



## CAMBRIDGE CITY COUNCIL

The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACT 1990

### REFUSAL OF PLANNING PERMISSION

Ref:11/0441/FUL

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Graham Handley Architects Ltd  
The Mill  
Free Church Passage  
St. Ives  
Cambridge  
CB2 8PQ

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The Council hereby refuse permission for

**Conversion of house to flats and demolition of workshop and replacement by one house.**

at

**6 Hooper Street Cambridge Cambridgeshire CB1 2NZ**

in accordance with your application received 20th April 2011 and the plans, drawings and documents which form part of the application, for the following reasons:

1. The part single storey, part two storey flat roof house with the brick and timber finish proposed, is an atypical design which is not informed by the local, essentially late Victorian/Edwardian character which is its context, and has not drawn inspiration from key characteristics of its surroundings. It would not therefore have a positive impact on its setting and would not enhance the quality and distinctiveness of the historic built environment. Its tight-knit relationship with and proximity to neighbouring property, its access (shared with bicycle access for the flats), means that the proposal would not create good interrelations with its neighbours. The proposal would, instead, have an adverse impact on the character and appearance of the surrounding area, and would fail to preserve the character or appearance of the conservation area. For these reasons the proposal is in conflict with East of England Plan 2008 policies ENV6 and ENV7, Cambridge Local Plan 2006 policies 3/4, 3/7, 3/10, 3/12 and 4/11 and advice in Planning Policy Statement 1 (PPS1) - Delivering Sustainable Development 2005 and in Planning Policy Statement 5 - Planning for the Historic Environment.

Simon Payne, Director of Environment  
Cambridge City Council, PO Box 700, Cambridge, CB1 0JH  
Telephone 01223 457200



2. The confined site and close relationship of the proposed house with neighbours is such that it would adversely affect the amenity and privacy of neighbours by reason of overlooking in close proximity. Despite the design reducing the potential for overlooking, the first floor windows in the east elevation, at a distance of less than 6 metres from the common boundary with 7 and 9 Sturton Street, will overlook those properties and detract from the amenity and privacy that the occupiers of those dwellings should reasonably expect to enjoy. There is the potential for similar invasion of privacy of occupiers of rooms in the rear of houses and the first floor flat (here proposed) in Hooper Street, from windows as little as 10 metres away in the ground floor of the south elevation of the proposed house. It follows that the proposed house has not properly recognised the constraints of the site, related well to its surroundings and responded to its context. For these reasons the proposal constitutes poor design and is contrary to East of England Plan 2008 policy ENV7, Cambridge Local Plan 2006 policies 3/4, 3/7, 3/10 and 3/12 and to advice in Planning Policy Statement 1 - Delivering Sustainable Development 2005.
3. The siting, design and scale of the dwelling, the very enclosed area within which it is located and its very close relationship with nearby dwellings is such that the proposed house has: bedrooms with a very poor outlook; a front door that is not visible and is close to and only accessible by passing by the proposed bicycle storage provision for the two proposed flats; windows in the ground floor of the house that are overlooked at a distance of as little as 10 metres from neighbouring first floor windows; and a garden and ground floor windows that are dominated, overshadowed and enclosed by trees in the immediate area, to such a degree that if development in the form proposed is implemented there is likely to be pressure to remove the trees to the detriment of the character of the area and the environment enjoyed by neighbouring properties. For these reasons the proposed dwelling constitutes poor design and inappropriate development that will not have a positive impact, has not responded to its context and fails to provide a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and may prejudice the visual amenity of the wider area; it is not therefore compliant with East of England Plan 2008 policy ENV7, Cambridge Local Plan 2006 policies 3/4, 3/7, 3/10, 3/12 and 4/4 and to advice in Planning Policy Statement 1 - Delivering Sustainable Development 2005.
4. The proposed development does not make appropriate provision for public open space, community development facilities, waste storage or monitoring, in accordance with policies 3/8, 3/12, or 5/14 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 Guidance for Interpretation and Implementation of Open Space Standards 2010.

This decision notice relates to the following drawings: **06/552L/LOCATION, 07/552L/44, 07/551L/43, 07/552L/42A, 07/552L/41A, 07/552L/40, 06/552L/13**

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](http://www.cambridge.gov.uk/planning) to view the 'Your Decision Notice' leaflet. If you require a hard copy please contact the Application Support Team on (01223) 457200.

Dated: 21 July 2011

*P. Dew*

Guildhall, Cambridge, CB2 3QJ

Head of Planning *[Signature]*

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)