



## CAMBRIDGE CITY COUNCIL

The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACT 1990

### REFUSAL OF PLANNING PERMISSION

Ref:09/0443/FUL

Mr P Pizza  
2A Scotsdowne Road  
Cambridge  
Cambridgeshire  
CB2 9HU

DECISION	SIS
NOTED IN	DATE
STATUTORY REGISTER	/
COUNTY	/
RENEWAL DATE ON COMPUTER	

The Council hereby refuse permission for

**Erection of 3no 2bed terrace dwellings following demolition of existing bungalow.**

at

**2A Scotsdowne Road Cambridge Cambridgeshire CB2 9HU**

in accordance with your application received 15th May 2009 and the plans, drawings and documents which form part of the application, for the following reasons:

1. In order to accommodate the proposed dwellings, it would be necessary to significantly prune the Horse Chestnut Tree and the Lime Tree to the north of the site, which would have an adverse effect on the trees and would diminish their amenity value to an unacceptable degree. To keep the trees clear of the buildings repeated surgery would be required, which is likely to have an adverse effect on the trees. The Horse Chestnut Tree is the subject of a Tree Protection Order and in the absence of any evidence to demonstrate that the tree is of a poor condition, or that its removal is necessary, the proposal is in conflict with policy 4/4 of the Cambridge Local Plan (2006).

This decision notice relates to the following drawings: **PP01, PP03A, PP04A, PP05A, PP06A.**

A copy of the refused plan(s) is/are kept in the planning application file.

Simon Payne  
Director of Environment & Planning  
Cambridge City Council The Guildhall Cambridge CB2 3QJ  
Telephone 01223 457000 Minicom (non-speaking phone) 01223 457050



For further information please go to [www.cambridge.gov.uk/planning](http://www.cambridge.gov.uk/planning) to view the 'Your Decision Notice' leaflet. If you require a hard copy please contact Development Control on (01223) 457200.

Dated: 10 July 2009

Guildhall, Cambridge, CB2 3QJ



Director of Environment & Planning

SEE NOTES ATTACHED

## PLANNING PERMISSION

### 1. 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 permission subject to conditions, then you can appeal to the First Secretary of State under section 78 of the Town & Country Planning Act 1990.

If you want to appeal then you must do so within 6 months of the date of this notice or within 12 weeks of the date of the decision notice against a refusal of any householder planning application that was valid on or after 6<sup>th</sup> April 2009, using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)

The Secretary of State can allow for 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 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 they 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, he does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

### 2. 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 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 (District Council, London Borough Council or Common Council of the City of London) 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 & Country Planning Act 1990.

## LISTED BUILDING CONSENT, CONSERVATION AREA CONSENT

### 3. Notification of Demolition

If listed building consent has been granted and any demolition is to take place, you must in accordance with Section 8(2)(b) of the Planning (Listed Building and Conservation Areas) Act 1990 complete a Final Notice of Demolition Form and send it to English Heritage at least one month before demolition occurs.

### 4. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse listed building or conservation area consent, or to grant either subject to conditions then you may appeal to the Secretary of State for the Environment in accordance with sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Appeals must be made within 6 months of the date of the decision (see notes under 1 above).

### 5. Purchase Notice

If listed building or conservation area consent is refused, or if either is granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council in which the land is situated a purchase notice requiring the council to purchase his interest in the land in accordance with section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

### 6. Compensation

In certain circumstances a claim may be made against the local planning authority for compensation as provided for under Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.

## CONSENT TO DISPLAY AN ADVERTISEMENT

### 7. Appeals to the Secretary of State

If you are aggrieved by the decision of the local planning authority to refuse consent to display an advertisement, or to grant consent subject to conditions then you may appeal to the Secretary of State for the Environment under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992. Appeals must be made within 8 weeks of the date of the decision (see notes under 1 above)



