

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Decision Date: 11 May 2017

**Mr Paul Roberts
Gladman Developments
Gladman House
Alexandria Way
Congleton
CW12 1LB**

The Council hereby **REFUSES** permission for Outline planning application for the demolition of farm outbuildings and the erection of up to 90 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Boxworth End with all other matters reserved except for means of access.

**At: Land off Boxworth End, Swavesey. Cambridge
For: Gladman Developments Ltd & Burgess**

In accordance with your application dated 06 December 2016

For the following reasons:-

- 1. In the opinion of the Local Planning Authority, the proposed development would have an adverse impact on the character of the landscape by virtue of developing land which, on its western edge, is designated as Important Countryside Frontage. Policy CH/7 of the adopted South Cambridgeshire Local Development Framework states that planning permission will be refused for development which would adversely affect such frontages which penetrate or sweep into the built up area providing a significant connection between the streetscene and the surrounding rural area; or provide an important rural break between two nearby but detached parts of the village framework. In this case, it is considered that the undeveloped land behind the established hedge frontage provides an important visual break in development along Boxworth End and emphasises the rural character of the Fen Edge landscape which provides the setting of Swavesey. The proposed development is therefore considered to be contrary to the aims and objectives of policy CH/7. The landscape harm resulting from the scheme would significantly and demonstrably outweigh the benefits of the proposals and as such would not achieve the definition of sustainable development as set out in paragraph 7 of the National Planning Policy Framework (NPPF). As a result, approval of the development would be contrary to the guidance within paragraph 14 of the NPPF.**
- 2. In the opinion of the Local Planning Authority, the density of development would exceed a level that would reflect the character of surrounding development and would therefore have an adverse impact on the character of the surrounding area. Policy HG/1 of the adopted South Cambridgeshire Local Development Framework states that densities of at least 30 dwellings per hectare should be achieved, unless there are exceptional circumstances that require a different treatment. In this case, the prevailing linear form of development in this part of Swavesey and the low density of development emphasises the rural character of this edge of the village. A density of 32 dwellings per hectare across the part of the site outside of the land within Flood Zone 2 is considered to be too high given the context of surrounding development. The harm arising from the density of the development to the character of the surrounding areas is considered to significantly and demonstrably outweigh the benefits of the proposals and as such**

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would not achieve the definition of sustainable development as set out in paragraph 7 of the National Planning Policy Framework (NPPF). As a result, approval of the development would be contrary to the guidance within paragraph 14 of the NPPF.

3. In the opinion of the Local Planning Authority, the proposal would result in an adverse impact on the capacity of the surface water drainage network. The proposals make the provision for the storage of surface water on the site during periods when surface water is not being discharged from the wider network into the River Great Ouse. However, the flood risk associated with retaining this water on the site and the cumulative impact of water being released into the main network at the end of the three week period would result in an unacceptable risk of flooding. The development would therefore be contrary to policy NE/9 of the adopted South Cambridgeshire Local Development Framework. The harm associated with the increased risk of flooding would significantly and demonstrably outweigh the benefits of the proposals and as such would not achieve the definition of sustainable development as set out in paragraph 7 of the National Planning Policy Framework (NPPF). As a result, approval of the development would be contrary to the guidance within paragraph 14 of the NPPF.

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.

To help us enhance our service to you please click on the link and complete the customer service questionnaire: www.surveymonkey.com/s/2S522FZ

SS Kelly

Stephen Kelly

Joint Director for Planning and Economic Development for Cambridge and South Cambridgeshire

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.