

**DEVELOPMENT MANAGEMENT PANEL - MONDAY, 18  
JANUARY 2016**

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**LATE AGENDA ITEM(S)**

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**LATE REPRESENTATIONS** (Pages 3 - 14)

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## **TO: ALL DEVELOPMENT MANAGEMENT PANEL MEMBERS**

Dear Councillor,

**DEVELOPMENT MANAGEMENT PANEL 18 January 2016**

### **CHANGES TO THE AGENDA**

#### **Item No. 3(a)**

**Proposed dwelling house in the curtilage of 2-6 Thrapston Road, Spaldwick  
2-6 Thrapston Road Spaldwick Huntingdon PE28 0TA**

The Parish Council have submitted further details in relation to their objections to the proposal. The comments raised from the Parish Council have also been assessed in the officer report under the relevant headings. **See attached letter.**

#### **Item No. 3(c)**

**Variation of Application 1101924FUL to alter layout including house positions and floor levels, delete landscaping to side of entrance road, reduce verge width and add hard paving and retaining walls. Delete hard paving to no dig footway. Revise positions of gas tanks and erect enclosures over 2m high either side of entrance road. Land South West Of The Stables Main Street Upton**

#### **4 third party objections received to amended plans with officer response:**

##### **Upton House Cottage**

Only objection is regarding the fence behind Upton House Cottage by the access.

-We are pleased the height will be increased from 1.8 to 2.2 metres, but are unhappy with the suggestion that the top is trellis-offers almost no privacy and may look unsightly.

- If a close board fence 2.2m high was proposed instead to prevent overlooking and protect privacy, we would have no objections to the current proposals.

##### **Spire View Cottage (plot 2)**

Objection as before:

-narrower access and loss of landscaping,

-calor gas cannot be delivered,

-concern re highway safety as Main Street is narrow, dangerous to reverse vehicles, parking on road causes obstruction.

-Gas tank position for plot 2 on plan is inaccurate as tank is partly installed on plot 1's land

- originally proposed kerb edgings for the gas tank have been amended to 0.9m concrete slabs on edge used as a retaining wall and are inadequate and cracked,

-The retained landscaping prevents the turning of vehicles for plot 2 and the garage – why is landscaping retained when plot 1's has been removed?

-why did LPA allow occupation of building despite breach of pre-occupation conditions?

-If this revision is approved we will be forced to go down the civil action route due to HDC Planning failing to enforce the approved plans.

- the drawings do not show the change to the position to the new high wall and there is a discrepancy in the drawings as the large scale plan of the entrance shows parallel walls, but the main drawing indicates that the drive narrows.

Rivendell, Main Street

- wall between the access and plot 1 should have been 6ft high, the as-built higher wall is out of character.

- the landscaping planned for that area is no longer to be softened by landscaping- harm to visual amenity.

- the exit onto Main Street is dangerous, visibility at each side is obstructed.

Hill Rise Cottage (plot 1)

-The house positions on Plot 1 Hillrise Cottage and Plot 2 Spire View Cottage are not accurately drawn.

-Hillrise Cottage (plot 1) overall dimensions are 13 metres and plot length are correct to the original drawing.

-We object to planning permission being granted for the proposed retaining wall and existing Spire View tank within our boundary-obstruction of manoeuvring space.

- Is position of brick steps recently erected by The Stables / Upton House - on their land? It restricts access for larger vehicles and is a hazard on narrow unlit road.

Officer response:

The Panel report addresses the main points however, the following responses are relevant:

1. It is considered that an increase in the height of the fence behind Upton House Cottage by the access to 2.2 metres with closeboarded fencing would be unsightly compared to the proposed trellis top addition and that the trellis would be adequate to prevent undue overlooking and harm to privacy.
2. Gas delivery, property boundaries and cracking retaining wall, are civil, not planning, matters.
3. It is considered that the soft landscaping and projecting retaining wall between plot 2's garage and the back fence could be removed to facilitate manoeuvring and the missing approved landscaping and retaining wall between plot 1's garage and the back fence need not be provided in order to ease access into the turning area.
4. The current application was submitted to address the non-compliance with the approved plans and to regularise matters.
5. The drawings show the existing position of the new high wall but not the change to its position. There is a discrepancy in the large scale plan (1:50) of the entrance as it incorrectly shows parallel enclosures beyond the steps to Plot 1, whereas the main 1:200 drawing correctly shows that the drive narrows. However, it is

considered that this discrepancy does not merit the refusal of the application.

