

A meeting of the **DEVELOPMENT CONTROL PANEL** will be held in the **COUNCIL CHAMBER, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN** on **MONDAY, 19TH JANUARY 2009** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

APOLOGIES

1. MINUTES

To approve as a correct record the Minutes of the meeting held on 15th December 2008.

2. MEMBERS' INTERESTS

To receive from Members declarations as to personal and/or prejudicial interests and the nature of those interests in relation to any Agenda Item. Please see Notes 1 and 2 below.

3. NEIGHBOUR NOTIFICATION

To consider a report by the Development Control Manager.

4. ENFORCEMENT ACTION

4.1 Unauthorised occupation of lodges/houseboats/narrowboats/boats/flats as a sole or main residence, Hartford Marina, Banks End, Wyton, Huntingdon

4.2 Summary of enforcement activity for 2008

To consider reports by the Development Control Manager.

5. DEVELOPMENT CONTROL

5.1 Other Applications

- | | |
|-----------------------|---|
| (a) Hemingford Abbots | Retention of use of land for amenity space and occasional/overflow car parking for village hall, land rear of Eastern Western Cottages, High Street |
| (b) Old Weston | Extension to dwelling, Holmeswood, Main Street |
| (c) St Ives | Residential development, St Ives Caravans, Old Ramsey Road |

- (d) Yaxley Retention of 6m high posts and safety netting, Recreation Ground, Daimler Avenue

To consider reports by the Development Control Manager.

5.2 **Section 106 Application - Development of 480 place prison (class 2A), external visitor centre, parking and landscaping, Littlehey Prison, Crow Spinney Lane, Perry**

To consider a report by the Development Control Manager.

5.3 **Applications requiring reference to Development Control Panel**

- (a) Waresley Erection of timber framed shelter, Duncome Arms, Eltisley Road
- (b) Godmanchester Erection of dwelling, land adjacent 15 White Hart Lane

To consider reports by the Development Control Manager.

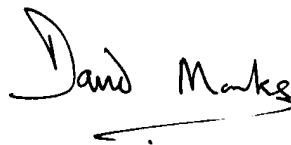
6. APPEAL DECISIONS

To consider a report by the Development Control Manager.

7. LATE REPRESENTATIONS AND INFORMATION

To be viewed on the District Council's website – www.huntsdc.gov on Friday, 16th January 2009.

Dated this 9th day of January 2009



Chief Executive

Notes

1. *A personal interest exists where a decision on a matter would affect to a greater extent than other people in the District –*

- (a) *the well-being, financial position, employment or business of the Councillor, their family or any person with whom they had a close association;*

- (b) *a body employing those persons, any firm in which they are a partner and any company of which they are directors;*
 - (c) *any corporate body in which those persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or*
 - (d) *the Councillor's registerable financial and other interests.*
2. *A personal interest becomes a prejudicial interest where a member of the public (who has knowledge of the circumstances) would reasonably regard the Member's personal interest as being so significant that it is likely to prejudice the Councillor's judgement of the public interest.*

Please contact Ms C Deller, Democratic Services Manager, Tel No. 01480 388007/e-mail: Christine.Deller@huntsdc.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Panel. However, if you wish to speak at the Panel's meeting regarding a particular Agenda Item please contact Jackie Holland, Tel No. 01480 388418 before 4.30 pm on the Friday preceding this meeting.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the District Council's website – www.huntingdonshire.gov.uk (*under Councils and Democracy*).

If you would like a translation of
Agenda/Minutes/Reports or would like a
large text version or an audio version
please contact the Democratic Services Manager and
we will try to accommodate your needs.

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

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Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the DEVELOPMENT CONTROL PANEL held in the Council Chamber, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Monday, 15 December 2008.

PRESENT: Councillor P G Mitchell – Chairman.

Councillors J D Ablewhite, Mrs M Banerjee,
Mrs B E Boddington, P L E Bucknell,
E R Butler, W T Clough, J J Dutton,
C J Stephens, P A Swales, G S E Thorpe,
R G Tuplin, P K Ursell, P R Ward and
R J West.

48. MINUTES

The Minutes of the meeting of the Panel held on 19th November 2008 were approved as a correct record and signed by the Chairman, subject to the deletion of the words “and prejudicial” in the first line of the second paragraph and the words “and he left the Chamber for the duration of the discussion and voting thereon” in the second sentence of Minute No. 43.

49. MEMBERS' INTERESTS

Councillor E R Butler declared a personal and prejudicial interest in Minute No. 50(c) by virtue of his close association with the applicant and he left the Chamber for the duration of the discussion and voting thereon.

Councillor P A Swales declared a personal interest in Minute No. 50(c) having visited the premises as a customer of the existing retail outlet.

Councillor J D Ablewhite declared a personal and prejudicial interest in Minute No. 50(j) by virtue of his close association with the applicant as a supplier to the restaurant business which formed part of the amenities of the caravan and camping park and he left the Chamber for the duration of the discussion and voting thereon.

Councillor P L E Bucknell declared a personal interest in Minute No. 50(j) having been a customer of the restaurant which formed part of the amenities of the caravan and camping park.

Councillor W T Clough declared a personal interest in Minute No. 50(p) by virtue of his membership of Buckden Parish Council.

50. DEVELOPMENT CONTROL

The Development Control Manager submitted reports (copies of which are appended in the Minute Book) on applications for development to be determined by the Panel and advised Members of

further representations (details of which also are appended in the Minute Book) which had been received in connection therewith since the reports had been prepared. Whereupon, it was

RESOLVED

(a) Erection of two dwellings, land adjacent 1 Greenfields, Fenstanton – 08/02158/FUL

(Mr D Shaw, agent, addressed the Panel on the application.)

- (i) that the resolution contained in Minute No. 46(e) relating to application number 08/02158/FUL be rescinded; and
- (ii) that, upon reconsideration, the application be refused for the following reasons –
 - the proposed development would be contrary to policies STR6 and HL9 of the Huntingdonshire Local Plan Alteration, 2002 in that it does not constitute infilling development on a suitable site and to the provisions of policy CS3 of the Huntingdonshire Local Development Framework Submission Core Strategy, 2008 in that it does not constitute residential infilling within the built area of the settlement. Furthermore, the development would result in the loss of an important open area which contributes to the character and appearance of this part of Fenstanton and is thus contrary to the provisions of policy En14 of the Huntingdonshire Local Plan, 1995 and policy G1 of the Submission Core Strategy 2008; and
 - the proposed layout places the new dwellings at right angles to Greenfields which would be out of character with the established pattern of development in the area. The impact of the development would be exacerbated by the proposed finished floor levels. The development would be contrary to policy HL5 of the Huntingdonshire Local Plan Alteration, 2002 and policy B1 of the Huntingdonshire Interim Planning Policy Statement, 2007.

(In accordance with Council Procedure Rule 13.1, a Notice of Motion had been submitted by seven Members of the Council to enable the Panel to rescind the decision made at their meeting held on 17th November 2008 (Minute No. 46(e) refers) in respect of the aforementioned application no. 08/02158/FUL and to enable that application to be reconsidered at this meeting.)

(b) Demolition of existing depot and erection of office and industrial units, 13 Caxton Road, St Ives – 08/02942/FUL

(Councillor N Dibben, St Ives Town Council, addressed the Panel on the application.)

that the application be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 9 of the report now submitted and additionally to request the submission of details of the cycle storage to the local planning authority for approval prior to commencement of the development and to restrict the light industrial and office units to B1 use only.

(c) Use of building for storage of animal feeds for wholesale distribution and/or provision of bulk animal feeds and ancillary retail counter and country store (for the sale of equine goods and goods, other than feedstuffs, related to the keeping of animals and pets), Kings Farm, Milk and Water Drove, Farcet – 07/00317/FUL

(See Minute No. 49 for Members' interests.)

