

Swavesey Parish Council

7.30pm

Minutes

Swavesey Parish Council Planning Meeting, held at The Memorial Hall, High Street
Thursday 10th April 2014

PRESENT

Mr M Johnston (Chairman)

Councillors : Miss L Boyes, Mr S Faben, Mr J Jullien, Miss H Parish, Mr C Parsons, Mr J Pook,
Mr K Wilderspin, Mr W Wright

Clerk : Mrs L Miller

In attendance

Parishioners : 4

District Councillor: Mrs S Ellington

District Councillor, Portfolio Holder for Planning and Economic Development Mr N Wright

Item**Power Action****1 TO RECEIVE AND ACCEPT APOLOGIES FOR ABSENCE**

Mr J Dodson, County Councillor Ms M Smith

2 MEMBERS' DECLARATIONS OF INTEREST & DISPENSATIONS**2.1 Declarations of interest from councillors on items on the agenda**

Mr Wright declared a registered interest in Agenda item 4 – The White Horse Inn, Market Street as the present incumbent.

Mr Pook declared a registered interest in Agenda item 4 – The White Horse Inn, Market Street, as a resident of Market Street.

2.2 Requests to Speak No requests received to speak on any items as declared above.**2.3 To receive requests for dispensations** No requests received.**2.4 To grant requests received** The granting of dispensations to be made by Full Council.**3 Meeting suspended to allow 10 minutes for the public participation forum and for persons declaring prejudicial interest relating to the business to be transacted, to address the meeting.**

No addresses regarding prejudicial interests were made

(Mr Wilderspin arrived – apologies given for late arrival)

Items raised by members of the public present:

- MR D Little, 28 School Lane made the following points with regard to Agenda item 5.1 – Planning application for 20 Moat Way:
 - Original address on the application was misleading as although development is in the former garden of 20 Moat Way, all access is and will be via School Lane.
 - FOI request to South Cambs District Council (SCDC) for all correspondence and Minutes relating to the application brought forward an impromptu meeting with the developer and Planning Officer for which no Minutes were recorded.
 - Residents now directly affected received late notice of the application due to the misleading address – for which an SCDC Planning Officer has now apologised.
 - Although some neighbours were notified by SCDC, No.s 28, 26 & 34 School Lane were not.
- Mr F De Simone, Quarterway Construction made the following points with regard to Agenda item 5.1:
 - Mr De Simone is the owner and developer and will live in the property when completed.
 - The plot received planning approval in 2007 for a dwelling on garden land to rear of 20 Moat Way.
 - In 2010/11 permission was re-applied for and then again following design changes.
 - The project was discussed fully with planning officers and concerns over parking and access were addressed with the application going to SCDC Planning Committee .
 - Mr De Simone had called a meeting, as mentioned by Mr Little, with Planning Officers.
 - The site had planning permission for 6 years before commencement and a construction board had been put up outside the site, in School Lane, prior to commencement.

The Chairman thanked Mr Little and Mr De Simone for their comments and the item would be discussed further under Agenda item 5.1.

Public forum closed in order for the Parish Council meeting to commence.

4 The White Horse Inn, Market Street

Further information and discussion re Article 4, Part 4 of The Town & County Planning (General Permitted Development) Order 1995 – removal of permitted development rights for change of use from Class A4 (drinking establishments) to other uses within Class 4.

The Chairman welcomed Cllr Mr N Wright, SCDC Portfolio Holder for Planning & Economic Development to the meeting, to discuss the request from the Parish Council for SCDC to issue an Article 4 Directive on The White Horse Inn – as resolved at the Parish Council meeting on 24th March 2014.

Mr Wright gave a background to the reasons for the request and added that although he was the present incumbent, he did not intend to renew his lease which is shortly to expire and therefore his interest is as registered and as a resident of the village. The following points were discussed:

- There is serious concern over the disposal of pubs owned by Enterprise Inns, who own The White Horse Inn.
- Within Class A Planning, applicants do not need to apply for planning approval to move a business class use down a grade.
- The White Horse Inn is listed as an Asset of Community Value with SCDC.
- An Article 4 Directive would help by ensuring that any potential change of use for the building would go through the planning process and give the community chance to comment. It is not a retrospective action, therefore needs to be issued in advance of any possible process. The recent situation with the Pear Tree Pub in Hildersham was cited as an example.

