

All internal and external correspondence including emails, file and meeting notes and land registry and other searches related to the decision by Lorraine Cassey to conclude: “I can confirm that planning permission wouldn’t be required for the proposed gate” in the planning application 19/1304/FUL

In order to establish what information is held by the Council in relation to this request the searches concentrated on officer correspondence during the preapplication period (February – April 2019) and the planning application consultation and decision (October 2019 – January 2020). The searches were made using the address of the property, the preapplication reference and the planning reference.

The information held by the council is attached. Some information such as correspondence by councillors is available on the planning portal listed under the documents for the planning application 13/1304/FUL. This information has been identified in the attached documents.

Some information has been withheld from the attached documents. This is because this information relates to the identity of junior staff. The identities of senior staff are disclosed.

Further queries on this matter should be directed to foi@cambridge.gov.uk

s40(2) personal data

From: s40(2)
Sent: 16 April 2019 16:20
To: s40(2)
Subject: RE: 19/5026/PREAPH

Dear s40

I can confirm that planning permission wouldn't be required for the proposed gate.

Kind regards

[Redacted]

From: s40(2) [Redacted]
Sent: 02 April 2019 13:17
To: s40(2) [Redacted]
Subject: Re: 19/5026/PREAPH

s40(2)

Many thanks for getting back so quickly regarding this application. Your comments and those of the conservation officer are most welcome.

Although these were comprehensive I did raise a question regarding a potential rear gate. This would be to provide better access to store cycles in the back garden of the property via a secure personal gate in the rear wall, allowing access to the Fairford Place.

Could you confirm in the first instance is this considered development in the eyes of the council? Secondly if it is considered development, what is the opinion of the council in regards to this?

Clarification on this would be most welcome.

Regards

s40(2)

out of scope

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[REDACTED]

From: [REDACTED]
Sent: 19 November 2019 18:19
To: [REDACTED]
Subject: RE: 19/1304 - 89 York Street VERY URGENT
Attachments: Officer advice regarding gate.pdf

Hello

[REDACTED] has been speaking to Stephen about this as well and is going to check it on site.

I've just had a look into this. it was one of [REDACTED] pre-apps (19/5026/PREAPH) which I gave advice on when the applicant chased a response whilst [REDACTED] was away. The formation of a pedestrian entrance in the rear wall was one of a number of proposed works and, in a follow-up email to the original advice, I advised this wouldn't need permission. I've just uploaded this email to the pre-app ref and have attached a copy here too.

Looking at this again, I still think that the gate itself doesn't require permission because it's contained within and doesn't exceed the height of the existing wall, but we'll have a clearer idea of this once John has been out there.

Thanks

From: [REDACTED]@greatercambridgeplanning.org>
Sent: 19 November 2019 16:33
To: [REDACTED]@greatercambridgeplanning.org>
Subject: FW: 19/1304 - 89 York Street VERY URGENT

Hello,
Can you look at this please. Stephen asked for it yesterday.

[REDACTED] | Delivery Manager Development Management



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[REDACTED]
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<https://www.cambridge.gov.uk/planning>

Greater Cambridge Shared Planning: a strategic partnership between Cambridge City and South Cambridgeshire District Councils

From: Kelly Stephen [REDACTED]
Sent: 17 November 2019 22:04
To: [REDACTED]@greatercambridgeplanning.org>; [REDACTED]
[REDACTED]@greatercambridgeplanning.org>
Subject: FW: 19/1304 - 89 York Street VERY URGENT

Hi Both,

There appears to be some correspondence on this. Given the background, can you speak to Lorraine and get back to Cllr Robertson on Monday either with a very short note of acknowledgement or more detail comment.

Stephen Kelly | Joint Director of Planning and Economic Development



[Redacted]

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<https://www.cambridge.gov.uk/planning>

Greater Cambridge Shared Planning: a strategic partnership between Cambridge City and South Cambridgeshire District Councils

From: Cllr Richard Robertson (Cambridge City - Petersfield) [Redacted]

Sent: 17 November 2019 18:25

s21 Information already accessible to applicant [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: [REDACTED]
To: [Kelly Stephen](#)
Subject: RE: 19/1304 - 89 York Street VERY URGENT
Date: 20 November 2019 16:08:05
Attachments: [image001.jpg](#)
[89 York Street rear wall .docx](#)
[image002.jpg](#)

Stephen,

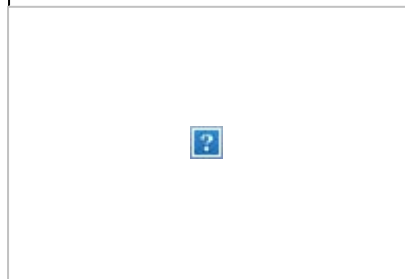
I carried out the site visit first thing today. Whilst I was unable to get on site, I could see from my visit to Fairsford Place that no works have taken place that materially alter the wall to date. Please see the pics attached.

Conservation Team do not consider the wall to be of significant heritage value.

Kind regards

[REDACTED]

[REDACTED] | Principal Enforcement Officer



[REDACTED]
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<https://www.cambridge.gov.uk/planning>

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duplicate

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From: [REDACTED]
To: [Kelly Stephen](#)
Subject: RE: 19/1304 - 89 York Street VERY URGENT
Date: 20 November 2019 16:08:05
Attachments: [89 York Street rear wall .docx](#)

Stephen,

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Conservation Team do not consider the wall to be of significant heritage value.