(i) that the Director of Central Services be authorised to enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure the following –

- a limitation on the type of items stored for wholesale distribution to animal feeds (including pet foods) and bedding and on the type of items sold (other than in the country store) to bulk animal feeds (“bulk” defined as being incapable of being conveniently carried by one person for more than a short distance);
- a limitation on the floor area of the country store/retail area to a maximum of 85 square metres and on sales to equine goods and goods other than feed stuff relating to the keeping of animals and pets;
- permission for a retail counter for the sale and display of these goods and an office for the administration of the business (with the counter and office areas totalling no more than 65 square metres); and
- a link to the use of the farm for 30 years in order to secure the long term connection with the farm; and

(ii) that the application be approved, subject to the completion of the Agreement referred to in

resolution (i) above and to conditions to be determined by the Head of Planning Services to include those listed in paragraph 8 of the report now submitted and additionally to seek to achieve a widening to two metres of the access to the site.

(d) Construction of alternative means of access and erection of sixty eight apartments, land south of Sovereign Bus and Coach Company, Stukeley Road, Huntingdon – 08/01016/FUL and 08/02057/FUL

(Messrs A and G Campbell, agents, addressed the Panel on the applications.)

- (i) that application no. 08/01016/FUL be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 10(i) of the report now submitted;
- (ii) that the Director of Central Services be authorised to enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure 37 affordable housing units and an index linked contribution of £150,000 towards open space, education, healthcare and the Huntingdon Market Town Transport Strategy; and
- (iii) that application no. 08/02057/FUL be approved subject to the completion of the Agreement referred to in resolution (ii) and to conditions to be determined by the Head of Planning Services to include those listed in paragraph 10(ii) of the report now submitted.

(e) Change of use of golf conference facilities to general conferencing use and private functions and variation of condition 7 of planning permission 06/04016/FUL to allow the use of the café/bar by patrons and non patrons of the golf centre and golf academy, Hemingford Abbots Golf Centre, Cambridge Road, Hemingford Abbots – 08/02833/FUL and 08/02834/S73

(Mr P Durham, applicant, addressed the Panel on the application.)

that the applications be approved subject to conditions to be determined by the Head of Planning Services to include those set out in paragraph 8 of the report now submitted.

(f) Demolition of existing dwellings and erection of two detached dwellings and garages together with new vehicular access, 22 Manor Road, Hemingford Grey – 08/02672/FUL and 08/02673/CAC

(Councillor Mrs B Smith, Hemingford Grey Parish Council, addressed the Panel on the application.)

that the applications be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 8 of the report now submitted and additionally to clarify that the buildings condition – 05001 includes materials and joinery details.

At 8.35pm, it was

RESOLVED

that the meeting stand adjourned.

Upon resumption at 8.42pm

- (g) Erection of single storey building comprising new ward and day service, Hinchingsbrooke Hospital, Hinchingsbrooke Park Road, Huntingdon – 08/02789/FUL**

that, as the application had been withdrawn at the request of the applicant, no further consideration be given to the proposal.

- (h) Erection of detached chalet bungalow, land at 25 Mill Road, Hartford – 08/02869/FUL**

(Mrs M Hodge, applicant, addressed the Panel on the application.)

that the application be refused for the following reason –

The proposed dwelling would, by virtue of the bulk of the rear two storey projection, cause an overbearing impact when viewed from the first floor bedroom window in the side elevation of 25 Mill Road. This would have a detrimental impact on the residential amenity of the occupier of this property. The proposal is therefore contrary to policy H31 of the Huntingdonshire Local Plan, 1995 and policy B4 of the Huntingdonshire Interim Planning Policy Statement, 2007 and the Huntingdonshire Design Guide, 2007 Part 2.1.1 on neighbourliness.

- (i) Change of use of part of premises to children's crèche and extension to rear and internal alteration, 138 High Street, Huntingdon – 08/02982/FUL and 08/02983/LBC**

that, as the applications had been withdrawn at the request of the applicants, no further consideration be given to the proposals.

- (j) Erection of Manager's Accommodation, Stroud Hill**

Park, Fen Road, Pidley-cum-Fenton – 08/01957/FUL

(See Minute No. 49 for Members' interests.)

(Mr D Newman, applicant, addressed the Panel on the application.)

that the application be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 8 of the report now submitted.

(In accordance with paragraph 14.5 of the Council Procedure Rules, Councillor P L E Bucknell requested that it be recorded that he had abstained from voting on the decision.)

(k) Erection of a pair of semi detached dwellings, land rear of 40 High Street, Ramsey – 08/03022/FUL

(Mr K Hutchinson, agent, addressed the Panel on the application.)

that the application be refused for the following reasons –

- (i) the proposed development would, by reason of the inappropriate proportions (undue span of the gables), staggered layout of the building and details, including the window proportions, lack of chimneys, the prominent parking and bin store location, be incongruous and would detract from the character and appearance of Ramsey Conservation Area and views from High Street and Mews Close. The proposal is therefore considered to be contrary to policies ENV7 of the East of England Plan – Revision to the Regional Spatial Strategy, (May 2008), En5, En6, En9, En25 and H32 of the Huntingdonshire Local Plan 1995, HL5(ii) of the Huntingdonshire Local Plan Alteration and B1 and B8 of the Huntingdonshire Interim Planning Policy Statement, 2007 and section 2.2 of the guidance contained in the Huntingdonshire Design Guide Supplementary Planning Document. Furthermore the likely obstruction of the entrance to house 1 by parked cars would be inconvenient and contrary to policy HL5(v) of the Huntingdonshire Local Plan Alteration and B3 of the Huntingdonshire Interim Planning Policy Statement, 2007; and
- (ii) the proposed building, would, due to its bulk and position detract from the amenities of the occupiers of 4 Mews Close, by reason of overbearing and overshadowing effects. The proposal is therefore considered to be contrary to policies H31 of the Huntingdonshire Local Plan 1995 and B4 of the Huntingdonshire Interim Planning Policy

Statement, 2007.

(l) Retention of use of extensions to dwelling house as a separate dwelling, Annexe, 1 Sandfields Road, St Neots – 08/02785/FUL

that the application be approved.

(m) Conversion of house extension to dwelling, 1 Jubilee Avenue, Warboys – 08/02886/FUL

that the application be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 8 of the report now submitted and additionally to provide for the removal of permitted development rights.

(n) Erection of four detached dwellings, land at 41 Middletons Road, Yaxley – 08/02905/FUL

that the application be refused for the following reasons –

- the proposed development would, due to the incongruous and cramped layout and the incongruous design and elevated position of plots three and four be intrusive and would detract from the street scene, the character and appearance of the area, views out of the Conservation Area and the setting of the listed building at 35a Middletons Road. The proposal is therefore contrary to policies SS1 and ENV7 of the East of England Plan – Revision to the Regional Spatial Strategy (May 2008), H32, H33, En2, En5, En9, En25 of the Huntingdonshire Local Plan 1995, HL5(ii) of the Huntingdonshire Local Plan Alteration, B1, B7, B8 of the Huntingdonshire Interim Planning Policy Statement 2007, CS1 of the Submission Core Strategy 2008, guidance contained in Planning Policy Statement Nos. 1 and 3 and the Huntingdonshire Design Guide Supplementary Planning Document which seeks to achieve high quality development;
- the development would detract from the amenities of the occupiers of the neighbouring properties due to an overbearing impact on 37, 37a and 39 Middletons Road and 12 Marlborough Close due to unacceptable overlooking and loss of privacy and from the amenities of the approved dwelling at the rear of 35a Middletons Road due to overbearing and overshadowing. The proposal is therefore contrary to policies H31 of the Huntingdonshire Local Plan, 1995 and B4 of the Huntingdonshire Interim Planning Policy Statement, 2007;
- the site may contain great crested newts, which are a protected species under the terms of the Wildlife and Countryside Act. The application is not accompanied by a protected species survey and the local planning

authority therefore has inadequate information to ensure that harm to protected species would not occur if the development were to be permitted. The development would be contrary to policies En22 of the Huntingdonshire Local Plan, 1995 and G4 and G7 of the Huntingdonshire Interim Planning Policy Statement, 2007 and Planning Policy Statement No. 9; and

- the proposal is unacceptable in the absence of a scheme of mitigation for the loss of biodiversity interests from the site resulting from the felling of traditional orchard trees. The proposal would be contrary to policies En22 of the Huntingdonshire Local Plan, 1995, G3 of the Huntingdonshire Interim Planning Policy Statement, 2007 and CS10 of the Submission Core Strategy, 2008.

