

PC091 2627e) Planning compliance – The Moor

Background

Request to Planning Compliance to look at any conditions around 10a The Moor with regard to parking on the street.

4 September – email to compliance

I wonder if you could help me in informing residents of how they can address the parking issues at the top of The Moor in Melbourn created by users of the garage parking vehicles on the roadway.

[23/02072/FUL | Change of use of taxi headquarters/control centre to car servicing workshop \(Class E\(g\)\(iii\)\) | 10A The Moor Melbourn Cambridgeshire SG8 6ED](#)

I believe the change of use application, referenced above, was approved with the condition that the submitted car park management plan was adhered to. I am under the impression that The Moor is being used for parking of vehicles for the garage – this includes vehicles with no engine! According to the car park management plan it states that any parking on the roadway should be monitored and action taken as required. Would this monitoring and action be something that the Planning Compliance team could look at?

Residents are concerned for the safety of users of the roadway and footpaths – previous discussions with the business owner seem to have had little effect.

Your advice would be gratefully received.

14 September – response

I am writing to update you on the use of The Moor for parking purposes related to the garage at 10A and planning permission 23/02072/FUL.

Condition 4 of the planning permission states,

The development shall be carried out in accordance with the Car Park Management Plan SLR, Ref: 418.063091.00001 Version No: 0.2_FINAL May 2023, which shall be implemented in full and maintained for the lifetime of the development.

Reason: In the interests of highway safety in accordance with policies HQ/1 and TI/3 of the South Cambridgeshire Local Plan 2018

Sections 5.0 and 6.0 of the Car Park Management Plan sets out how parking will be implemented and monitored.

These sections do not explicitly state that parking will not take place on The Moor, or that customers would be advised not to park on The Moor. The plan also does not prohibit the garage parking on The Moor either.

Section 5.2 set out that the monitoring strategy will include an awareness of parking off site, Including on The Moor, and that should frequent parking issued be identified operational procedures will be revived and alterations devised. See below.

5.2 Monitoring and Management

In order to evaluate the effectiveness of the CPMP, monitoring will be required with amendments to the CPMP to ensure the success of the plan is maximised where possible.

Monitoring strategies include:

- monitoring the number of cars parked on site (daily booking records will have this);
- awareness any other car parking off-site, in particular on-street parking along The Moor;
- monitor deliveries to the site, number and where they are made too, are the drivers pulling onto site to make them; and
- recording any comments received from staff/visitors regarding site related car parking.

Should any frequent car parking issues be identified, operational procedures will be reviewed and alterations devised.

The plan does not set out a threshold for what is or is not a parking issue, and there is no requirement for the business to provide the Council with details of any review of alterations to the management plan or that the Council needs to approve any amendment to the plan.

The plan could be amended to state that no action will be taken in respect of parking issues, or that they will put a sign up next to the door requesting patrons do not park on the road. and any new such plan would then be the relevant management plan, superseding the approved one as a result.

If the Council were to act an issue a breach of condition notice, the business could simply say they are aware of the issues and they put a sign up as per their new (revised) management plan as set out in section 5.2 above.

Section 6.0 of the approved management plan only sets out who is responsible for the matters in section 5.2 and dos does not add any other enforceability of restrictions on parking.

Whilst I understand that this appears to be a very simple matter of a breach of condition, the enforceability of the condition must be clear and concise, which it is not in this case.

Notwithstanding the above, the Council cannot by way of condition apply parking restrictions outside of the original application site (red lined location plan below) as the conditions only apply to the area to which planning permission was granted. For the avoidance of doubt, the permission and conditions do not cover the area outlined in blue.



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Where vehicles are legally parked on the road, this is not a breach of planning control. I cannot comment on vehicles in various states of disrepair on the road, and this should be reported to the police for consideration.

My officer Xxx Xxx will call in to the garage when he is next in the area and speak to them about parking, reminding them of the statements made in their planning application and management plan to see if the issues can be resolved. The Council will not be taking any formal action as the condition is not enforceable given the considerations as set out above.

I understand this is not the reply you were expecting; however, the Council can only act where it has the power an authority to do so. Considering the above I will now close the investigation file accordingly.