

**REPORT TO:** Planning Committee  
**LEAD OFFICER:** Planning and New Communities Director

2 March 2016

**APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

**Purpose**

- To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as of 17 February 2016. Summaries of recent decisions of importance are also reported, for information.
- Decisions Notified By The Secretary of State:**

<b>Ref.no</b>	<b>Address</b>	<b>Detail</b>	<b>Decision &amp; Date</b>
S/1227/15/FL	Mrs Hardisty 2 Bury Farm Cottage Newmarket Road Stow Cum Quy	Erection of side extension, alterations to parking and access arrangements	DISMISSED 20/01/2016
S/0163/15/FL	Crickmore Developments Ltd 25 Church Street Little Shelford	Erection 2 detached houses following demolition of existing house	ALLOWED 22/01/2016
S/0462/15/FL	Mrs D Clark 11 Station Road Oakington	Erection of a bungalow	DISMISSED 01/02/2016
S/1279/15/OL	M & S Cihan 14 Brook Street Elsworth	Outline application for 6 x 3-4 bedroom open market houses & 4 x 2 bedroom (affordable)	DISMISSED 02/02/2016
PLAENF 1428	Mr O Thain The Tickell Arms Whittlesford	Against Enforcement Notice – breach of planning control – single storey lean-to extension	DISMISSED 03/02/2016
PLAENF 1428	Mr O Thain The Tickell Arms Whittlesford	Against Listed Building Enforcement Notice – works comprising the erection of single storey lean-to extension	DISMISSED 03/02/2016
S/1888/14/OL	Hackers Fruit Farm & Garden Centre Huntingdon Road Dry Drayton	Redevelopment of existing garden centre to provide new garden centre building & outdoor sales/storage	DISMISSED 10/02/2016
S/0982/15/FL	Annington Property Ltd Former 2 & 4 Fletcher	Replacement of 4 dwellings on 2 separate plots	DISMISSED 11/02/2016

	Avenue &55 & 57 Kirby Road Waterbeach		
S/0982/15/FL	Annington Property Ltd Former 2 & 4 Fletcher Avenue &55 & 57 Kirby Road Waterbeach	Replacement of 4 dwellings on 2 separate plots	COSTS for SCDC REFUSED 11/02/2016
S/1661/15/FL	Mr Crickmore The Barn Chesterton Fen Road Milton	Erection of detached garage following demolition of stable building	DISMISSED 13/02/2016

3. **Appeals received:**

Ref. no.	Address	Details	Appeal Lodged
S/0550/15/VC	North Hall Farm Great & Little Chishill	Variation of Condition 6 of S/0354/10	05/01/2016
S/0552/15/VC	North Hall Farm Great & Little Chishill	Variation of Condition 3 of S/1319/09	05/01/2016
S/0559/15/VC	North Hall Farm Great & Little Chishill	Variation of Condition 3 of S/2323/12	05/01/2016
S/0409/15/RM	East of A10 Cambridge Rd, Former Bayer Crop Science, Hauxton	Reserved Matters parts of phase 1 & 3 (132 dwellings)	19/01/2016
S/2166/15/FL	44 Hall Drive Hardwick	Three Bedroom Bungalow	21/01/2016
S/3079/15/FL	45 Cambridge Road Milton	Two Storey Rear Extension	26/01/2016
S/1637/15/OL	Land off Comberton Road Toft	Erection of 2 Dwellings, Garden Stores, Access and Associated Infrastructure	25/01/2016
S/2713/15/RM	Land to the Rear of 31 Histon Road Cottenham	Reserved Matters access, landscaping, layout of approved Outline Consent for erection of dwelling (S/0900/15/OL)	25/01/2016
S/1589/15/FL	54 Fairfield Gamlingay	Two Storey Front & Single Storey Rear Extension, Internal Re- Modelling & Drive	29/01/2016
S/2416/15/FL	31 Park Street	Demolition of	03/02/2016

