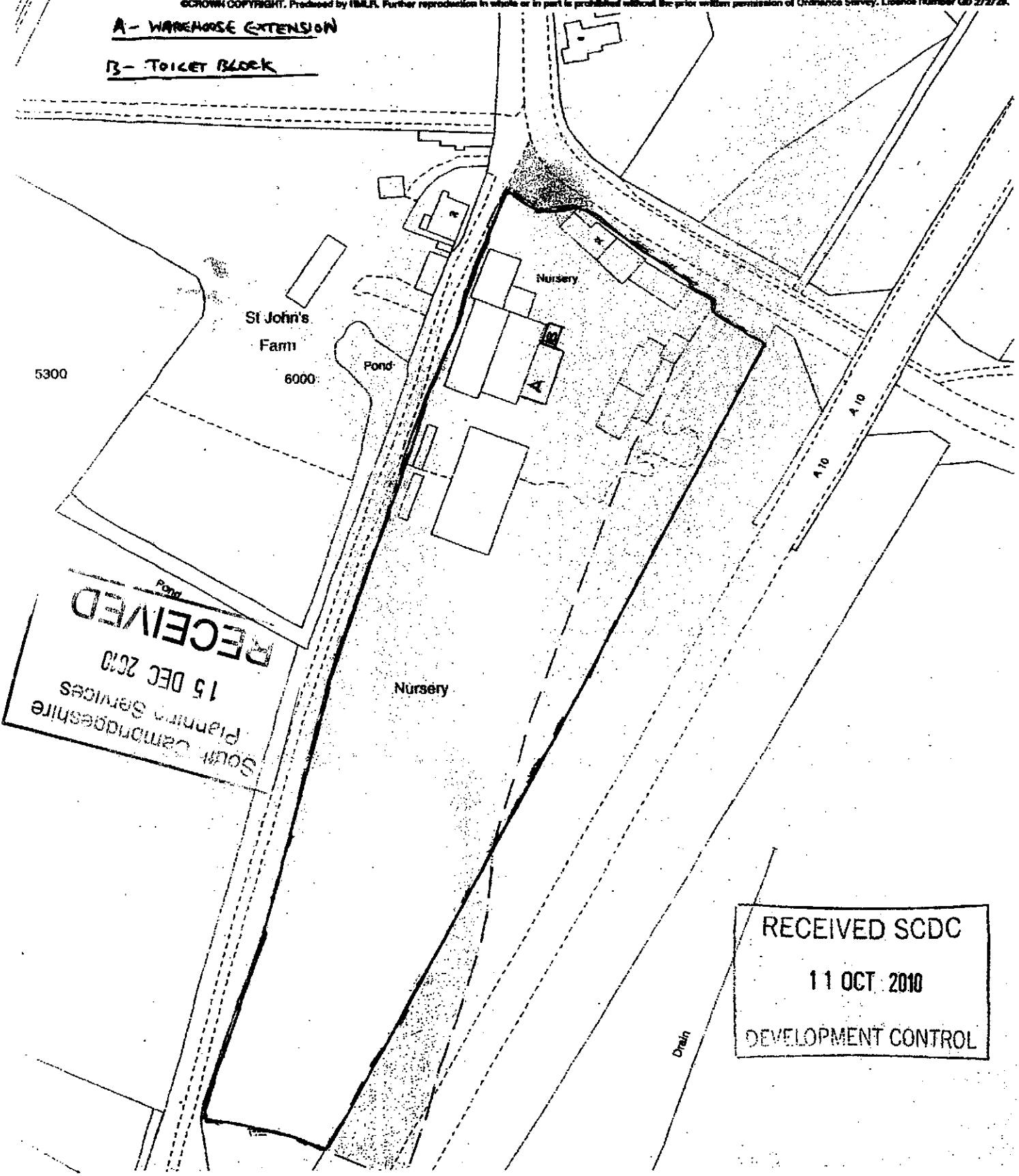
TL3744NE

SCALE 1:1250

CROWN COPYRIGHT. Produced by HMLES. Further reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number GB 272728.

A - WAREHOUSE EXTENSION

B - TOILET BLOCK



RECEIVED  
 15 DEC 2010  
 South Cambridgeshire  
 Planning Services

RECEIVED SCDC  
 11 OCT 2010  
 DEVELOPMENT CONTROL