

**TOWN AND COUNTRY PLANNING ACT 1990**

**REFUSAL OF PLANNING PERMISSION**

**Decision Date: 23 February 2018**

---

Paul Sutton,  
Strutt and Parker LLP  
66-68 Hills Road  
Cambridge  
CB2 1LA

The Council hereby refuses permission for Full planning application for the erection of 56 dwellings, including new access onto Fen Drayton Road, infrastructure, landscaping and open space

At: Field north of Home Close and west of Moat Way, Land north of Fen Drayton Road,  
Swavesey  
For: Simon Somerville-Large, Laragh Homes Ltd

In accordance with your application dated 14 February 2017

**for the following reasons:-**

1. The Local Plan examination is at an advanced stage. The development proposed, of itself and when considered cumulatively with other development is such that its effect would be so significant that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to the emerging Local Plan. As such, to grant planning permission would be premature in the context of the current stage of the local plan process. This adverse impact individually as well as when taken together with the flood risk identified in reason for refusal below, significantly and demonstrably outweigh the benefits of the proposed development, including in terms of delivery of housing (including affordable housing).
2. Part of the site lies within an area of high flood risk (Flood Zone 3). The application has failed to demonstrate by means of a suitable Sequential Test that the development could not be located elsewhere with a lower probability of flooding. The development is therefore contrary to policy NE/11 of the adopted Local Development Framework which requires applications for planning permission to be judged against national policy, in this case paragraphs 100, 102 and 103 of the National Planning Policy Framework.

**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.scamb.gov.uk](http://www.scamb.gov.uk). If a

**TOWN AND COUNTRY PLANNING ACT 1990**

**REFUSAL OF PLANNING PERMISSION**

**Decision Date: 23 February 2018**

---

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](http://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**

**TOWN AND COUNTRY PLANNING ACT 1990**

**REFUSAL OF PLANNING PERMISSION**

**Decision Date: 23 February 2018**

---

**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](http://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.