

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
CAMBRIDGESHIRE**

**Form 5
Ref. S/4099/17/OL**

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Decision Date: 13 March 2018

Nick Guildford
Terence O'Rourke Ltd
Everdene House
Deansleigh Road
Bournemouth
BH7 7DU

The Council hereby refuses permission for Outline planning application (all matters reserved) for development of an AgriTech technology park comprising up to 112,000 sqm (gross) employment floorspace, supporting infrastructure, amenities and landscape works including publicly accessible informal open space, enhancements to parkland; vehicle and cycle parking; service areas; bus / cycle interchange on land west of the A1301 / north of A505; and infrastructure works including new vehicular accesses, highway improvement works, pedestrian and cycle links with bridge crossings over A1301 / A505 and River Cam, site re-profiling, drainage works, foul and water pumping stations and primary electricity sub station; telecommunications infrastructure and other associated works.

At: Land to the east of the A1301, south of the A505 near Hinxton and west of the A1301, north of the A505 near Whittlesford
For: Emma Fletcher, SmithsonHill Limited

In accordance with your application dated 20 November 2017

for the following reasons:-

1. The proposal represents an unsustainable form of development located outside of the village development framework and within the open countryside. The proposed site has not been allocated or put forward for development in the current Local Development Framework or emerging Local Plan. The development is therefore contrary to Policies DP/7 and ET/3 of the South Cambridgeshire Development Control Policies DPD 2007, Policy S7/8 of the Core Strategy DPD and Policies S/5, S/7, E/15 and E/16 of the draft South Cambridgeshire Local Plan 2014.
2. The Council's emerging Local Plan is at an advanced stage of preparation. The proposed site is not allocated for any development in the current Local Development Framework or emerging Local Plan. The scale of the proposal is such that, if permission were granted now, it would undermine the plan-making process and sustainability of the Local Plan by predetermining decisions about the scale, location and phasing of new development that are central to the emerging Local Plan given its advanced stage. It is therefore considered the proposal is premature in light of draft policies S/5 and S/6 of the submitted South Cambridgeshire Local Plan, 2014 and Paragraph 12 of the National Planning Policy Framework and Paragraph: 014 Reference ID: 21b-014-20140306 of the National Planning Practice Guidance.
3. The proposed site for the bus/cycle interchange and the northernmost end of the foot, cycle and equestrian bridge are located within the Cambridge Green Belt wherein there is a presumption against development for purposes other than those categories specified in paragraphs 89 and 90 of the National Planning Policy Framework (NPPF) 2012.

The proposal is considered to fall outside of these specified categories and is inappropriate development by definition. The location of the development would cause substantial and irreversible harm to the openness of the Green Belt and would conflict with the following national

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Green Belt purpose (paragraph 80 of the NPPF) to assist in safeguarding the countryside from encroachment. Additionally, the proposal would conflict with the following local Green Belt Purposes (Policy ST/1 of the Core Strategy DPD, 2007):

- a) To maintain and enhance the quality of its setting;

The very special circumstances put forward by the Applicant are not considered to clearly outweigh the harm to the Green Belt, and other harm (listed in the additional reasons for refusal below). Consequently, the proposal is contrary to: paragraphs 7, 17, 80, 87, 88, 89 and 90 of the National Planning Policy Framework 2012; Policy ST/1 of the South Cambridgeshire Core Strategy DPD 2007 and Policies GB/1 and GB/2 of the South Cambridgeshire Development Control Policies DPD 2007 and Policy NH/8 of the draft South Cambridgeshire Local Plan 2014.