6. Paragraph 7.5, first bullet point of the Panel report should be amended to say 'the north-eastern side wall for plot 1 is not materially different to the originally approved wall. The approved landscaping drawings show that the wall, which to be was approximately 1.8m near the back of the access, was to be elevated on a retaining wall to respond to the variation in site levels between Main Street and the back of the site and the access.
7. The as-built wall is prominent when viewed from Main Street but it is not considered to be unduly harmful when seen against the backdrop of the house at plot 1 and in the context of the Upton House Cottage's roadside position and its high roadside/garden boundary wall.
8. HDC's Transportation officer is satisfied that the vehicle exit onto Main Street is adequate.
9. The concerns about plan discrepancies have been referred to the applicant and any response will be referred to Panel.
10. The steps in the highway are for the County Council as Highway authority to address and are not a planning matter

**Item No. 3(e)**

**Conversion of existing bed and breakfast accommodation to a single dwelling.  
Erection of two dwellings Race Horse, 43 High Street, Catworth**

*Letter from Mr G Marks (applicant) on 15.01.2016 below:*

To whom it may concern:

I am writing to inform the planning department of some of the facts around the running of the Bed and Breakfast at The Racehorse. Taking the bed and breakfast away from the pub will make little difference to the profitability of the pub as it is not a profitable part of the business. The Officer report to the Development Management Panel suggests at paragraph 7.3:-

*"The conversion of the existing B&B would appear to be broadly supported by paragraph 17 of the NPPF (reuse and conversion of existing buildings), but the removal of an employment generating unit which can support leisure and tourism objectives would appear to simultaneously conflict with the stated aim of supporting thriving rural communities."*

The fact is that I could stop doing the B & B tomorrow, and it would make no difference to the profitability of the pub. The B & B does not create any employment addition to the pub itself. It is the pub (now incorporating the village shop) that "supports a thriving local community".

We charge £70 per night B & B for 1 or 2 occupants which is £58.33 net of VAT. The quantifiable costs that come out of this are: -

Laundry £12.50

Breakfast costs £10 for plus there are additional staffing costs to provide food at that hour.

Cleaning £6.50

But there is also the provision of toiletries and consumables such as tea and coffee to consider. If you then add in the rates, water, electricity, oil, wear and tear and renewals plus the additional work on the staff in booking, organisation and management you will see there is little profit to be had. Last year there was 35% occupancy so out of a possible 1825 nights 639 were booked but only 38 of these were by locals.

I am keen to preserve the pub in a condition where it will thrive and will be an asset to the village for many years to come. It is for this reason that I am seeking permission to reinstate buildings at the rear of the site, and convert the B & B, to provide a lump sum that can be used to support the pub and the shop in the future.

I have owned The Racehorse for 21 years and through trial and error have found that it only works when it is run by someone who owns it as it is not profitable enough to sustain paying rent in addition to all the other overheads. I have tried to rent it out on several occasions and none of the tenants have managed to make a success of it.

I strongly believe that by reducing the footprint of the pub it will shrink the overheads and increase the profitability and therefore the chances of someone being able to maintain a successful pub are considerably more likely in the future. This course of action will also open up the affordability to a wider range of potential buyers.

I would add that The Racehorse is a big enough building for there to still be the potential to have some interior bed and breakfast should someone want to convert it in the future.

Yours faithfully,

Gordon Marks

### **Item No. 3(g)**

#### **Proposed detached bungalow, 14 Pound Road, Hemingford Grey**

Comments received from Parish Council on amended plans and additional plans received:

The Parish Council reiterates its recommendation of refusal of this amended planning application. The amendments are not material to the Parish Council's previous comments. Please see attached document

**Item No. 3(h)**

Removal of Condition 3 of Planning Permission 15/00417/FUL, variation of Condition 4 for hours of Cafe opening to be from 7:00 a.m. until 12:00 (midnight), variation of Condition 5 to allow the bar to be open 11:00 a.m. until 12:00 (midnight) Sunday to Thursday and from 11:00 a.m. to 02:00 a.m. Friday and Saturday, variation of Condition 6 to allow music to be played during the times the premises are open and Variation of Condition 7 to allow storage of refuse and recycling within proposed compound to rear of premises - The Masonic Hall, 83 High Street, Huntingdon.

