



Refusal of Planning Permission

Reference 22/02066/FUL
Date of Decision 13 January 2023

Miss Charlotte Bailey
Turley
Unit 8
Colliers Lane
Quy Court
Stow-cum-Quy
CB25 9AU

The Council hereby REFUSES Planning Permission for:

Demolition of nursery building, part of outbuildings; partial demolition, refurbishment and extension of other existing college buildings and the erection of four accommodation blocks containing 60 rooms for postgraduate students; associated landscaping, car and cycle parking, refuse and other storage and new electricity substation within outbuildings

at

Owlstone Croft Owlstone Road Cambridge Cambridgeshire

in accordance with your application received on 25 April 2022 and the plans, drawings and documents which form part of the application for the following reason(s):

Reasons

- 1 By virtue of the proposed development's excessive height, scale, massing and lack of subservience, and siting in close proximity to the Paradise Local Nature Reserve, it would result in a cramped and imposing form of development and loss of openness experienced by users from the local nature reserve. As such, the proposal would be out of context with its immediate surroundings. The proposal would result in harm upon the recreational and amenity value of Paradise Local Nature Reserve, which is a protected open space within the local plan set within the wider River Cam corridor. Consequently, the proposal would be contrary to policies 8, 55, 56, 57, 59 and 67 of the Cambridge Local Plan 2018 and paragraph 174 of the NPPF 2021.
- 2 Incomplete bat survey information has been provided to demonstrate that protected species would not be unduly harmed, contrary to Policies 69 and 70 of the Cambridge Local Plan 2018 and paragraph 180 of the NPPF 2021.
- 3 By virtue of the layout of the site for future students, the associated seasonal on-site wetland habitat would be adversely affected and the ecological relationship with the local nature reserve would be diminished. Furthermore, there is insufficient evidence to demonstrate that the scheme would not result in harm upon the biodiversity within Paradise Local Nature Reserve, contrary to policies 55, 56, 59, 69 and 70 of the Cambridge Local Plan 2018.

Plans and drawings

This decision notice relates to the following drawings:

Reference/Document/Drawing Title	Date Received
OCC_301 Wetland Sections (Stage 3)	06.06.2022
OCC_008 Rev A Green Roof Plan (Stage 3)	06.06.2022
OCC_004 Rev A Soft Landscape Plan (Stage 3)	06.06.2022
OCC_003 Rev A Hard Landscape Plan (Stage 3)	06.06.2022
(00)001 (Revision P1)	25.04.2022
(00)133 (Revision P1)	25.04.2022
(00)132 (Revision P1)	25.04.2022
(00)131 (Revision P1)	25.04.2022
(00)130 (Revision P1)	25.04.2022
(00)123 (Revision P1)	25.04.2022
(00)122 (Revision P1)	25.04.2022
(00)121 (Revision P1)	25.04.2022
(00)120 (Revision P1)	25.04.2022
(00)113 (Revision P1)	25.04.2022
(00)112 (Revision P1)	25.04.2022
(00)111 (Revision P1)	25.04.2022
(00)110 (Revision P1)	25.04.2022
(00)103 (Revision P1)	25.04.2022
(00)102 (Revision P1)	25.04.2022
(00)101 (Revision P1)	25.04.2022
(00)100 (Revision P1)	25.04.2022
(00)020 (Revision P1)	25.04.2022
(00)002 (Revision P1)	25.04.2022
(00)150 (Revision P1)	25.04.2022
(00)151 (Revision P1)	25.04.2022
(00)160 (Revision P1)	25.04.2022
(00)161 (Revision P1)	25.04.2022
(00)170 (Revision P1)	25.04.2022
(00)171 (Revision P1)	25.04.2022
(00)190 (Revision P1)	25.04.2022
(00)191 (Revision P1)	25.04.2022
(00)210 (Revision P1)	25.04.2022
(00)220 (Revision P1)	25.04.2022
(00)230 (Revision P1)	25.04.2022
(00)240 (Revision P1)	25.04.2022
(00)250 (Revision P1)	25.04.2022
(00)251 (Revision P1)	25.04.2022
(00)252 (Revision P1)	25.04.2022
(00)350 (Revision P1)	25.04.2022
(00)351 (Revision P1)	25.04.2022
(EX)001 (Revision P1)	25.04.2022
OCC_300 Landscape Cross Sections (Stage 3)	06.06.2022

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: 13 January 2023

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/>