

The Planning Inspectorate

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT APPEAL FORM (Online Version)

Appeal Reference: APP/W0530/X/22/3308443

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name Mr Drew Price and James Ball

Address Green Planning Studio Limited
Unit D, Lunesdale, Upton Magna Business Park
Shrewsbury
Shropshire
SY4 4TT

Phone number 01743709364

Fax number 01743709695

Email appeals@gpsltd.co.uk

Preferred contact method Email ☒ Post ☐

B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes ☒ No ☐

Name Mr. Matthew Green

Company/Group Name Green Planning Studio Ltd

Address Unit D
Lunesdale
Shrewsbury
Upton Magna
SY4 4TT

Phone number 01743 709 364

Fax number 01743 709 385

Email appeals@gpsltd.co.uk

Your reference 21_1161A

Preferred contact method

Email ☒ Post ☐

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

South Cambridgeshire District Council

LPA reference number (if applicable)

22/01574/CL2PD

Date of the application

29/03/2022

Did the LPA issue a decision?

Yes ☒ No ☐

Date of LPA's decision

05/09/2022

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes ☐ No ☒

Does the appeal relate to an existing property?

Yes ☒ No ☐

Address

Land To The South Of Chear Fen Boat Club
Twentypence Road
Cottenham
Cambridgeshire
CB6 8PX

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?

Yes ☐ No ☒

E. DETAILS OF THE APPEAL

Please give a precise description of the proposed or existing use, operation or activity as outlined in the application in respect of which a certificate is sought.

APPLICATION FOR THE USE OF LAND FOR THE STATIONING OF 2 MOBILE HOMES FOR RESIDENTIAL PURPOSES

Select the section under which the application was made:

Section 191 ☐

Section 192 ☒

Section 26H ☐

In the case of a proposal, had it been started before the application to the LPA was made?

Yes ☒ No ☐

Please state the actual use of the site at the time of application to the LPA. (if not in use, write "nil" and state last known use).

A LAWFUL DEVELOPMENT CERTIFICATE WAS GRANTED FOR 1 MOBILE HOME WAS GRANTED 11 OCTOBER 2016 UNDER APPLICATION REF: S/1346/16/LD

Is there an effective enforcement notice on the site?

Yes ☐ No ☒

F. REASON FOR THE APPEAL

1. Refused/refused in part to grant a certificate of lawful use or development. ☒
2. Failed to give notice of their decision within the appropriate period on an application for a certificate of lawful use or development. ☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☐
2. Hearing ☐
3. Inquiry ☒

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

☒ the box below

The appeal will involve complex matters relating to whether there has been a material change of use or not through intensification, and the Appellant will be relying on case law to support arguments.

It is likely the Inspector will need to test the evidence by questioning or to clarify matters, however there is no need for evidence to be given on oath.

The Appellant is also submitting an enforcement appeal and a s78 appeal on the same site, and it will be requested all 3 appeals are linked. The time and witness estimates below relate to all 3 appeals, i.e. it is estimated that all appeals will take 9 days in total and a total (at this stage) of 16 witnesses are likely to be called (at least 7 professional and 9 lay witnesses).

It is therefore considered that the issues in this appeal are sufficiently complex to warrant an inquiry, and that the hearing and written representations procedures would be ill-equipped as a mechanism to deal with these issues.

(a) How long do you estimate the inquiry will last?

9 day(s)

(b) How many witnesses do you intend to call?

16

(c) Is there any further information relevant to the inquiry which you need to tell us about?

Yes

☐ No



H. APPEAL STATEMENT

The statement is set out in

☒ [see 'Appeal Documents' section](#)

I. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes

☐ No



J. SUPPORTING DOCUMENTS

01. The application made to the LPA.



02. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. Please number them clearly and list the numbers here or on a separate sheet.



02. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.



03. The LPA's decision (if any).



04. All other relevant correspondence with the LPA.



05. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.



06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).



06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.



K. CHECK SIGN AND DATE

(All supporting documents must be received by us within the 8 week time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full grounds of appeal) to the LPA today.

Signature

Mr. Matthew Green

Date

06/10/2022 16:41:12

Name

Mr. Matthew Green

On behalf of

Mr Drew Price and James Ball

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

L. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full grounds of the appeal) not previously sent as part of the application to the LPA.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

M. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@planninginspectorate.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this form:

Relates to Section:	APPEAL STATEMENT
Document Description:	The Appeal statement.
File name:	S195 Grounds of Appeal 21_1161A FINAL 06.10.22.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. The application made to the LPA.
File name:	Application Form s192.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	02.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	Application Form s192.pdf
File name:	Confirmation of submission 29.03.22.pdf
File name:	Appendix A - Decision Notice and Plan.pdf
File name:	Appendix D - Appeal decision APP Q3630 C 15 3018538 dated 13 January 2017.pdf
File name:	21_1161A_001 - Location Plan.pdf
File name:	Appendix B - Court of Appeal Judgement - Hertfordshire County Council v Secretary of State 2012 .pdf
File name:	Appendix C - Court of Appeal Judgement - Reed v The Secretary of State 2014.pdf
File name:	21_1161A Supporting Statement Final 24.03.21.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	02.b. Copies of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	Application Form s192.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. The LPA's decision
File name:	21_1161A Decision Notice.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	21_1161A_001 - Location Plan.pdf

Completed by MR. MATTHEW GREEN

Date

06/10/2022 16:41:12