(o) Erection of four dwellings and garages, land at and including 1 to 3 Huntingdon Road, Brampton – 08/03034/FUL

(Mr K Hutchinson, agent, addressed the Panel on the application.)

that the application be refused for the following reasons –

- (i) the proposed dwellings are located outside the environmental limits for Brampton and the west side of the site is outside of the built up area of the village. The proposed dwellings would therefore be sited in the countryside and no information has been advanced to justify the erection of dwellings in the countryside. The dwellings would cause harm by their intrusion into the countryside and would be detrimental to the rural character of the area and the wider landscape. As such the proposal would be contrary to Planning Policy Statement No. 7, policy En17 of the Huntingdonshire Local Plan 1995, policy HL8 of the Huntingdonshire Local Plan Alteration 2002 and G2 and P8 of the Interim Planning Policy Statement, 2007, policy CS3 of the Huntingdonshire Submission Core Strategy, 2008 and the Huntingdonshire Townscape and Landscape Assessment, 2007;
- (ii) the proposed new properties due to their poor design and detailing do not respect the design of the existing properties in the area. The positioning of the proposed new buildings does not reflect the existing pattern of development and the proposal will be detrimental to the visual appearance of the immediate area and the long distance views of the Conservation Area. The proposal does not enhance nor protect the character nor appearance of the Conservation Area and is contrary to policies En5, En6, En9 and En25 of the Huntingdonshire Local Plan, 1995 and B1 and B8 of the Interim Planning

Policy Statement, 2007 and the Huntingdonshire Design Guide, 2007;

- (iii) the manoeuvring of vehicles likely to be generated by the proposed development would have an adverse effect on the safety and free flow of traffic on the adjoining public highway;
- (iv) the proposed development would be detrimental to the amenities of the existing occupiers due to unacceptable levels of noise and disturbance being generated from the additional vehicle movements. The proposal is contrary to policy H31 of the Huntingdonshire Local Plan, 1995 and B4 of the Interim Planning Policy Statement, 2007; and
- (v) the proposal, by virtue of its size and siting, would result in a threat to the continued well-being of existing trees standing within the Brampton Conservation Area. The loss of these trees is considered unacceptable because of the impact upon the general amenity and the character of the area in which the application site is located.

(p) Erection of bungalow, land rear of 17 Lucks Lane, Buckden – 08/01835/FUL

(See Minute No. 49 for Members' interests.)

that the application be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 8 of the report now submitted.

(q) Approval of reserved matters in respect of access, appearance, landscaping, layout and scale for the erection of fifteen dwellings, land at Manor Farm, East Street, Colne – 08/02047/REM

(Mr R Ball, applicant, addressed the Panel on the application.)

that the application be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 8 of the report now submitted and additionally to provide for additional fire hydrants.

51. PROPOSED AMENDMENTS TO THE SCHEME OF DELEGATED POWERS IN RESPECT OF DEVELOPMENT CONTROL

By way of a report by the Development Control Manager (a copy of which is appended in the Minute Book) the Panel was reminded that it had, over several years, regularly reviewed the Scheme of Delegation to sustain performance levels and to seek to manage the business of the Panel as effectively as possible to ensure Members focused on those applications considered to be of major significance or controversial.

Members noted that the use of delegated powers had enabled

Development Control Services to meet Government standards in accordance with national performance indicators and timescales. To continue to meet these challenges and to sustain performance levels, the Panel considered several minor areas which, if delegated, to Officers would make better use of resources but still retain Members' involvement in major applications.

Having regard to the sections of the current Scheme where changes were proposed, Members' attention was drawn, in particular, to the suggestion that the Scheme be extended to authorise Officers to enter into Section 106 Agreements in relation to affordable housing provided the offer was in accordance with adopted policy and followed consultation with the relevant ward Member. Having also been reminded that the Scheme would continue to allow Members to request, in writing to the Head of Planning Services within 21 days of the publication of the weekly list, the submission of an application to the Panel for determination, it was

RESOLVED

that the proposed amendments to the Scheme of Delegation of the Panel as described in paragraph 3 of the report now submitted be approved with immediate effect.

52. APPEAL DECISIONS

The Panel received and noted a report by the Development Control Manager (a copy of which is appended in the Minute Book) in respect of three appeals against refusal of planning permission by the District Council.

The Panel noted that the Inspector's decision in respect of the application at 4-6 Station Road, St Neots was subject to judicial review.

53. DEVELOPMENT CONTROL PROGRESS REPORT: 1ST JULY - 30TH SEPTEMBER 2008

The Panel received and noted a statistical report by the Development Control Manager on the activities of the Development Control Section of the Planning Division over the period of 1st July – 30th September 2008 (a copy of which is appended in the Minute Book).

Members observed that whilst there was a reduction in the number of applications submitted during the quarter in comparison with the same period last year, the quarterly income appeared to have increased. It was explained that the complex nature and size of the applications which currently were being submitted commanded a high level of fees which did not necessarily correspond with the number of applications received.

Chairman

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NEIGHBOUR NOTIFICATION
When, how and who to consult
(Report by Development Control Manager)

1. INTRODUCTION

- 1.1. The purpose of this report is to update the Panel on the practise of neighbour notification and to seek endorsement to the present practice which has evolved through practical experience since July 1992, when the practise of neighbour notification was first established.

2. THE STATUTORY REQUIREMENT

- 2.1. By reason of Article 8 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended) all applications for planning permission are subject to some form of mandatory notification and/or advertising. This can be satisfied by advertisement in a local newspaper; site notice(s) visible to the general public; or by neighbour notification to owners and/or occupiers of adjoining properties by post. Press and site notification is required for major applications, for applications accompanied by an environmental statement and for applications which are departures from the Development Plan as well as those affecting Listed Buildings, Conservation Areas and public rights of way.

- 2.2. "Adjoining owner or occupier" means any owner or occupier of any land adjoining the land to which the application relates.

- 2.3. These "neighbours" may be residential or commercial or institutional with the only qualification being that they should be either owners or occupiers of neighbouring land.

- 2.4. Neighbours are not legally defined but good practice is to follow a definition derived from the Town and Country Planning (General Development Procedure) (Scotland) Order 1992. In this derivation:-

"neighbouring land" means land which is conterminous with or within 4 metres of the boundary of land for which the development is proposed but only if any part of such land is within 90 metres of any part of the development in question. It also, provides that where a road falls within the distance of 4 metres measured from the boundary of the land or the boundary of the unit (as the case may be) for which the development is proposed, the width of such road shall be disregarded in calculating the specified distance unless the road is more than 20 metres in width.

3. HDC'S PRACTICE

Initially Agreed Process

- 3.1 In addition to the legislative requirements, and building upon the good practice of the Scottish Example, this Council adopted a more

stringent procedure which was first established by Planning Committee resolution at its meeting on 27th July 1992.

3.2 In addition to the legislative requirements neighbours were to be consulted upon:-

- receipt of any application for planning permission, the approval of reserved matters, listed building consent, consent for demolition in a conservation area; and
- receipt of an application where objections or reservations were raised to an earlier related application.

