

Our Ref: 21/00953/FUL  
Portal Ref: PP-09202280

22 July 2022



Ms Rebecca Smith  
Bidwells  
Bidwell House  
Trumpington Road  
Cambridge  
Cambridgeshire  
CB2 9LD

South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

[www.scambs.gov.uk](http://www.scambs.gov.uk) | [www.cambridge.gov.uk](http://www.cambridge.gov.uk)

Dear Ms Smith

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**  
**Application for Planning Permission**

Proposal: Demolition of existing buildings and erection of a care home (Use Class C2) with external amenity space, access, parking, landscaping and other associated works

Site address: Former Hotel Felix Whitehouse Lane Cambridge Cambridgeshire

Your client: Cassel Hotels (Cambridge) Ltd

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 Planning Permission

Reference 21/00953/FUL  
Date of Decision 22 July 2022

Ms Rebecca Smith  
Bidwells  
Bidwell House  
Trumpington Road  
Cambridge  
Cambridgeshire  
CB2 9LD

The Council hereby REFUSES Planning Permission for:

Demolition of existing buildings and erection of a care home (Use Class C2) with external amenity space, access, parking, landscaping and other associated works

at

Former Hotel Felix Whitehouse Lane Cambridge Cambridgeshire

in accordance with your application received on 1 March 2021 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 Girton, 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 development does not fall within any of the exception criteria within paragraphs 149 or 150 of the National Planning Policy Framework 2021. The proposal is therefore contrary to Policy S/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 147, 148, 149 and 150 of the National Planning Policy Framework 2021 that seek to resist inappropriate development in the Green Belt.
- 2 In addition to harm caused by inappropriateness, the proposed development would result in the loss of a non-designated heritage asset to the detriment of the character and appearance of the area. In taking a balanced judgement, the loss of the non-designated heritage asset is considered to cause substantial harm as it would fail to sustain or enhance the significance of the asset and the overall benefits of the scheme are not considered to outweigh the harm identified. The proposal is therefore contrary to paragraph 203 of the National Planning Policy Framework 2021 and policy NH/14 of the South Cambridgeshire Local Plan 2018.
- 3 The application has failed to provide very special circumstances including the need for specialist housing which, taken individually or collectively, demonstrate why the harm by reason of inappropriateness in the Green Belt and other harm identified, being the loss of the non-designated heritage asset, is clearly outweighed by these considerations. The application therefore fails to satisfy the requirements of paragraphs 147 and 148 of the National Planning Policy Framework 2021.

## Plans and drawings

This decision notice relates to the following drawings:

Reference/Document/Drawing Title	Date Received
846 22A	01.03.2021
846 11A	01.03.2021
846 12A	01.03.2021
846 21A	01.03.2021
846 24A	01.03.2021
A-846 06A	01.03.2021
A-846 04B	29.04.2021

## 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: 22 July 2022

## 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](mailto: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/>