

Our Ref: S/3290/19/RM
Portal Ref: PP-08147103

20 October 2021



Paul Derry
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Andrews House, St Andrews Road,
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South Cambridgeshire Hall
Cambourne Business Park
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Dear Sir/Madam

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
Application for Approval of Reserved Matters

Proposal: Approval of matters reserved for appearance landscaping layout and scale following outline planning permission S/0202/17/OL for the development of 110 dwellings with areas of landscaping and public open space and associated infrastructure works The outline was screened and confirmed not to be EIA development

Site address: Land East Of Teversham Road Fulbourn Cambs

Your client: Castlefield International Limited Castlefield International Limited

Please find attached the formal decision notice refusing approval of reserved matters for the above development and giving the Local Planning Authority's reasons for doing so.

Appealing against this decision

You should also be aware that the applicant has the right to appeal against this decision, please see <https://www.gov.uk/government/organisations/planning-inspectorate> for details.

Yours faithfully

A handwritten signature in blue ink that reads 'SJ Kelly'.

SJ Kelly
Joint Director For Planning & Economic Development For
Cambridge & South Cambridgeshire



Refusal of Approval of Reserved Matters

Reference S/3290/19/RM
Date of Decision 20 October 2021

Paul Derry
Barton Willmore
Barton Willmore, Barton Willmore, St Andrews House, St Andrews Road, Cambridge, CB4 1WB

The Council hereby REFUSES Approval of Reserved Matters for:

Approval of matters reserved for appearance landscaping layout and scale following outline planning permission S/0202/17/OL for the development of 110 dwellings with areas of landscaping and public open space and associated infrastructure works The outline was screened and confirmed not to be EIA development

at

Land East Of Teversham Road Fulbourn Cambs

In accordance with your application received on 20 September 2019 and the plans, drawings and documents which form part of the application for the following reason(s):

Reasons

- 1 The proposed development, by virtue of the scale and siting of the two and a half storey apartment buildings located centrally within the site and within a key view north through the site across Poor Well and along the chalk stream towards the open countryside beyond, would result in significant harm to the character and appearance of the area and significantly erode the existing wide open view and green space, which provides a positive connection between the existing village and adjacent countryside.

Furthermore, the adverse visual impact of the apartment buildings is exacerbated by virtue of the buildings being sited on raised platforms, which would increase ground levels by up to a further 900mm above existing, enhancing the adverse prominence and dominance of the central apartment buildings within the site and within views from the surrounding area, creating a scale of development that is out of keeping with the character of the area.

The proposal is therefore contrary to Policy HQ/1 of the South Cambridgeshire Local Plan 2018 and paragraph 130 of the National Planning Policy Framework 2021, which require developments to be of high quality design, to be compatible with its location in terms of scale and appearance and to make a positive contribution to its local and wider context and the Fulbourn Village Design Guide Supplementary Planning Document 2020, in particular guidance notes 10.3, 10.10, 10.12 and Figure 46 of the Guide, which seeks in Section 10 to integrate larger developments within the village.

- 2 Insufficient information has been submitted to demonstrate that the reserved matters scheme can provide a satisfactory scheme of surface water drainage and prevent the increased risk of flooding. The proposal is therefore contrary to Policies CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018 and paragraph 167 of the National Planning Policy Framework 2021 which require development proposals to incorporate appropriate sustainable surface water drainage systems and to ensure that flood risk is not

increased elsewhere.

- 3 The reserved matters scheme fails to provide a measurable net gain in biodiversity. The proposal is therefore contrary to Policies HQ/1(m) and NH/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 174 and 180 of the National Planning Policy Framework 2021 which require development proposals to aim to maintain, enhance, restore or add to biodiversity and minimise the impacts on, and providing net gains for, biodiversity.
- 4 The reserved matters scheme, by virtue of the proposed layout, fails to adequately distribute affordable properties throughout the site and to integrate those units appropriately with the market housing. The proposal is therefore contrary to Policy H/10 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Housing Strategy 2019-2023 which seek to provide affordable housing in small groups or clusters distributed through the site.
- 5 The reserved matters scheme, by virtue of the proposed layout, locates 17 affordable units in a single cluster adjacent to Breckenwood Industrial Estate, a poor design response to the constraints of the site and integration of those units within the development site. The proposal is therefore contrary to Policies HQ/1 and H/10 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Housing Strategy 2019-2023 which seek to provide affordable housing in small groups or clusters distributed through the site.

