



CAMBRIDGE CITY COUNCIL

The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Ref:09/0212/FUL

Mr Tim Moll
Tim Moll Architecture Ltd
Maltlings Cottage
Stoke Road
Lower Layham
Suffolk
IP7 5RB

DECISION	SIG + DATE
NOTED IN	
STATUTORY REGISTER	
COUNTY	
RENEWAL DATE ON COMPUTER	

The Council hereby refuse permission for

Two 2-bed flats, two 1-bed flats and one studio.

at

62 Green End Road Cambridge Cambridgeshire CB4 1RY

in accordance with your application received 18th March 2009 and the plans, drawings and documents which form part of the application, for the following reasons:

1. The proposed development is unacceptable because the combined impact of the two-storey side extension projecting right out to the common boundary with number 64, and the rear addition extending 8m out beyond the rear of the existing dwelling at less than 3 m from the common boundary with 64, would have an unduly dominating and overbearing relationship with number 64. These additions would cause the occupiers of number 64 to suffer an undue sense of enclosure, to the detriment of the amenity that they might otherwise reasonably expect to enjoy. In addition, the rear extension will also result in a loss of light to and outlook from the upper floor flat of the adjoining number 60, and be oppressive and unneighbourly to the occupiers of that accommodation. In having these negative impacts on numbers 60 and 64 Green End Road, the proposal fails to respond to its context and does not achieve good integration between buildings. The proposal is therefore contrary to policies 3/4, 3/7, 3/14 and 5/2 of the Cambridge Local Plan 2006, and policy ENV7 of the East of England Plan 2008.

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



INVESTOR IN PEOPLE

2. The proposed construction of the two-storey side extension hard up to the south-eastern boundary of the site precludes access to the rear of the property other than by passing across the front and along the side of 60 Green End Road. The siting of the bicycle store to the rear of 60 and the refuse provision for the proposed units to the front/side of 60 and 56, would result in future residents of the proposed accommodation having to travel inappropriate distances to these essential operational elements of the proposed development. They would furthermore generate frequent comings and goings unassociated with those nearby properties, in close proximity to the ground floor windows of the flats in the adjoining property, 60 Green End Road, to the detriment of the amenity of the occupiers. For these reasons the proposal constitutes poor design that has not made adequate provision for the prospective occupiers and would have negative impacts on residents of 60 and, therefore, fails to respond to its context and does not achieve good interrelation or integration between buildings and the external spaces. The proposal is therefore contrary to policies 3/4, 3/7, 3/11, 3/14 and 5/2 of the Cambridge Local Plan 2006, and policy ENV7 of the East of England Plan 2008.
3. The proposed building is unacceptable because of its overall width, which projects to the common boundary of the adjacent property number 64 Green End Road, thereby creating an encroachment and erosion of space between numbers 62 and 64 Green End Road, contributing to the creation of a terracing of these semi detached dwellings. The proposal fails to respond to its context and has not used the characteristics of the locality to help inform its siting, massing and design; instead it would have a detrimental impact on the character and appearance of the area and have a negative impact on its setting. The proposal is therefore contrary to policies 3/4, 3/7, and 3/14 of the Cambridge Local Plan 2006, policy ENV7 of the East of England Plan 2008, and advice in PPS1: Delivering Sustainable Development 2005, which states that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.
4. The proposed access to the rear ground floor flat is in unreasonable proximity to and requires passage alongside existing accommodation in the ground floor of 60 Green End Road. The relationship is such that it will unreasonably erode the amenity of occupiers of existing residential units on the ground floor of 60. For this reason the proposal is considered to be in conflict with Cambridge Local Plan policies 3/4, 3/7 and 3/14.
5. The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities in accordance with policies 3/8, 5/14 and 10/1 of the Cambridge Local Plan 2006, and policies P6/1, P9/8 and P9/9 of the Cambridgeshire and Peterborough Structure Plan 2003, and as detailed in the Planning Obligation Strategy 2004 and the Open Space and Recreation Strategy 2006.

This decision notice relates to the following drawings: **.02, LOCATION PLAN,**

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 to view the 'Your Decision Notice' leaflet. If you require a hard copy please contact Development Control on (01223) 457200.

Dated: 13 May 2009



Guildhall, Cambridge, CB2 3QJ

Director of Environment & Planning

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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/pcc

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)