Kind regards

[REDACTED]

[REDACTED] | Principal Enforcement Officer



[REDACTED]
<https://www.scams.gov.uk/planning/>
<https://www.cambridge.gov.uk/planning>

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From: Kelly Stephen [REDACTED]
Sent: 19 November 2019 21:52
To: Cllr Richard Robertson [REDACTED]
[REDACTED]
Cc: [REDACTED]@greatercambridgeplanning.org>
Subject: RE: 19/1304 - 89 York Street VERY URGENT

Dear Cllr Robertson,

[REDACTED] and I had a conversation earlier today briefly reviewing the plans ahead of a site visit that [REDACTED] was seeking to secure this afternoon. I have noted that the description of

development includes the formation of the bike store. The formation of the bike store through excavation is therefore, in my view, authorised operational development under the planning permission. The excavation to form this structure does not require a separate planning permission. The alterations to the wall would also appear, on first inspection, to be “permitted development” authorised by virtue of Part 2 of Schedule 2 to the General Permitted Development Order 2015.

For that reason, from my initial review of the application drawings, and a quick view on streetview, I do not believe that the permission raises significant unforeseen issues that render the decision invalid or would justify securing cessation of the works. The liabilities of the owner for the integrity of the wall are a civil matter and not a matter for the LPA. Likewise, the granting of rights of pedestrian access over land is a matter that is not pertinent to the consideration of the planning merits of the case.

█ and I will nevertheless compare notes tomorrow with the follow on from the enforcement officer site visit and I will update you further following that discussion.

Yours sincerely

Stephen Kelly | Joint Director of Planning and Economic Development



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From: [Cllr Richard Robertson \(Cambridge City - Petersfield\)](#)
To: [Kelly Stephen](#)
Cc: [REDACTED]; [Cllr Katie Thornburrow \(Cambridge City - Trumpington\)](#)
Subject: Re: 19/1304 - 89 York Street VERY URGENT
Date: 21 November 2019 10:44:35

Stephen and [REDACTED]

Thank you both for finding the time to look into this matter. I am disappointed with the conclusions but at least it has had a thorough review.

best regards

Richard
Cllr Richard Robertson

From: Kelly Stephen [REDACTED]
Sent: 21 November 2019 10:01
To: Cllr Richard Robertson (Cambridge City - Petersfield)
[REDACTED]
Cc: [REDACTED]@greatercambridgeplanning.org>; Cllr Katie Thornburrow (Cambridge City - Trumpington) [REDACTED]
Subject: RE: 19/1304 - 89 York Street VERY URGENT

Dear Richard,

[REDACTED] (the enforcement officer) went to the site yesterday and noted that whilst he could not access the property, no works have yet started on the wall. I have sought advice from the conservation team and reviewed the applicants conservation statement and along with the photographs concur with the conclusions reached previously that the heritage value of the wall itself is not significant. There is clear guidance on the assessment of heritage assets and whilst not unattractive, the heritage significance of the wall itself is not considered to justify listing.

It is the case that the “permitted development” provisions involve no value judgement on the heritage value of the wall – or its structural integrity. The planning application in any case considered related heritage impacts (of the extension and cycle store) correctly and concluded that there was no harm. The walls value is in any case a matter not covered by the determination of whether planning permission is required for its alteration. Accordingly, there is in my view, no planning argument that the works permitted are either unauthorised or deficient. The liabilities of the property owner for adverse impacts and the use of third party land for access remain with them with a means to resolve them through the courts for third parties.

I hope that my response is clear but please let me know if I can provide any further clarification.

Yours sincerely

Stephen Kelly | Joint Director of Planning and Economic Development
|



[REDACTED]
<https://www.scambs.gov.uk/planning/>
<https://www.cambridge.gov.uk/planning>

Greater Cambridge Shared Planning: a strategic partnership between Cambridge City and South Cambridgeshire District Councils

From: Cllr Richard Robertson (Cambridge City - Petersfield)

[REDACTED]
Sent: 20 November 2019 00:52

To: Kelly Stephen [REDACTED]

Cc: [REDACTED]@greatercambridgeplanning.org>; Cllr Katie Thornburrow (Cambridge City - Trumpington) [REDACTED]

Subject: Re: 19/1304 - 89 York Street VERY URGENT

Thanks for responding Stephen.

It seems to me that the wall appears to be structural in as much as it is preserving the integrity of the land on which the terrace of houses sits, a few metres away. Creating a door in the wall involves removing one of the buttresses and seems to me to be asking for trouble. Are you saying that it is not a planning matter? Not even the requirement to provide a drainage scheme as pointed out by the highways officer?

It has been established that the highway does not extend right up to the wall so the applicant would need to gain permission to cross the strip of land between the highway and the wall. This is presumably a matter for civil law to deal with but is this also not a planning matter?

I attach a photo from Google maps showing the wall in question. Since this image was taken the large holly tree in the rear of the garden (the tree furthest right in the picture) has been removed and so has the vegetation hanging over the right buttress and wall. This is a conversation area and it is clear to me that the wall is a heritage asset which forms a strong part of the aspect viewed from Fairsford Place. Such matters need careful consideration and I contend that it is very much a matter requiring a planning application as it surely cannot be within "permitted development" to damage so profoundly a heritage asset. If there is any possibility about the wall being such an asset I believe it should be required to be the subject of a planning application so it can be determined.

I call upon you as a matter of urgency to have work on breaching the wall stopped and subject to application.

best regards

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ate

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