

Our Ref: 18/1678/FUL
Your Ref: Blocks B2 & F2, CB1 Masterpla...

29 October 2020



Mr Anthony Child
Bidwells LLP
Trumpington Road
Cambridge
CB2 9LD
United Kingdom

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
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CB23 6EA

www.scambs.gov.uk | www.cambridge.gov.uk

Dear Mr Child

CAMBRIDGE CITY COUNCIL

Application for Planning Permission

Proposal: The proposed erection of two new buildings comprising 5,351sqm (GEA) of Class B1(a)/ Class B1(b) floorspace including ancillary accommodation/ facilities with associated plant, 162 cycle parking spaces, and 8 off-gauge cycle spaces for Block F2 and an Aparthotel (Class C1) comprising 125 suites, terrace, ancillary accommodation and facilities with multi-storey car park for Network Rail (total GEA 12,153sqm) comprising 206 car parking spaces and 34 cycle parking spaces for Block B2 with associated plant, hard and soft landscaping, and permanent access from Devonshire Road to the Cambridge Station Car Park, utilising the existing pedestrian and cycle access, restricted to emergency access to the railway only.

Site address: Station Area Redevelopment Blocks B2 And F2 Devonshire Road Cambridge

Your client: c/o Agent

Please find attached the formal decision notice refusing planning permission for the above development and giving the Local Planning Authority's reasons for doing so.

Appealing against this decision

You should also be aware that the applicant has the right to appeal against this decision, please see <https://www.gov.uk/government/organisations/planning-inspectorate> for details.

We value your feedback

We value your feedback and would like to know your views about the planning process you experienced, including the service you received from us. Your views are important to us and they will help us improve the experience we can offer you. The link below takes you to a survey which will take a couple of minutes to complete.

<https://forms.scambs.gov.uk/PLANNINGFEEDBACKFORM/launch>

Yours sincerely

SJ Kelly

SJ Kelly
Joint Director For Planning & Economic Development For
Cambridge & South Cambridgeshire



Refusal of Planning Permission

Reference 18/1678/FUL
Date of Decision 29 October 2020

Mr Anthony Child
Bidwells LLP
Trumpington Road
Cambridge
CB2 9LD
United Kingdom

The Council hereby REFUSES Planning Permission for:

The proposed erection of two new buildings comprising 5,351sqm (GEA) of Class B1(a)/ Class B1(b) floorspace including ancillary accommodation/ facilities with associated plant, 162 cycle parking spaces, and 8 off-gauge cycle spaces for Block F2 and an Aparthotel (Class C1) comprising 125 suites, terrace, ancillary accommodation and facilities with multi-storey car park for Network Rail (total GEA 12,153sqm) comprising 206 car parking spaces and 34 cycle parking spaces for Block B2 with associated plant, hard and soft landscaping, and permanent access from Devonshire Road to the Cambridge Station Car Park, utilising the existing pedestrian and cycle access, restricted to emergency access to the railway only.

at

Station Area Redevelopment Blocks B2 And F2 Devonshire Road Cambridge

in accordance with your application received on 23 November 2018 and the plans, drawings and documents which form part of the application for the following reason(s):

Reasons

- 1 The proposed development fails to provide high quality cycling infrastructure commensurate with Cambridge as the leading cycling city in the UK and fails to demonstrate it is compatible with the objectives of and safeguards the safety and prioritisation of pedestrians and cycling in the area including the Chisholm Trail. This is because the movement, safety and promotion of cycling as an active transport mode for all users both travelling through the site and for those accessing the Cambridge Railway Station / Cycle Point and utilising the strategic cycle network in the CB1 area, is not prioritised through the provision of a physically segregated and protected cycle route. The proposal is therefore contrary to policies 25, 56, 57, 59 and 80 of the Cambridge Local Plan (2018), the NPPF (Feb 2019) paragraphs 104 and 109 and Local Transport Note 1/20, Cycle Infrastructure Design (DfT).
- 2 By virtue of the scale, massing and footprint of building B2 in close proximity to Carter Bridge and in regard of views from Devonshire Road, the proposed building would appear visually cramped, overly prominent and detract from the character and appearance of the existing area and setting of the adjacent Mill Road Conservation Area. The proposal is therefore contrary to policies 55, 56, 57 and 61 of the Cambridge Local Plan (2018) and NPPF (Feb 2019) paragraphs 124 and 196.

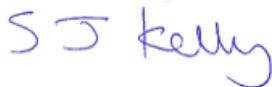
Plans and drawings

This decision notice relates to the following drawings:

Reference/Document/Drawing Title	Date Received
D6500 (Revision 04)	
217382-MMD-00-XX-DR-C-1021 (Revision P2)	
D5802 (Revision 04)	
D5100 (Revision 14)	
D5101 (Revision 12)	
D5102 (Revision 12)	
D5103 (Revision 12)	
D5104 (Revision 12)	
D5105 (Revision 12)	
D5106 (Revision 12)	
D5199 (Revision 12)	
D5500 (Revision 04)	
D5700 (Revision 07)	
D5701 (Revision 06)	
D5702 (Revision 05)	
D5703 (Revision 07)	
D6100 (Revision 13)	
D6101 (Revision 11)	
D6103 (Revision 13)	
D6105 (Revision 13)	
D6501 (Revision 04)	
D6502 (Revision 04)	
D6710 (Revision 09)	
D6711 (Revision 07)	
D6712 (Revision 06)	

Authorisation

Authorised by:



SJ Kelly
Joint Director For Planning & Economic Development For
Cambridge & South Cambridgeshire

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

Date the decision was made: 29 October 2020

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 under section 78 of the Town and Country Planning Act 1990.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

- If an enforcement notice is or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: **28 days** of the date of service of the enforcement notice, **OR** within **6 months** (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.
- 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 notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State 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.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK (<https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>).

Purchase Notices

If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he/she 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 to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Third Party Rights to challenge a planning decision

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision.

Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review.

A 'claim for judicial review' includes a claim to review the lawfulness of a decision, action or failure to act in relation to the exercise of a public function, in this case, a planning decision. The court's permission to proceed is required in a claim for Judicial Review. A claim for Judicial Review is dealt with by the Administrative Court and if leave to judicially review a planning decision is granted, the Judicial Review will be decided by a judge at the High Court.

An application to Judicial Review a decision must be made within **6 weeks** of the decision about which you have a grievance being made. For further information on judicial review and the contact details for the Administrative Courts, please go to <http://www.justice.gov.uk/>