

CAMBRIDGE CITY COUNCIL

The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACT 1990



REFUSAL OF PLANNING PERMISSION

Ref:12/0438/FUL

Mr Timothy Poulson
Poulson Architecture
Mill Farm
Fowlmere Road
Melbourn
Royston
Herts
SG8 6EZ

The Council hereby refuse permission for

Construction of a new dwelling

at

Land Between 2 And 3 Shaftesbury Road Cambridge Cambridgeshire CB2 8BW

in accordance with your application received 4th April 2012 and the plans, drawings and documents which form part of the application, for the following reasons:

1. The positioning of the proposed house, abutting the common boundaries with 2 and 3 Shaftesbury Road, combined with its height and depth, would result in a built form that would appear dominant and overbearing on the amenity of the occupiers of 2 and 3 Shaftesbury Road and their ability to enjoy rooms and spaces immediately facing the north and south boundaries of the site. For these reasons, the proposal is contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006).
2. The positioning of the proposed house, its combined height and width, the proposed level of glazing and size of the rear 2nd floor terrace, would result in the occupiers of the neighbouring properties at nos. 2 and 3 Shaftesbury Road experiencing a loss of privacy, a degree of noise and disturbance from the terrace and an overbearing visual impact from the assertive presence of the building in otherwise spacious and secluded rear garden areas. The development would therefore significantly detract from the privacy, enjoyment and use of the rear garden areas for the occupants of nos. 2 and 3 Shaftesbury Road and is contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006).

Patsy Dell, Head of Planning Services
Cambridge City Council, PO Box 700, Cambridge, CB1 0JH
Telephone 01223 457200



INVESTOR IN PEOPLE

3. In the absence of a S106 agreement to mitigate its impact, the proposed development does not make appropriate provision for public open space, community development facilities, or waste in accordance with policies 3/7, 3/8, 5/14, and 10/1 of the Cambridge Local Plan 2006 and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2010, and the Open Space and Recreation Strategy (2010).

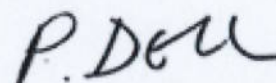
This decision notice relates to the following drawings: **SRC 110, SRC 111 GF, SRC 112 FF & SF, SRC 113 E & W, SRC 114 N & S, SRC 115 E/W & N/S, SRC 116 E + W WITH LEVELS, SRC 117 E + W WITH LEVELS, SRC 131 STREET ELEVATIONS and SRC 133 ELV MONTAGE STREETScape.**


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

For further information please go to www.cambridge.gov.uk/planning.

Dated: 16 July 2012

Guildhall, Cambridge, CB2 3QJ



Head of Planning Services 

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 6th 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

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)