

Our Ref: 20/02929/OUT
Your Ref: Land at Haverhill Road Staple...

20 April 2021



Mr Matt Hare
Carter Jonas LLP
One Station Square
Cambridge
CB1 2GA

South Cambridgeshire Hall
Cambourne Business Park
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Dear Mr Hare

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
Application for Outline Planning Permission

Proposal: Outline planning for the development of land for a retirement care village in Use Class C2 comprising housing with care, communal health, wellbeing and leisure facilities, public open space, landscaping, car parking, access and associated development and public access countryside park with all matters reserved except for access.

Site address: Land Between Haverhill Road And Hinton Way Stapleford Cambridge

Your client: Mssrs Axis Land Partnerships D./M./W. Chalk/Trafford/Chalk

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.

Yours sincerely

A handwritten signature in blue ink that reads 'SJ Kelly'.

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



Refusal of Outline Planning Permission

Reference 20/02929/OUT
Date of Decision 19 April 2021

Mr Matt Hare
Carter Jonas LLP
One Station Square
Cambridge
CB1 2GA

The Council hereby REFUSES Outline Planning Permission for:

Outline planning for the development of land for a retirement care village in Use Class C2 comprising housing with care, communal health, wellbeing and leisure facilities, public open space, landscaping, car parking, access and associated development and public access countryside park with all matters reserved except for access.

at

Land Between Haverhill Road And Hinton Way Stapleford Cambridge

in accordance with your application received on 3 July 2020 and the plans, drawings and documents which form part of the application for the following reason(s):

Reasons

- 1 The site is located outside of the development framework boundary of Stapleford, within the countryside and Cambridge Green Belt. The proposed development would represent inappropriate development that is, by definition, harmful to the Green Belt in policy terms as the retirement care village does not fall within any of the exception criteria within paragraphs 145 or 146 of the National Planning Policy Framework 2019. The proposal is therefore contrary to Policy S/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 143, 144, 145 and 146 of the National Planning Policy Framework 2019 that seek to resist inappropriate development in the Green Belt.
- 2 In addition to harm caused by inappropriateness, the proposed retirement care village would have a substantial and detrimental impact on the openness of the Green Belt through the introduction of a substantial built form of development and urbanising effect on the site that cannot be said to safeguard the countryside from encroachment, which would undermine the purposes of the Green Belt and including land within it. The proposal is therefore contrary to Policies S/4 and NH/8 of the South Cambridgeshire Local Plan 2018 and paragraphs 133 and 134 of the National Planning Policy Framework 2019 which set out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 3 The proposed retirement care village, by virtue of the introduction of a substantial built form of development on land which is currently open, would fail to reflect or respect the strong rural characteristics of Stapleford or respond to the sites sensitive edge of village location. The development would be out of keeping with the local vernacular, appearing as an incongruous and extensive urban form of development on the village edge. Furthermore, the retirement care village would result in a significant incursion into the landscape and soft

rural edge of the village which would do little to respect, retain or enhance the local character and the distinctiveness of the local landscape. The proposal is therefore contrary to Policies S/7, HQ/1, NH/2 and NH/8 of the South Cambridgeshire Local Plan 2018 and paragraphs 127 and 170 of the National Planning Policy Framework 2019 which seek to protect the countryside from encroachment, preserve or enhance the character of the local rural area and protect or enhance valued landscapes.

- 4 The application has failed to provide very special circumstances which, taken individually or collectively, demonstrate why the harm by reason of inappropriateness in the Green Belt and other harm identified, is clearly outweighed by these considerations. The application therefore fails to satisfy the requirements of paragraph 144 of the National Planning Policy Framework 2019.

Plans and drawings

This decision notice relates to the following drawings:

Reference/Document/Drawing Title	Date Received
Location Plan (Revision J0027450_011)	18.08.2020
Parameter Plan: Access and Movement (Revision J0027450_010)	18.08.2020
Parameter Plan: Landscape (Revision J0027450_009)	18.08.2020
Parameter Plan: Land Use and Building Heights (Revision J0027450_008)	18.08.2020

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: 19 April 2021

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/>