	Dry Drayton	outbuildings and the erection of a new dwelling and a single detached garage including improvement to existing access	
S/2375/15/PJ	North Hall Farm Unit 3 & 4 Great & Little Chishill	Change of use from office to dwellings (Prior Approval)	06/02/2016
S/2742/15/FL	13 Lemur Drive Teversham	First Floor Front Extension	10/02/2016
S/2783/15/FL	19 Hinton Way Great Shelford	Rear Dormer Window	11/02/2016
S/1527/15/FL	The Three Tuns 30 High Street Guilden Morden	Change of use from drinking establishment to residential dwelling	12/02/2016
S/0882/14/FL	Land adj. 41 Denny End Road, Waterbeach	Erection of 30 affordable dwellings including associated vehicular access and external works	15/02/2016

4. **Local Inquiry and Informal Hearing dates scheduled:**

Ref. no.	Name	Address	Hearing/Inquiry
S/2822/14/OL	Gladman Dev Ltd	Land off Shepreth Road Foxton	Inquiry 09/02/16– 16/02/16 Confirmed
S S/2248/14/OL S/2975/14/OL	Kings Hedges Investments Ltd	Land Parcel Comm4 Neal Drive Orchard Park	Hearing 08/03/16–09/03/16 Confirmed
S/0276/15/OL	Mr J Hilbery	8 Greenacres Duxford	Hearing 15/03/2016 Confirmed
S/2409/14/FL	Sawston Solar Farm Limited	Land North of Dales Manor Business Park, Sawston	Hearing 22/03/16–23/03/16 Confirmed

S/1451/14/FL S/1476/13/LD S/2097/14/VC	Mr T Buckley	The Oaks Willingham	Inquiry 05/04/16–06/04/16 Confirmed
S/1248/15/FL	Aspire Residential Limited	Land north west of 14 Ivatt Street Cottenham	Hearing 19/04/2016 Confirmed
S/0410/15/RM S/0409/15/RM	Redrow Homes South Midlands	Land east of Cambridge Rd, Former CropScience site Hauxton	Hearing 14/04/2016 Proposed
PLAENF.1663	Mr B Arliss	Riverview Farm Overcote Road Over	Enforcement Inquiry 26/04/16 Confirmed
PLAENF.1671	Mr Andrew Kyprianou	34 Mingle Lane Stapleford	Enforcement Hearing 11/05/16 Proposed
S/0892/15/LD	Mr M Dwyer	Managers Accommodation Enterprise Nurseries Waterbeach	Inquiry 05/07/16–06/07/16 Confirmed
S/2791/14/OL	Endurance Estates Strategic Land Ltd	East of New Road Melbourn	Inquiry 12/07/16–14/07/16 Confirmed
S/2273/14/OL	Mr D Coulson	Land at Teversham Road Fulbourn	Inquiry 13/09/16-16/09/16 & 20/09/16-21/09/16 Confirmed

## 5. Summaries of recent decisions

### **Annington Property Ltd – Construction of 4 replacement semi-detached houses with associated off-road car parking provision – Fletcher Avenue, Waterbeach – Appeal dismissed. Costs claim by South Cambridgeshire District Council dismissed**

1. The main issue in this appeal was whether the scheme should provide affordable housing having regard to the relevant policies in the development plan and the National Planning Policy Framework (NPPF). The appeal was determined by way of written representations.

2. As there was no evidence regarding the viability of the scheme, or any proposal for off-site provision or financial contribution the inspector confirmed there would be a conflict with policies in both the existing and emerging plan as well as the NPPF.
3. The Council made an application for costs. This was on the basis that the appellant had acted unreasonably in that they submitted the appeal after a Ministerial Statement and the guidance in the National Planning Policy Guidance that on sites of 10 dwelling units or less affordable housing and tariff style contributions should not be sought, was quashed following a legal ruling.
4. In response, while the inspector found that the proposal would be contrary to the development plan, the appellants had put forward the case that there were houses previously on the site and therefore there should be no requirement for affordable housing on the site. There had been no reliance on the Ministerial Statement or financial justification in support of the development. The inspector was satisfied therefore that although she had reached a different conclusion to the appellants, they had advanced a case that, in their opinion, indicated that the proposal was in accordance with the development plan.
5. The claim for an award of costs was therefore refused.

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