Broadly that process was:-

- Neighbour addresses were to be identified from the ordnance survey plotting sheets (now Uniform Spatial mapping system). If addresses were not clear, the case officer was to be advised and the case officer should then have identified additional neighbours at the time of any site visit. The accepted definition of neighbouring land was property that was contiguous with the boundary of the application site including those properties immediately opposite on the other side of the road.
- Where addresses were not obvious from a site visit, a site notice was to be requested prior to the case being handed to the case officer. Such a case could well be within Town centres where a significant degree of flats or multiple occupation may be present.
- As part of the case officers site visit all notifications were to be checked and noted as correct. Any missing notifications were to be sent out within 2 working days of the site visit. Where addresses were not obvious a site notice was to be requested and subsequently displayed. If an adjacent site was being developed or under construction a site notice was to be deployed and, if known, a letter of notification sent to the site owner/occupier.
- Site notices are dated w/e Friday so must be displayed on or before that date normally by the case officer.

3.3 At the time it appeared that four circumstances would arise and the Committee accepted as practice:-

- A) Development proposed within a residential neighbourhood and where neighbours can be clearly identified:-
Neighbour letters are more appropriate.
- B) Development proposed within a residential area but adjoining other neighbouring land:-
Neighbour letters to be supplemented by site notice(s)
- C) Development proposed in a clearly defined commercial area:-
A site notice (with a check for any residential content)

- D) Development proposed in open countryside or outside any defined residential or commercial neighbourhood (where neighbours cannot be identified):-
Site notice(s)

3.4 Upon receipt of amendments to applications neighbours were to be re-notified if the amendment was significant.

Present Process

3.5 The legislative requirements of Article 8 of The Town and Country Planning (General Development Procedure) Order 1995 still remain.

- Knowledge gained from practical experience in operating the notification procedure since 1992 and an internal review in 1998 together with some change in national guidance, has led to a practise which seeks to notify the “owner/occupier” of all neighbouring land, (*that is land or property that is contiguous with the boundary of the application site including those properties immediately opposite on the other side of the road*) by letter, be they residential or commercial and where these cannot be easily identified, supplementing letters by site notice(s) of all planning applications, submission of reserved matters, applications for listed building consent and demolition in a Conservation Area and prior notice applications relating to telecommunications.

3.6 Thus four scenarios arise:-

- A) Development where all neighbours can be clearly identified:-
Neighbour letters are required.
- B) Development where some neighbours can be identified but where there is other contiguous land the owner/occupier of which that cannot be identified:-
Neighbour letter supplemented by site notice(s)
- C) Development where no neighbours can readily be identified:-
Site notice(s)
- D) Previous respondents to an earlier related application.
Notified by letter

3.7 In following these guidelines practical experience has shown that confusion amongst neighbours, particularly in residential neighbourhoods, can occur when those opposite and across the road from the application sites and not in the least bit affected by the proposal, are notified of a development. Such a case would be a proposed extension or conservatory lying rear of existing property. In such circumstances it is present practice not to consult opposite neighbours on proposals that are clearly at the rear and out of sight. Consultation will continue on those developments to the front and side of opposite properties as well as those involving a proposed change of use.

- 3.8 Some developments can have a more immediate effect upon neighbours further away and not contiguous with the application site but by strict interpretation of the procedure these are not necessarily notified. In such a case a wider notification of more than just immediately contiguous proposals can be undertaken at the discretion of the case officer. This would not only include the minor scale of development but also those more major or significant proposals where wider consultation is more appropriate.
- 3.9 The practise of notifying previous respondents to similar applications has continued but varied inasmuch that these are now limited to those applications submitted during the previous three years as a more realistic and achievable circumstance.

4. RECOMMENDATION

- 4.1 Members are asked to endorse the present notification process and to agree to the minor changes set out in paragraphs 3.5 to 3.9 above.

Contact Officer - Geoff Crocker, Development Control Special Projects Officer
Telephone 01480 388499

Background Documents: Town & Country Planning (General Development Procedure) Order 1995

AGENDA ITEM NO.

DEVELOPMENT CONTROL PANEL

19 JANUARY 2009

ENFORCEMENT ACTION

Case Nos: 06/00167/ENURES
07/00146/ENBOC

Description: UNAUTHORISED OCCUPATION OF LODGES/
HOUSEBOATS, NARROWBOATS/BOATS/FLATS AS A
SOLE OR MAIN RESIDENCE

Location(s): HARTFORD MARINA, BANKS END, WYTON, HUNTINGDON
LAND AT HARTFORD MARINA, BANKS END, WYTON,
HUNTINGDON

Owner(s): MR B PERRY

Grid Ref: 526625 272514

1. PURPOSE OF REPORT

- 1.1 This report is to update Members on the actions taken relating to enforcement issues at the Hartford Marina complex following the previous report to the Development Control Panel on 25 February 2008, and to ask Members to further endorse the proposed approach to confirm and address breaches of planning control relating to unauthorised residential occupation.

2. DESCRIPTION OF SITE AND ITS USE

- 2.1 The site is as described in the previous report which is attached for information.

3. PLANNING HISTORY

- 3.1 The planning history was set out in Paragraph 3 of the previous report. Applications received since February 2008 are as follows:

08/02159/CLED

Application for a Certificate of Lawful Use received on 14.7.08 and refused on 5.11.08 for the unrestricted use of boats moored at Hartford Marina

08/002307/FUL

Application for planning permission for use of land for 26 floating lodges for holiday use with associated pontoons, moorings and services received on 30.7.08 but returned incomplete on 23.10.08

08/03389/FUL

Application for planning permission for retention of use of land for 26 floating lodges for holiday use with associated pontoons, moorings and services received on 2.12.08 and under consideration

- 3.2 The relevant planning application relating to the north-east corner was set out in the previous report. One additional application was received during 2008 as follows:

08/01418/S73

Application to remove Condition 8 of planning permission 03/02830 to allow permanent residential occupation was received on 16.5.08 and refused on 28.7.08

4. BREACHES OF PLANNING CONTROL

- 4.1 The five potential breaches of planning control were described in the previous report.

5. SUMMARY OF ACTIONS TAKEN SINCE FEBRUARY 2008

- 5.1 Following the Panel's endorsement of the actions proposed in the previous report, individual files were raised where possible and letters were sent to Mr Perry (owner of the Marina), Maxine Lester (letting agent for the flats) and Mr Francis (owner of the flats) setting out the Council's opinion regarding breaches of planning control, and advising of their liability in case of formal action.
- 5.2 Letters were sent to individual lodge, boat, houseboat, and flat occupiers who had responded to the Planning Contravention Notices issued in November 2007 stating as appropriate the Council's opinion regarding whether or not there was a breach of planning control. Where a breach had been identified, the letter asked for proposals to address it and provided an opportunity for the person to meet the Planning Enforcement Team Leader to discuss the options and likely actions. Very few people accepted this offer of a meeting.
- 5.3 A Planning Contravention Notice was issued to Mr Perry on 11 April 2008 requiring a response by mid May. The information was finally provided by 20 June 2008 following several agreed extensions of time.
- 5.4 The Hartford Marina Community Association was formed in May 2008 to represent affected Marina occupiers. They contacted Cllr Bates and Jonathan Djanogly MP and requested a meeting with representatives of Huntingdonshire District Council. A meeting took place on 11 June 2008 attended by Mr and Mrs Perry and Simon Perry, their agent Mr Corcoran, Ms Weaver from HMCA, HDC Officers and Cllr Bates. At this meeting Mr Corcoran expressed his intention of submitting applications by 9 July 2008. It was agreed that Enforcement Notices would not be issued pending receipt of the applications and whilst they were under consideration. The offer for individuals to meet the Planning Enforcement Team Leader was reiterated.
- 5.5 A further meeting was held on 16 June 2008 between several members of HMCA and Officers from HDC. The Council's position was restated including the agreement not to take any further enforcement action pending the decision on any applications. HMCA agreed to supply details of its members who wished to be presented by HMCA. They subsequently advised that they were seeking legal advice before doing this and no details have been received.