Town/Parish Council comments copied below and all other consultations/representations summarised)

15/01838/S73

Mr A Subhan, Darjeeling Restaurant, 69 High Street, Huntingdon, PE29 3DN

Removal of Condition 3 of Planning Permission 15/00417/FUL, variation of Condition 4 for hours of Café opening to be from 7am until midnight, variation of Condition 5 to allow the bar to be open 11am until midnight Sunday to Thursday and from 11am to 2am

**Recommend REFUSAL. Members felt that the variations would have an adverse affect on neighbouring residents' quality of life, due to the loud music, risk of noise from late night customers, food waste smells, and littering. Particular issues were highlighted concerning the wellbeing of dementia patients in Cromwell Nursing Home, where any loud noise or strangers can cause great distress. Concern was also raised over access for deliveries as this was likely to be through Priory Gardens which would inconvenience Priory Garden residents.**

Please see attached letter from agent (below) outlining:

- Certificate A issue;
- Intentions for venue, including operation and music;
- Applicant's willingness to work with Environmental Health and LPA to achieve positive outcomes

Dear James

**15/01838/S73 - FORMER MASONIC HALL 83 HIGH STREET HUNTINGDON**

I write following the recent publication of the agenda for the Development Management Panel meeting to be held on 18<sup>th</sup> January 2016 and our subsequent telephone call, regarding the above application.

Your report raises a number of points which I wish to make clear prior to the meeting and I am assured that you can clarify these points with members in the addendum to the agenda, which is due to be published on Friday 15<sup>th</sup> January 2016.

I note that observations have been made during the consultation period as to my client's ownership of the premises. I would like to take this opportunity to clarify matters. The premises is currently owned by the Subhan family and is in the named ownership of Mr Subhan's wife. As a family business, Mr Subhan generally takes the lead on the family's business affairs. As Mrs Subhan's spouse, Mr Subhan had not appreciated the finer details of proceedings and acted with sincerity in confirming ownership in accordance with certificate A. Should this pose an issue to the council, my client is happy to amend the application to include both Mr and Mrs Subhan as applicants. It is considered that no party will be disadvantaged by this detail.

I would also like to make clear at this point that that despite rumours to the contrary, Mr Subhan's intention is to create a high quality venue, introducing facilities such as a café, wine bar and function room. Mr Subhan wishes to open a venue which compliments Huntingdon's existing night time offering. My client does not wish to open a vertical drinking establishment or night club but create a comfortable atmosphere where shoppers can stop by for a tea or coffee and a light lunch during the day and people can an enjoy a relaxed drink and more extensive menu on an evening.

In terms of music, Mr Subhan intends to play low background music throughout the opening hours, though occasionally Mr Subhan would like to have live musicians to play, this is envisaged as a pianist or jazz musicians, which complement the ambiance he wishes to create.

The officer recommendation in regard to condition 5 is to amend the hours applied for to 11.00am to 12.00am every day. My client values the advice given by both the Planning and Environmental Health departments and is keen to work with officers to achieve an amicable solution. It is hoped that officers will convey my client's willingness to make such concessions to the committee.

I hope the points clarify any outstanding matters and will allow officers to reaffirm their positive recommendation as set out in the Development Management Panel report.

Yours sincerely

**SIMON TINDLE  
SENIOR PLANNER  
BARFORD + CO**

**Item No. 3(i)**



**Change of use of barns and manege to commercial stud use, alteration to barns to provide stables, provision of new dwelling for stud manager and removal of existing stables, Wornditch Farm, Kimbolton**

An additional plan was submitted 8/1/16 showing the proposed subdivision of the wider site, and the retained curtilage for Wornditch Farm. Comments are awaited from the Conservation Officer, however this can be addressed by condition.

**Representations**

Two further letters of support have been received; one from a farrier who previously worked at the stud business, and one from a local feed supplier based in Catworth – would benefit their rural businesses.

**Clarification:**

The applicant has clarified that the business does not intend to bring home any of the colts that have already been born that are potentially good enough for grading as Licensed Stallions once they are full grown. This includes:

Name:	Born:	Stud Book:
Kara Kyan	June 2013	Trakehner
Leonardo	April 2014	Oldenburg
Quasar	April 2014	Trakehner

...as they are all German breeds and therefore would need to grade in Germany with the appropriate stud book as shown above. The applicant does not want to run the risk of bringing them all the way back to the UK and then having to ship them all the way back to Germany later on, in case they get damaged in transit. It's a 2-3 day journey, and quite stressful for a youngster.

