

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL  
CAMBRIDGESHIRE****TOWN AND COUNTRY PLANNING ACT 1990****REFUSAL OF PLANNING PERMISSION****Decision Date: 28 August 2019**

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Paul Watson,  
Phillips Planning Services Limited  
Phillips Planning Services Limited  
Kingsbrook House  
7 Kingsway  
Bedford  
MK42 9BA

The Council hereby refuses permission for Erection of two new private rented residential blocks comprising a total of 93 apartments

At: Western side of Land Parcel COM4, Neal Drive, Orchard Park, Cambridge  
For: Marchingdale Developments Limited

In accordance with your application dated 26 February 2018

**for the following reasons:-**

1. In the opinion of the local planning authority the scale, siting and massing of the proposed five storey development would not be in keeping with the surrounding area and in particular the three storey residential development directly to the south of the application site. The orientation and layout of the proposed development would also fail to meet the site-specific design guidance set out at page 34 of the Orchard Park Design Guidance SPD (2011). The design of the proposed pedestrian link to the south and the lack of active frontages proposed on external facing elevations would result in a development which fails to create a positive sense of place. The development therefore does not represent high quality design and would be contrary to adopted South Cambridgeshire Local Plan (2018) Policy HQ/1 (Design Principles) (criteria a, c, e & f) and the adopted Orchard Park Design Guide Supplementary Planning Document (March 2011).
2. In the opinion of the Local Planning Authority, the planting and landscaping proposals do not provide high quality landscaping which integrates the development with its surroundings and the landscaping and planting measures which have been proposed are not considered to be viable. The development would therefore be contrary to adopted South Cambridgeshire Local Plan (2018) Policy HQ/1 (Design Principles) (criterion m) and the adopted Orchard Park Design Guide Supplementary Planning Document (March 2011).
3. Insufficient information has been provided to allow the Local Planning Authority to determine whether the proposed development would harm protected species. A Preliminary Ecological Appraisal (MKA Ecology, February 2019) has confirmed the suitability of the site for common reptiles. It is not possible for the Local Planning Authority to conclude whether or not there would be harm to protected species without further surveys to confirm whether there are common reptiles present and if they are present, how any potential harm will be mitigated, including through potential translocation to alternative sites. The development would therefore conflict with adopted South Cambridgeshire Local Plan (2018) Policy NH/4 (Biodiversity).

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**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](http://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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**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](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.