- 5.6 An application to remove the restrictive occupancy condition on one of the flats was submitted on 16 May 2008 and refused on 28 July 2008.
- 5.7 A Certificate of Lawful Use was received on 14 July 2008, followed by an application for planning permission on 30 July 2008. Counsel's advice was obtained and the Certificate was subsequently refused on 5 November 2008 because the application had failed to demonstrate that unrestricted residential use is lawful under planning permission reference J30.64. It is believed that a further application for a Certificate is to be submitted for consideration. The application for planning permission to retain 26 floating lodges was invalid and was eventually returned incomplete on 23 October 2008. A new application was submitted on 2 December 2008 and is under consideration.
- 5.8 In planning terms there has been no change to the lawful position despite the submission of various applications. Whilst rights of appeal may yet be exercised, it is considered that a generous period of time has been allowed for the planning position to be tested and those in breach to consider alternative accommodation and it is now appropriate for formal action to be commenced.

6. RECOMMENDATION

- 6.1 It is recommended that Members endorse the prioritised approach proposed below to further confirm and address breaches of planning control relating to the unauthorised occupation of various lodges / houseboats / narrowboats / boats / flats as a sole or main residence.
- 6.2 Action to be commenced now in respect of all with an occupancy condition (lodges, original pontoon of floating houseboats, and flats) which is being breached. This action will be by way of a Breach of Condition Notice. Legal advice has been sought regarding the flats as tenancies change on a regular basis. It may be necessary to serve new Planning Contravention Notices in several instances.
- 6.3 Await the decision on the current application for the retention of the 26 floating houseboats (those on the two new pontoons to the eastern side of the Marina and one on the original pontoon) and then proceed as appropriate in respect of these houseboats.
- 6.4 Allow until the end of February 2009 for the new application for a Certificate of Lawfulness for a mixed residential/mooring use. If the application is submitted as expected, await the outcome and then proceed as appropriate. If no application is submitted, formal action to be commenced by way of Enforcement Notices.

BACKGROUND PAPERS

Report to the Development Control Panel on 25 February 2008
Enforcement files reference 06/00167/ENURES and 07/00146/ENBOC

CONTACT OFFICER: - Enquiries about this report to Sandy Kinnersley –
Planning Enforcement Team Leader ☎ **01480 388461**

AGENDA ITEM NO.

DEVELOPMENT CONTROL PANEL

19 JANUARY 2009

SUMMARY OF ENFORCEMENT ACTIVITY FOR 2008

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to update Members on enforcement activities carried out during 2008, to report back on the priorities which were identified for 2008, and to outline to the Panel the proposed priorities for 2009.

2. OVERALL SITUATION DURING 2008

- 2.1 2008 was a year of consolidation following a difficult year in 2007 due to staff shortages. The two Enforcement Officers continued to develop into their roles with Richard Siwicki working full-time and Karen Tozer doing 4 days per week. Karen has furthered her enforcement training and has now completed three of the modules towards the Cambridge University Certificate of Continuing Education in Planning Enforcement.
- 2.2 Kerri Millican has settled into the role of Condition Monitoring Officer and has successfully introduced the use of a computer system to hold the records, enabling the information to be retrieved and shared more easily. She has provided demonstrations for a number of other Authorities who are interested in using the same programme, and our process appears to be considerably ahead of the game.
- 2.3 The main change for 2008 was the introduction of the Team Support Officer post. Ilona Lewis joined the team in January 2008 working 15 hours per week. This is a new role funded for two years from the Planning Delivery Grant and has had a significant impact on the work of the Planning Enforcement Team Leader as well as improving customer communications. Ilona's primary functions include recording, acknowledging, and scanning the incoming post (987 items during 2008) and attaching it to the relevant file record; processing general enquiries and responding to them (125 enquiries during 2008); raising new complaint files; and issuing update letters to complainants (113 letters). She has also been able to prepare closed files for scanning as part of the changeover to a paperless office, and generally assist the team as required.
- 2.4 2008 brought a significant increase in live files under action (68%), mainly due to the number of individual sites at Hartford Marina. However this accounted for only 75 cases (approximately 75% of the increased workload) so there has been a natural 25% increase anyway. This heavier workload means a reduced ability to respond on each individual case.
- 2.5 In an attempt to reduce the file holding of the Planning Enforcement Team Leader, the decision was taken to divide the District into two Officer areas instead of three with effect from October 2008. This also impacts on Officer workloads but was considered essential to enable

the Planning Enforcement Team Leader to find a balance between casework and managerial responsibilities.

- 2.6 Hartford Marina was the most significant enforcement issue during 2008, with 75 files raised relating to this site alone and a large number of occupiers who may potentially lose their homes. This has had to be managed with sensitivity whilst nevertheless ensuring that appropriate actions are taken.
- 2.7 There were several positive outcomes achieved during 2008, perhaps the most notable being the removal of an unauthorised extension to a dwellinghouse in Huntingdon achieved following an Enforcement Notice and then prosecutions for non-compliance.

3 REQUESTS FOR SERVICE

- 3.1 The prioritisation system continues to be vital to maintain caseloads at a manageable level. The system relies on only cases which demonstrate a particular level of harm receiving a full investigation, and has now been adopted by a number of Local Planning Authorities following presentations explaining how it works and its benefits.
- 3.2 In terms of workload 381 formal complaints were received during 2008. This was an increase of 37% over 2007, largely due to the Hartford Marina files. All received at least one site visit to enable an assessment to be made to decide what action was appropriate.
- 3.3 In addition there have been a further 125 issues reported which related to advertisement enquiries, searches, matters for other organisations, expired planning permissions, and other potential breaches of planning control. These are allocated a lesser level of service but nevertheless require time to be spent on checks and responses and may on occasion require a site inspection.
- 3.4 Thus the total number of requests for service received during 2008 was 506 which is 75 more than in 2007. However this difference equates exactly to the number of Hartford Marina files raised, meaning that the remaining number of complaints received has remained static.
- 3.5 There have been 419 planning permissions identified for monitoring during the year which represents a 5% increase on the 2006 figure. This comparison has been used because there was no Condition Monitoring Officer in post for 5 months during 2007. This steady increase is being monitored as it is acknowledged that the workload will become unmanageable at some stage and the selection criteria may need to be reviewed. However with the current downturn in the building industry it is anticipated that the number of new developments commencing will be reduced for the immediate future. It is also possible that the introduction of fees for condition discharge from October 2008 may encourage developers to submit their details in one go and reduce the need for follow up.

4 RESPONSE TIMES

- 4.1 Huntingdonshire District Council's Development Control Service Plan sets out timescales for making an initial site visit in response to a

complaint. The measurement is the number of visits made within 10 working days of receipt of the complaint. The target is 100%, but statistics are also collected for visits made within one week and within 24 hours of receipt of the complaint.

4.2 For 2008 the statistics were as follows (with 2007 and 2006 figures in brackets for comparison purposes – 2007 figures first):

- Visits within 10 working days 87% (78%) (87%)
- Visits within one week 66% (50%) (59%)
- Visits within 24 hours 26% (19%) (15%)

4.3 These statistics demonstrate a good improvement on the 2007 performance and reflect the priority that Officers give to new complaints when possible.

5 CLOSURE OF FILES

5.1 285 cases were closed during 2008, approximately 29% more than in 2007. However as 96 more files were opened than closed, this is a concern given the status quo of previous years and is another factor giving rise to the increased number of open files. The number of files more than 2 years old is 43 which is only 16% of the workload, reflecting the continuing focus on bringing older cases to a conclusion. This work will continue during 2009 as it enables actions to be taken more promptly on new cases as they are received which brings quicker resolutions in the long term.

5.2 Of the 285 files which were closed the outcomes were as follows:

- 51% (146 files) No breach found (permitted development, lawful, de minimis, or not development)
- 15% (42 files) Remedied voluntarily following negotiation, or remedied after formal action
- 9% (27 files) Planning permission granted or minor amendment approved following enforcement intervention
- 25% (70 files) Not expedient to pursue further under our adopted prioritisation system

The main change in 2008 was a 14% increase in the number of files closed with no breach found. This is likely to be due to the Planning Enforcement Team Leader no longer vetting all new complaints and sifting out those where an investigation was not required.