Plans and drawings

This decision notice relates to the following drawings:

Reference/Document/Drawing Title	Date Received
M02 rev C	20.09.2019
28815-P10-010-P4	12.05.2021
28815-P11-90-P3	12.05.2021
28815-P11-91-P3	12.05.2021
28815-P11-92-P3	12.05.2021
28815-P13-90-P3	12.05.2021
28815-P11-100-P3	12.05.2021
28815-P11-101-P3	12.05.2021
28815-P11-102-P3	12.05.2021
28815-P13-100-P3	12.05.2021
28815-P11-110-P1	12.05.2021
28815-P11-111-P1	12.05.2021
28815-P13-110-P1	12.05.2021
28815-P11-112-P1	12.05.2021
28815-P11-113-P1	12.05.2021
28815-P13-111-P1	12.05.2021
28815-P11-120-P1	12.05.2021
28815-P11-121-P1	12.05.2021
28815-P13-120-P1	12.05.2021
28815-P11-122-P1	12.05.2021
28815-P11-123-P1	12.05.2021
28815-P13-121-P2	12.05.2021
28815-P11-10-P2	12.05.2021
28815-P13-10-P2	12.05.2021
28815-P13-12-P2	12.05.2021
28815-P13-13-P2	12.05.2021
28815-P13-14-P2	12.05.2021
28815-P13-15	12.05.2021

28815-P13-16	12.05.2021
28815-P11-20-P2	12.05.2021
28815-P13-20-P2	12.05.2021
28815-P11-30-P3	12.05.2021
28815-P11-31	12.05.2021
28815-P13-32-P3	12.05.2021
28815-P13-33-P3	12.05.2021
28815-P13-34-P2	12.05.2021
28815-P13-35	12.05.2021
28815-P13-36	12.05.2021
28815-P11-40-P3	12.05.2021
28815-P13-40-P3	12.05.2021
28815-P11-50-P3	12.05.2021
28815-P11-51	12.05.2021
28815-P13-50-P2	12.05.2021
28815-P13-51-P2	12.05.2021
28815-P13-52-P3	12.05.2021
28815-P13-53	12.05.2021
28815-P11-60-P2	12.05.2021
28815-P11-62	12.05.2021
28815-P13-60-P2	12.05.2021
28815-P13-61-P2	12.05.2021
28815-P11-70-P2	12.05.2021
28815-P13-71-P2	12.05.2021
28815-P13-73-P2	12.05.2021
28815-P11-81-P1	12.05.2021
28815-P11-82	12.05.2021
28815-P13-81-P1	12.05.2021
28815-P13-82	12.05.2021
28815-P11-140-P1	12.05.2021
28815-P13-140-P1 28815-P13-140-P1	12.05.2021
28815-P13-141	12.05.2021
28815-P13-142	12.05.2021
28815-P13-143	12.05.2021
28815-P11-130	12.05.2021
A-P11-131-P1	12.05.2021
B411-PL-DR-016-PO5	12.05.2021
B411-PL-DR-017-PO4	12.05.2021
B411-PL-DR-018-PO4 B411-PL-DR-018-PO4	12.05.2021
TRF-CBA-1-GF-M2-L-4010-P3 TRF-CBA-1-GF-M2-L-4010-P3	12.05.2021
TRF-CBA-1-GF-M2-L-4011-P5	12.05.2021
TRF-CBA-1-GF-M2-L-4000-P8	12.05.2021
TRF-CBA-1-GF-M2-L-4001-P8	12.05.2021
TRF-CBA-1-GF-M2-L-4012-P4	12.05.2021
TRF-CBA-1-GF-M2-L-4013-P4	12.05.2021
TRF-CBA-1-GF-M2-L-4014-P4	12.05.2021
TRF-CBA-1-GF-M2-L-4015-P4	12.05.2021
TRF-CBA-1-GF-M2-L-4016-P5	12.05.2021
TRF-CBA-1-GF-M2-L-4017-P5	12.05.2021
TRF-CBA-1-GF-M2-L-2001-P1	02.04.2020
TRF-CBA-1-GF-M2-L-8500-P3	17.06.2020
TRF-CBA-1-GF-M2-L-1010-P6	12.05.2021
TRF-CBA-1-GF-M2-L-1011-P6	12.05.2021
TRF-CBA-1-GF-M2-L-2000-P4	12.05.2021
TRF-CBA-1-GF-M2-L-8300-P2	17.11.2020
Landscape Management and Maintenance Plan (Rev A v2 September 2020)	12.05.2021

Authorisation

Authorised by:



SJ Kelly
Joint Director For Planning & Economic Development For
Cambridge & South Cambridgeshire

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

Date the decision was made: 20 October 2021

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 under section 78 of the Town and Country Planning Act 1990.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

- If an enforcement notice is or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: **28 days** of the date of service of the enforcement notice, **OR** within **6 months** (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.
- 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 notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK (<https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>).

Purchase Notices

If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he/she can neither put the land to a reasonably 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 Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Third Party Rights to challenge a planning decision

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision.

Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review.

A 'claim for judicial review' includes a claim to review the lawfulness of a decision, action or failure to act in relation to the exercise of a public function, in this case, a planning decision. The court's permission to proceed is required in a claim for Judicial Review. A claim for Judicial Review is dealt with by the Administrative Court and if leave to judicially review a planning decision is granted, the Judicial Review will be decided by a judge at the High Court.

An application to Judicial Review a decision must be made within **6 weeks** of the decision about

which you have a grievance being made. For further information on judicial review and the contact details for the Administrative Courts, please go to <http://www.justice.gov.uk/>