4. Insufficient information has been submitted as part of the assessment for the Landscape and Visual Impact Assessment (LVIA). Notwithstanding the insufficient information submitted, the proposal for the Agritech technology park by virtue of its location, scale, height, size, bulk and mass together with the increase in land levels to the east would result in the introduction of substantial incongruous built form into the rural countryside. The proposal would be excessively prominent, resulting in the loss of open, rural countryside and harm to the visual amenity of the area. The mitigation proposed would fail to overcome this harm. The proposed location of the bus/cycle interchange development and the northernmost end of the foot, cycle and equestrian bridge would harm the open, rural agricultural character of this site. The development would add built form and an incongruous bridge structure into the open arable, rural landscape, encroaching into the countryside. For these reasons, the development would fail to preserve or enhance the local character of the area and would have an unacceptable adverse impact on the countryside and landscape character. The development is therefore contrary to paragraphs 7 and 17 of the National Planning Policy Framework 2012; Policies DP/1 (1p), DP/2 (1a), DP/3 (2m) and NE/4 of the South Cambridgeshire Development Control Policies DPD 2007 and Policy HQ/1 of the draft South Cambridgeshire Local Plan 2014.
5. Motorists would access the proposed development via the A1301 and a single access junction. The road network in this locality is already congested, as acknowledged in the submitted Transport Assessment (TA). There is insufficient information in the Transport Assessment to demonstrate the full extent of the development's impact on the local highway network. This information is fundamental to trip generation and distribution evidence base, and therefore there is uncertainty on the impacts of the development on the strategic highway network. Consequently, the application has not demonstrated it would have a satisfactory impact on the local highway network and that it would amount to sustainable development. The application is therefore contrary to: paragraphs 7, 17 and 32 of the National Planning Policy Framework 2012 and policies DP/1 and DP/4 of the South Cambridgeshire Development Control Policies DPD 2007.
6. Motorists would access the proposed development via the A1301 and a single access junction. The road network in this locality is already congested, as acknowledged in the submitted Transport Assessment (TA). A stage 1/2 Road Safety Audit has not been carried out on all the submitted drawings to allow the therefore be contrary to: paragraphs 7, 17 and 32 of the National Planning Policy Framework 2012 and Policies DP/1, DP/3 (1b), DP/4 and TR/2 of the South Cambridgeshire Development Control Policies DPD 2007.
7. Insufficient information has been submitted with the application to demonstrate that the proposed low levels of car and cycle parking and non car travel for the development would be sufficient to meet demand and would not result in inappropriate parking and demand on local and surrounding streets, resulting in an unacceptable impact on highway safety. The application

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would therefore be contrary to: paragraphs 7, 17 and 32 of the National Planning Policy Framework 2012 and Policies DP/1, DP/3 (1b), DP/4 and TR/2 of the South Cambridgeshire Development Control Policies DPD 2007.

8. The proposed site lies adjacent to, and within the setting of the Grade II listed Hinxton Grange, its Grade II listed stables and coach house, and designed landscape. The house dates from c.1835 and is set within its own formal garden and parkland, with open views from Hinxton Grange across the designed landscape, to the open countryside to the west. The proposal by virtue of its size, scale, siting, location and proximity would result in harm to the setting and significance of the designated and non-designated heritage assets (which would be less than substantial). Any harm to the significance of a listed building requires a clear and convincing justification in accordance with s.66(1) of the Planning and Listed Buildings Act (1990). The application would therefore be contrary to paragraphs 7, 17 of the NPPF 2012, Policy CH/4 of the South Cambridgeshire Local Development Framework, Development Control Policies DPD, 2007 and the Listed Buildings Supplementary Planning Document 2009, which states that development proposals should ensure that all new development would preserve or enhance the character and appearance of the listed building, s.66(1) of the Listed Buildings Act 1990. The application would also be contrary to Policy CH/1 of the South Cambridgeshire Local Development Framework. In Framework terms, the harm to the designated heritage assets would be less than substantial therefore the test set out in Paragraph 134 of the National Planning Policy Framework would apply. Paragraph 135 of NPPF requires the effect of an application on the significance of a non-designated asset to be taken into account in determining an application, and a balanced judgement formed.
9. The proposed development comprises 33 hectares of grade 2 'very good' and 3a 'good to moderate', and 38 hectares of grade 3b 'moderate quality' and grade 4 'poor quality' agricultural land. This would represent a significant loss of 'the best and most versatile agricultural land' as defined in the National Planning Policy Framework (NPPF). The application does not demonstrate that sustainability considerations and the need for development in this location are sufficient to override the need to protect the agricultural value of the land. Consequently, the development would cause significant and irreversible loss of agricultural land and farmland biodiversity contrary to: paragraphs 7, 17 and 112 of the NPPF 2012; Policy NE/17 of the South Cambridgeshire Development Control Policies DPD 2007; and Policy NH/3 of the draft South Cambridgeshire Local Plan 2014.

Informatics

1. For the avoidance of doubt the following plans are refused: 235701B-LA-001 A0, 235701B-LA-001 A3, 235701B-LA-PP101 Rev A, 235701B-LA-PP103, 235701B-LA-PP104, 235701B-LA-PP105, Environmental Statement November 2017 & Environmental Statement Addendum February 2018.

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

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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

SJ 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.