5.3 55 planning applications were generated as a direct result of enforcement activity. This represents an increase of 12% over the total for 2007, and continues the trend achieved in previous years.

6 SIGNIFICANT CASES

6.1 The Hartford Marina issues are complex by nature and generate considerable interest and concern from the vast number of people who use and/or occupy the Marina. Progress has necessarily been slow whilst planning applications were processed and to enable those affected to consider their options, but it is expected that formal action will be commenced in the near future.

- 6.2 Another significant challenge has been the activities at Anglo ERI in Eaton Socon. The neighbouring properties experienced noise and odour resulting from a material change of use from B1 (light industrial) to B2 (general industrial). Extensive negotiations with the firm and the residents have resulted in a raft of remedial measures being implemented which have lessened the affects of the activities, and formal action is underway to ensure this trend is completed.
- 6.2 An appeal against an Enforcement Notice requiring the demolition of a dwelling in Ramsey Heights was determined by Public Inquiry. The Notice was varied to remove the need to demolish outbuildings, but upheld with regard to the dwelling. Demolition work began in November 2008 and is due for completion in January 2009.
- 6.3 A new access was provided to serve an industrial site in Tilbrook. It had not been implemented due to a land ownership dispute but the work was finally carried out following the issue of an Enforcement Notice and has satisfactorily addressed serious highway safety concerns.
- 6.4 As outlined in Paragraph 2.6 above, the demolition of an unauthorised extension was achieved following formal action. Whilst it was acceptable that it was not the worst breach of planning control, protracted attempts to secure voluntary compliance had failed and formal action was clearly the only way of achieving the desired outcome. This demonstrates that the Council will follow through its decisions as far as is necessary.

7 2008 PRIORITIES

- 7.1 Seven key objectives were identified for 2008 and the outcomes are summarised below:

7.2 **To significantly reduce the Planning Enforcement Team Leader's file-holding to no more than 20 cases**

This has not been achieved, although measures are in place to reduce the number of files held. The District is now split between the two Enforcement Officers only, meaning that the Planning Enforcement Team Leader no longer receives new files. She has however retained her ongoing formal action cases and all the Hartford Marina files. Whilst this is a live load of almost 100 files it is still a significant reduction and will continue to reduce as these cases are resolved.

7.3 **To induct the new Team Support Officer for the benefit of the team and to assist in providing greater feedback to customers**

The part-time Team Support Office started in January 2008 and has made a noticeable difference to the work of the team by providing the administrative support that was much-needed. Incoming post is now acknowledged and she monitors enforcement cases each month and issues an update letter to the complainant as required under the Case Officer's direction. This has addressed the feedback from our customer survey in 2007 which indicated that complainant's felt they were not kept informed of progress.

7.4 To enhance the use of the computer system to support a paperless regime as part of an ongoing review of best practice

No paper files were raised in 2008 other than where formal action is to be taken and it is necessary to store original documents. All members of the team have adapted well to the increased use of electronic records and with the ongoing back-scanning of closed files retrieval of records will be much easier. Initial problems have been overcome and with increased use of the Document Centre the team will see continued reduction in time-consuming administrative tasks.

7.5 To get the Development Monitoring module up and running to facilitate an effective condition monitoring programme and ease the sharing and retrieval of data

The Development Monitoring module is now fully functional and provides good support to the monitoring process. Work is ongoing to enter past records, and further work is required to add document templates, but the process is operating effectively and producing good results.

7.6 To manage the exceptional resource implications arising from the Hartford Marina investigation to enable actions to be taken promptly and effectively

Administrative support has been provided by the Team Support Officer in raising files and processing paperwork. Meetings have been organised to ensure actions are focussed and agreed by all concerned. Further action has had to be deferred pending the outcome of planning applications, but it is expected that formal action will commence early in 2009 bringing another surge of work. The Council's Solicitor is considering outsourcing the legal work, and good diary management should enable the investigative work to be carried out alongside other tasks with further support from the Team Support Officer.

7.7 To review and further develop the Enforcement Manual incorporating procedure guides

Considerable work has been done to extend and update the Enforcement Manual but the work is not yet completed and needs to continue into 2009. Its content has been widened and now includes support documents for a variety of functions undertaken by all members of the team.

7.8 Publish updated web pages to raise understanding of enforcement issues

The documentation has been written and is now being rationalised to ensure consistency with a leaflet being produced for Parish Councils. It is hoped the new pages will be uploaded early in 2009 following the appropriate training.

8 PRIORITIES FOR 2009

8.1 Seven key objectives have been identified for 2009:

- To facilitate a smooth transition into the new offices without detriment to customer service
- To ensure that individual workloads remain manageable following the transition to only two Officer areas
- To make use of available technology to reduce time spent on administrative tasks such as printing, etc
- To record all condition monitoring records on the computer system, to add document templates, and to implement the process for monitoring occupancy conditions
- To introduce a process of raising awareness internally of successful outcomes
- To complete the updating of the Enforcement Manual and Web pages
- To review and revise as necessary the Planning Enforcement Policy document

9 RECOMMENDATIONS

- 9.1 That the Panel **NOTES** the content of this report and endorses the identified objectives for the Enforcement Service during 2009.

BACKGROUND PAPERS

Huntingdonshire District Council Planning Enforcement Policy

CONTACT OFFICER: - Enquiries about this report to Sandy Kinnersley – Planning Enforcement Team Leader ☎ **01480 388461**

AGENDA ITEM NO.

DEVELOPMENT CONTROL PANEL

19 JAN 09

OTHER APPLICATIONS
(Reports by Development Control Manager)

Case No: 0802995FUL (FULL PLANNING APPLICATION)

Proposal: RETENTION OF USE OF LAND FOR AMENITY SPACE AND OCCASIONAL/OVERFLOW CAR PARKING FOR VILLAGE HALL

Location: LAND REAR OF EASTERN WESTERN COTTAGES HIGH STREET

Applicant: HEMINGFORD ABBOTS VILLAGE HALL

Grid Ref: 528251 271014

Date of Registration: 13.10.2008

Parish: HEMINGFORD ABBOTS

RECOMMENDATION - REFUSAL

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This site is located in the centre of the village, to the side and rear of the village hall. It is an undeveloped piece of land, devoid of features apart from two trees towards the rear of the site. The boundaries are defined by a mix of 1.8m close boarded fence, and hedges. The access from High Street is 3m wide and 26m long. Apart from the village hall, the area is largely residential in land use, although there is a public house on the opposite side of the road.
- 1.2 The proposal is to provide additional amenity space for the village hall on the rear half of the site and additional overflow car parking on the front part, immediately behind Eastern and Western Cottages. The plans show 10 car parking spaces.
- 1.3 The site is within the built-up area of the village. It is also in the Conservation Area and the land is liable to flood.

2. NATIONAL GUIDANCE

- 2.1 **PPS1 – Delivering Sustainable Development (2005)** contains advice on the operation of the plan-led system.
- 2.2 **PPG13 Transport (2001)** provides guidance in relation to transport and particularly the integration of planning and transport.
- 2.3 **PPG15 – ‘Planning and the Historic Environment’ (1994)** sets out Government policies for the identification and protection of historic buildings, conservation areas and other elements of the historic

environment. It explains the role played by the planning system in their protection.

- 2.4 **PPS25 – Development and Flood Risk (2006)** sets out Government policy on development and flood risk. Its aims are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall.

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. PLANNING POLICIES

Further information on the role of planning policies in deciding planning applications can also be found at the following website: <http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live

- 3.1 East of England Plan - Revision to the Regional Spatial Strategy (May 2008) Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents

- **ENV7** – Quality in the Built Environment – requires new development to be of a high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration

- 3.2 Cambridgeshire and Peterborough Structure Plan (2003) Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003.