Cllr Mr Wright replied that this was an excellent description of the situation and added that this month the furniture shop in Hildersham (formerly the Pear Tree Pub) had now closed. Article 4 is not straightforward and removes permitted development rights. It is effective immediately. However many pubs wish to have flexibility of business, eg serving food, running a shop or Post Office within the premises, etc, so Article 4 can restrict business, therefore care has to be taken as a Planning Authority could be liable for compensation due to loss of business revenue if a planning application is delayed. Mr Wright replied that he understood there was a Government fund available for Planning Authorities in such instances and that Cambridge City Council has imposed 18 Article 4 Directives on Cambridge pubs. Cllr Mr Wright replied that the City Council takes a different legal view to SCDC, however he will look into this.

To take this further the Parish Council will write to the Chief Planning Officer at SCDC, copied to Cllr Mr Wright, expressing the concerns over the future of The White Horse Inn and requesting that SCDC consider issue an Article 4 Directive on the Inn.

Clerk

The Chairman thanked Mr Wright for the information on this issue and Cllr Mr Wright for attending to discuss it in detail.

5 PLANNING**5.1 20 Moat Way (School Lane) New Dwelling**

Correspondence received from Mr P Hackett of 34 School Lane with regard to the new dwelling currently being constructed next to 38 School Lane, raising concerns over lack of notice to local residents, misleading application address, visual impact and alleged deviations in construction from approved plans.

The Chairman and Council agreed that discussion would be opened to the two members of the public who had commented earlier, to allow full consideration of the issue.

Further comments made:

- Mr De Simone stated that the Planning Officer had given verbal approval for the height of the new dwelling to be within approx. 2ft of that of No.38, which Mr De Simone confirmed it was. (*Noted that 2012 approved designs show a height difference of 0.2m, which is less than 2ft*).
- The conservatory/dining room was not built as the design but was a non-material change and had been squared to provide more suitable inside space.

- Mr Little accepted the planning history but was still unhappy about the misleading application address, which delayed notice and investigation by direct neighbours.
- Mr Little also raised the issue of the property moving back within the site by approx 0.5m, which changed all of the visual aspects of the new building.

The Chairman replied that the Council noted both sets of comments but it would be for the Planning Authority (SCDC) to respond to the issues via the Planning Enforcement process. The Parish Council would inform the Planning Officer that it had heard the issues raised and would request that SCDC ensure the property is built to the correct procedures. Cllr Mr N Wright agreed that the approved plans should be adhered to.

Clerk

Mr Little added that he had hoped the Parish Council would have mentioned the misleading address to the Planning Authority.

5.2 Applications

Tree works in the Conservation Area:

- 16 Black Horse Lane – to fell diseased Cherry Plum Tree. No objections.
- 36 Station Road – to fell various trees within rear garden and re-shape two trees in front garden. No objections.

5.3 Permissions

The Clerk reported that SCDC Planning Committee had granted permission for the development of 20 affordable homes on land north of Fen Drayton Road. The Clerk had also received enquiries from local young people as to how they might be able to register for homes on the development once built.

SCDC Planning Committee had also granted permission for the new house in Wallman's Lane and retention of the shed on Plot 4 of Scotland Drove.

Permission notices for the above three developments were yet to be received.

6 ITEMS FOR INFORMATION AND NEXT MEETING AGENDA

- (i) Comments made on the seemingly lack of notice that Planning Officers take of local opinion and that most applications at present seem to take longer than the specified 8 weeks for determination. Cllr Mr Wright replied that many applications are now going through, however SCDC had recently had 12 Planning Officer vacancies, which has greatly overloaded the remaining Officers. 8 vacancies have now been filled, so times should now improve.
- (ii) Comment raised on inconsistency of planning decisions and actions, in that an application currently being processed for change of use at The Windmill, Hale Rd has been held up long-term over animal welfare issues. However at another site in Cow Fen, enforcement issues regarding animal welfare do not appear to be actioned. There are also serious environmental concerns relating to sanitary and noise over activities on the same site. Cllr Mr Wright replied that with regard to Cow Fen, residents should contact the Police & Crime Commissioner.
- (iii) Dog waste bins are regularly overflowing – could SCDC either empty more often or provide larger bins? The blue bin in Cow Fen Drove should be removed as it is often full of dog waste bags and is not an official dog waste bin.
- (iv) Question asked about outstanding fines or charges on the land, of the site in Cow Fen and could SCDC foreclose on the fines? Cllr Mr Wright replied that SCDC can only claim if the land is sold.

Next meeting dates:

Full Council – 7.30pm Monday 28th April 2014

There being no further business, the meeting was declared closed at 8.45pm

Signed & dated
Chairman

Minutes approved & signed as a correct record by the Parish Council on 28th April 2014