

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Decision Date: 11 January 2017

**Ms Nicky Parsons,
Pegasus Group
Pegasus Group
Suite 4, Pioneer House
Viston Park
Histon
Cambridge
Cambridgeshire
CB24 9NL**

The Council hereby refuses permission for Outline planning permission for up to 99 dwellings with associated access, infrastructure and open space. All matters to be reserved with the exception of access.

**At: Land south of Fen Drayton Road, Swavesey
For: Bloor Homes (Eastern) and Mr A Johnson**

In accordance with your application dated 19 April 2016

for the following reasons:-

- 1. The proposed development is considered to represent unsustainable development by virtue of the cumulative impact of the additional population growth on the capacity of services and facilities in the village. The level of trips generated by additional traffic and the number of primary and secondary school age children occupying the development would have an adverse impact on the capacity of each of these services and there is also considered insufficient capacity at the doctor's surgery. In addition, the proposal does not make adequate provision for the mitigation of foul sewage drainage. The proposal is therefore considered to fail to meet the definition of sustainable development due to the detrimental social and environmental impact of the development. The harm resulting from the proposal is considered to significantly and demonstrably outweigh the benefits and as result, the proposals are contrary to paragraph 7 of the National Planning Policy Framework and policy DP/1 of the adopted South Cambridgeshire Local Development Framework.**
- 2. In the opinion of the Local Planning Authority, due to the constrained width of the existing public highway the proposed means of pedestrian access would not provide a safe route to and from the Village College and access to the services and facilities within Swavesey village. The proposed route would necessitate those wishing to walk to and from the village in having to cross Fen Drayton Road to the north of the site and then across the public highway twice more, including back across Fen Drayton Road. As such, pedestrians, including children walking to the primary and secondary school which are accessed via this route from the site, will be encouraged to walk along the grass verge on the southern edge of Fen Drayton Road, a main route for traffic (including buses) into the village. Notwithstanding the fact that there are traffic calming measures close to the site, this situation would result in harm to pedestrian safety that is considered to significantly and demonstrably outweigh the benefits of the proposal and would be contrary to South Cambridgeshire Local Development Framework policies DP/3 1b, DP/3 2k and TR/1 and paragraph 32 of the National**

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Planning Policy Framework, which between them seek to promote safe and suitable access for all people as part of development proposals.

General

1. **Statement as to how the Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner on seeking solutions**

The LPA positively encourages pre-application discussions. Details of this advice service can be found on the Planning pages of the Council's website www.scambs.gov.uk. If a proposed development requires revisions to make it acceptable the LPA will provide an opinion as to how this might be achieved. The LPA will work with the applicant to advise on what information is necessary for the submission of an application and what additional information might help to minimise the need for planning conditions. When an application is acceptable, but requires further details, conditions will be used to make a development acceptable. Joint Listed Building and Planning decisions will be issued together. Where applications are refused clear reasons for refusal will identify why a development is unacceptable and will help the applicant to determine whether and how the proposal might be revised to make it acceptable.

In relation to this application, it was considered and the process managed in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

2. A delegation report or committee report, setting out the basis of this decision, is available on the Council's website.

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Julie Baird
Head of Development Management, Planning and New Communities

South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA

SEE NOTES OVERLEAF

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NOTES

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so using a form which you can get from the Customer Support Unit, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Alternatively, an online appeals service is available through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs. The Planning Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information you are happy will be made available to others in this way, including personal information belonging to you. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

Fully completed appeal forms must be received by the Planning Inspectorate within six months of the date of this decision notice except where the property is subject to an enforcement notice, where an appeal must be received within 28 days.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving the notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.