- None relevant

- 3.3 Huntingdonshire Local Plan (1995) Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95

- **En5:** “Conservation area character” - development within or directly affecting Conservation Areas will be required to preserve or enhance their character or appearance.
- **En18:** “Protection for countryside features” – offers protection for important site features including trees, woodlands, hedges and meadows.
- **CS8:** “Water” – satisfactory arrangements for the availability of water supply, sewerage and sewage disposal facilities, surface water run-off facilities and provision for land drainage will be required.

3.4 Huntingdonshire Local Plan Alterations (2002) Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002)

- None relevant.

3.5 Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Informal policy statements where there is a link to Interim Planning Policy Statement 2007.

- **B4** – Amenity – developments should not have an unacceptable impact on the amenity of existing and future occupiers.
- **B8** – Conservation Areas – states the criteria against which developments within or affecting a conservation area should be assessed.
- **G3** - Trees, Hedgerows and other environmental features – development proposals should minimise the risk of harm to trees, hedgerows or other environmental features of visual, historic or nature conservation value.
- **T1** – Transport Impacts – development proposals should be capable of being served by safe convenient access to the transport network and should not give rise to traffic volumes that exceed the capacity of the local transport network.
- **T2** – Car and Cycle Parking – development proposals should limit car parking and provide cycle parking facilities to the levels set out in the Council’s parking standards.
- **P10** – Flood Risk – development should: not take place in areas at risk from flooding, unless suitable mitigation/flood protection measures are agreed; not increase the risk of flooding to properties elsewhere; make use of sustainable drainage systems where feasible; be informed by a flood risk assessment where appropriate.

3.6 Policies from the Huntingdonshire Local Development Framework Submission Core Strategy 2008 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning and then click on Planning Policy where there is a link to the Local Development Framework Core Strategy.

- **CS1**: “Sustainable development in Huntingdonshire” – all development will contribute to the pursuit of sustainable development, having regard to social, environmental and economic issues. All aspects will be considered, including design, implementation and function of development.

3.7 The Hemingfords Conservation Area Character Statement is a material consideration.

4. PLANNING HISTORY

- 4.1 0402564FUL. Erection of two bungalows. Refused 23rd December 2004
- 4.2 0702345FUL. Erection of dwelling. Refused 8th October 2007. Appeal dismissed.

5. CONSULTATIONS

- 5.1 **Hemingford Abbots Parish Council** – Have not made a recommendation by reason of an interest in the applicant's acquisition of the land.
- 5.2 HDC Transportation – NO OBJECTION subject to improvements to the width, sightlines and surfacing of the access.

6. REPRESENTATIONS

- 6.1 Neighbours – Three neighbours have replied. The following issues have been raised:-
1. The use has already commenced without the benefit of planning permission
 2. The use of the land for parking has resulted in a loss of amenity to adjoining properties because of increased noise and disturbance.
 3. The proposal will have an adverse impact on the character of the Conservation Area and the parked cars will look unsightly. The use of the site will adversely affect the linear pattern of development in the area.
 4. Cars using the access road have parked across the private accesses to two adjacent cottages. These cottages have the right to use of this access road.
 5. The use of the access has resulted in increased hazards to existing road users. This is a busy stretch of road with a considerable amount of turning and slowing traffic, and any increase in the use of the access will exacerbate the situation.
 6. The use of the car park at night could increase crime or the perception of crime.
 7. It is not possible to define 'occasional parking'. If granted planning permission, the land could be used for all events, and on a daily basis.
 8. The sight of cars on the land could lead to the land being assumed to be car park for the village as a whole.
 9. The proposal will have an adverse impact on property values.
 10. The proposal will increase maintenance costs for the adjoining land owners.
 11. The width of the access is insufficient to be used as a commercial car access.
 12. The availability of parking could increase bookings for the hall, thereby increasing the adverse effects referred to above.
 13. The proposal is tandem development.
 14. The precise use of the amenity space is unclear.

7. SUMMARY OF ISSUES

- 7.1 The main issues in this case are the impact of the use on the amenities of the adjoining residents; the impact of the development

on the character and appearance of the Conservation Area; the implications of the increased use of the access on traffic using the High Street and flooding.

Residential amenity

- 7.2 The main concern about residential amenity relates to the car parking which is described in the application as 'occasional/overflow' parking for larger functions. The plans show 10 marked spaces but they and the application forms indicate that the whole site could be used for parking and that between 10 and 20 cars could be accommodated. The application is retrospective, the site has already been acquired by the Village Hall and it is being used for parking.
- 7.3 It is not considered possible to have a workable/enforceable definition of 'occasional' use for parking. Whilst the use of the site could theoretically be limited by conditions controlling the maximum number of cars or the hours of use, the proposal has to be considered on the basis that the car park could be in use as frequently as the hall itself. The hall's licensed opening hours are 8am to midnight seven days a week. The hall is a replacement building granted planning permission in 2000 with a small on-site parking area for about 4 vehicles. Given the close proximity of the parking areas and the access to neighbouring residential properties some noise disturbance is inevitable. The use has started and the indications are that it is causing a loss of residential amenity for these reasons as well as concerns about security. It is not considered that the loss of amenity can be satisfactorily mitigated by screening or other measures and therefore the application is contrary to policy B4 of the Interim Policy Statement.

The effect on the Conservation Area

- 7.4 The character of this part of the Conservation Area is open land punctuated by trees. This open land sits behind the frontage development along the High Street and there are glimpsed views into it between frontage buildings which contribute to the appearance of the Conservation Area.
- 7.5 The use of the land as amenity space will not be detrimental to the character or appearance of the Conservation Area. The same cannot be said of the car parking which will alter both character and appearance. The area proposed for car parking is at the front of the main part of the site, clearly visible from High Street. It is considered that car parking in the locations shown on the plans, without blocks of landscaping for screening and enhancement, would adversely affect the appearance of the area. The impact of the current scheme on the character of the Conservation Area is also adverse but this has to be weighed against the likely improvement from a reduction in on-street car parking which clutters the street. On balance, it is considered that the proposal as submitted is detrimental to the character and appearance of the Conservation Area and therefore contrary to policies En5 of the Local Plan and B8 of the Interim Policy Statement.

Parking and access

- 7.6 The village hall has only limited parking within its curtilage and this is reserved for disabled persons. All other users have to park on the road, causing some congestion and hazards for road users as well as inconvenience for local residents. The provision of the proposed spaces is welcomed from a highway aspect, and will help to relieve congestion in the area. The width of the access is substandard, and visibility at its junction with the High Street is poor. The situation could be improved to a degree whereby it would be acceptable in highway terms by widening part of the access (into a landscaped area in front of the village hall), and by building the footway out into the highway to prevent cars parking close to the junction. This will improve the visibility for vehicles leaving the site. These requirements could be secured by condition and the proposal would comply with policies T1 and T2 of the Interim Policy Statement.

Flooding

- 7.7 The Flood Risk Assessment indicates that the levels across this site are very similar to those of the adjoining village hall, for which planning permission has already been granted. The proposal does not include any built development, and is for the change of use of the land. Subject to the flow of surface water from the site being attenuated the development would comply with policies CS8 of the Local Plan and P10 of the Interim Policy Statement.

Conclusions

- 7.8 The development will have an adverse impact on the amenities of neighbouring residential properties and the proposed location and layout of the car parking spaces will have an adverse effect on the character and appearance of the Conservation Area and be contrary to the policies identified above. The highway benefits of providing off street parking for users of the hall do not outweigh these adverse impacts.
- 7.9 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should not be granted in this instance.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

8. RECOMMENDATION – REFUSE, for the following reasons:

- 8.1 The proposal would be unacceptably detrimental to the amenities of the occupiers of Eastern and Western Cottages by virtue of the close proximity of the site access and the car parking area to these properties and the noise and disturbance which will be caused to them at unsocial hours. The proposal would be contrary to policy B4 of the Huntingdonshire Interim Planning Policy Statement 2007.
- 8.2 The proposed car parking would, by virtue of its layout and location within the site and lack of landscaping, have an adverse effect on the

character and appearance of the Hemingford Abbots Conservation Area, contrary to policies En5 of the Huntingdonshire Local Plan 1995 and B8 of the Huntingdonshire Interim Planning Policy Statement 2007.