Coming back from Germany will be the following:

Broodmares x 6  
2016 Foals x 4  
2013/14/15 Young Stock x 5  
Total = 16.

In terms of future business with Germany there are a number of clients in the country that it is expected will remain interested in buying stock. Germany will therefore remain a strong export opportunity. However the breeding programme will remain firmly in the UK.

**Item No. 3(j)**

**Erection of a new bungalow, 2 bedroom property. New access and driveway.**

**Land At 289 Oilmills Road Ramsey Mereside**

The officer report at para. 1.6 states that a new access point will be formed from Oilmills Road to serve the proposed bungalow.

At para. 7.14 the officer report is incorrect in stating that the site will be served by an existing access due to a typing error.

To confirm the details as set out in para 1.6 of the report in terms of the access are correct.

Yours sincerely

**Andy Moffat**  
**Head of Development**

## Planning Application 15/01928/FUL

### Proposed dwelling house in the curtilage of 2-6 Thrapston Road, Spaldwick

Spaldwick Parish Council wishes to make the following comments on the case officer's recommendations (in bold type) that the application be refused.

**1. The erection of a dwelling at this site would constitute nonessential development in the open countryside, outside the built up area of Spaldwick.**

It is the opinion of the Parish Council, and we believe that of any reasonable member of the public, that this site is not in open countryside and is more closely associated with the built up area of the village, albeit on its edge. In any event the countryside referred to only extends as far as the adjacent A14 trunk road, hence the description 'open' seems inappropriate.

**2. The proposed dwelling by reason of its siting, scale and massing would create a visually intrusive and harmful form of development which would erode the character and appearance of the Conservation Area, and fail to conserve the settings of the adjacent grade II\* and grade II Listed Buildings.**

The Council is of the opinion, for the following reasons, that the proposal will not adversely affect the character and appearance of the Conservation Area or the adjoining properties. The views of The George and the Manor Farmhouse which comprise the principal setting of these listed buildings are from High Street. Whilst the higher part of the proposed dwelling would be visible through gaps in the High Street frontage it would be barely visible and therefore not visually intrusive.

**3. The site is located in Flood Zones 3 of the Environment Agency Flood Maps. The proposed development is not considered acceptable and would result in inappropriate development in an area of high probability of flood risk contrary to the NPPF which seeks to locate development away from the areas at the highest risk of flooding.**

It should be noted that the Environment Agency' report ended with the words: "Our objection can be overcome by submitting a revised Flood Risk Assessment (FRA) that addresses the issues highlighted above and demonstrates that the proposed development will be safe and will not increase flood risk elsewhere. If this cannot be achieved, we are likely to maintain our objection to this application."

In the event that this were to remain the only reason for refusal it would seem reasonable to offer the applicant the opportunity to submit an acceptable FRA.

The Parish Council requests the Development Management Panel to take these comments into account when determining the application.

F D Stowell  
Clerk to Spaldwick Parish Council  
17 January 2015

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## **Parker-Seale, Debra (Planning)**

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**From:** developmentcontrol@huntsdc.gov.uk  
**Sent:** 12 January 2016 16:10  
**To:** DevelopmentControl  
**Subject:** Comments for Planning Application 15/00185/FUL

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 4:10 PM on 12 Jan 2016 from Mrs Gail Stoehr.

### **Application Summary**

**Address:** 14 Pound Road Hemingford Grey Huntingdon PE28 9EF  
**Proposal:** Proposed detached bungalow  
**Case Officer:** Debra Parker-Seale  
[Click for further information](#)

### **Customer Details**

**Name:** Mrs Gail Stoehr  
**Email:** [parishclerk@hemingfordgrey.org.uk](mailto:parishclerk@hemingfordgrey.org.uk)  
**Address:** 30 West Drive, Highfields Caldecote, Huntingdon, Cambridge CB23 7NY

### **Comments Details**

**Commenter Type:** Town or Parish Council  
**Stance:** Customer objects to the Planning Application  
**Reasons for comment:**  
**Comments:** The Parish Council reiterates its recommendation of refusal of this amended planning application. The amendments are not material to the Parish Council's previous comments.

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