BACKGROUND PAPERS:

Cambridgeshire and Peterborough Structure Plan 2003

Huntingdonshire Local Plan 1995

Huntingdonshire Local Plan Alterations 2002

Huntingdonshire Interim Planning Policy Statement 2007

Policies from the Huntingdonshire Local Development Framework Submission

Core Strategy 2008

The Hemingford's Conservation Area Character Statement

CONTACT OFFICER:

Enquiries about this report to **David Hincks Development Control Officer**
01480 388406

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Case No: 0803175FUL (FULL PLANNING APPLICATION)

Proposal: EXTENSION TO DWELLING

Location: HOLMESWOOD MAIN STREET

Applicant: DR R JAMES AND MR S BELL

Grid Ref: 510180 277761

Date of Registration: 06.11.2008

Parish: OLD WESTON

RECOMMENDATION - APPROVE

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This application is presented to panel as one of the applicants is a member of staff involved in the planning process.
- 1.2 The application site relates to a substantial detached dwelling located within the built up area of Old Weston. Access is gained from the west of the site off Main Street. To the front of the dwellinghouse is a large double garage. The existing front boundary to Holmeswood is formed by a mix of hedging and the boundaries to the rear are formed by fencing on all sides. Opposite the site is Marshall Cottage which is grade II listed. Work has begun on the two new dwellings permitted on the site to the south.
- 1.3 The application seeks the erection of a single storey extension to the first floor at front of the dwellinghouse to provide an additional bedroom and en-suite. The proposals comprise two adjoining blocks. The largest part measures approximately 3.7 metres deep, 4 metres wide, 7 metres to the ridgeline and 5.2 metres to the eaves. The smaller part measures approximately 1.5 metres deep, 2.3 metres wide and 3 metres to the ridgeline. The measurement to the eaves is the same as the larger extension. Three windows are proposed to be inserted, one on the northern elevation and two on the eastern elevation.

2. NATIONAL GUIDANCE

- 2.1 **PPS1: "Delivering Sustainable Development" (2005)** contains advice on the operation of the plan-led system.

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. PLANNING POLICIES

Further information on the role of planning policies in deciding planning applications can also be found at the following website: <http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live

3.1 East of England Plan - Revision to the Regional Spatial Strategy (May 2008)

East of England Plan - Revision to the Regional Spatial Strategy (May 2008) Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents

- **ENV7** - requires new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

3.2 Cambridgeshire and Peterborough Structure Plan (2003)

Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003.

No specific policies from the Cambridgeshire and Peterborough Structure Plan (2003) are relevant to this application.

3.3 Huntingdonshire Local Plan (1995)

Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95

- **Policy En2** - Indicates that any development involving or affecting a building of architectural or historic merit will need to have proper regard to the scale, form, design and setting of that building
- **Policy En25** - New development will respect the scale, form, materials and design of established buildings within the locality.
- **Policy H34** - Development should have regard to the amenity and privacy of adjoining neighbours.

3.4 Huntingdonshire Local Plan Alterations (2002)

Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002)

No specific policies from the Huntingdonshire Local Plan Alteration (2002) are relevant to this application.

3.5 **Huntingdonshire Local Development Framework Submission Core Strategy (2008)**

Huntingdonshire Local Development Framework Submission Core Strategy (2008) are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Core Strategy where there is a link to the Submission Core Strategy

No specific policies from the Huntingdonshire Local Development Framework Submission Core Strategy (2008) are relevant to this application.

3.6 **Huntingdonshire Interim Planning Policy Statement 2007**

Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Informal policy statements where there is a link to Interim Planning Policy Statement 2007

- **Policy B1** - Development should demonstrate a high quality of design.
- **Policy B4** - States development should not have an unacceptable impact upon amenity in terms of:
 - Access to daylight and sunlight
 - Privacy
 - Noise and disturbance
 - The resultant physical relationships would be oppressive or overbearing.
- **Policy B7** - lists the criteria against which development proposal affecting the fabric or setting of a listed building should be assessed

3.7 **Huntingdonshire Design Guide (2007) chapter 2, section 2.1**

4. **PLANNING HISTORY**

4.1 **0700477FUL** – Extension to dwelling (single storey) – permission granted

4.2 **0601237FUL** – Extension to dwelling (two storey) - permission granted

5. **CONSULTATIONS**

No comments received within the consultation period

6. **REPRESENTATIONS**

No comments received within the consultation period.

7. SUMMARY OF ISSUES

- 7.1 The main issues to consider are the design of the proposal, impact on the character and appearance of the area and on the residential amenity of surrounding properties.

Design

- 7.2 The extension would take the existing first floor area from approximately 79sqm to 96sqm representing a percentage increase of approximately 21.5%. The house has been much extended and it is considered that this latest addition is of an appropriate scale to the original dwelling.
- 7.3 The Design Guide seeks to avoid extensions to the front of a dwelling where a consistent building line and built form exists already. In this instance it is considered acceptable due to the existence of the front garage and as the extension does not disrupt the cohesion of street façade or the line of the street. Furthermore, although a little complicated the proposals fundamentally conform to the Design Guide as the roof pitch mirrors that of the host dwelling.

Character and appearance of the area

- 7.4 The dwellinghouse has already been extended with the addition of a single storey extension on the southern elevation. There are also examples of extensions in the locality. Furthermore, the proposed materials are sympathetic to the character of the area. It is therefore considered that the extension will not harm the character and appearance of the area.
- 7.5 HDC Conservation was consulted as the application site lies opposite a grade II listed building. There are no objections to the proposal as there is sufficient distance between the application site and the listed building for the extension not to detrimentally impact upon the setting of the listed building.

Residential amenity

- 7.6 The proposed extension is approximately 10 metres away from the nearest neighbours to the north at Top End. Given the distance and the presence of boundary treatments it is considered that the proposal would not have an overbearing impact on the neighbouring property.
- 7.7 It is proposed to insert a small window, measuring approximately 0.6 metres wide and 1 metre high on the northern elevation. This would overlook Top End however the applicant has confirmed that the window will be obscurely glazed. As such it is not considered that there will be a detrimental impact caused to neighbouring privacy as a result of overlooking. A condition can be attached.
- 7.8 The proposed extension is located to the front of the dwelling and as such there will be no undue impact on neighbouring amenity caused by overshadowing or loss of light.

Conclusion

- 7.9 Having regard to applicable National and Local Planning Policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

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8. **RECOMMENDATION – APPROVE**, subject to conditions to include the following:

02003	Time Limit (3yrs)
05003	Extension to match
13007	Permitted Development (Windows)
Nonstand	Window obscure glazing

BACKGROUND PAPERS:

Planning Application File Reference: 0803175FUL
East of England Plan – Revision to the Regional Spatial Strategy May 2008
Cambridgeshire and Peterborough Structure Plan, 2003
Huntingdonshire Local Plan, 1995
Huntingdonshire Local Plan Alteration, 2002
Huntingdonshire Local Development Framework Submission Core Strategy 2008
Huntingdonshire Interim Planning Policy Statement 2007
Huntingdonshire Design Guide, 2007

CONTACT OFFICER:

Enquiries about this report to **Ms Lisa Palmer Assistant Planning Officer**
01480 388431

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Case No: 0802417OUT (OUTLINE APPLICATION)

Proposal: RESIDENTIAL DEVELOPMENT

Location: ST IVES CARAVANS OLD RAMSEY ROAD

Applicant: ST IVES CARAVANS

Grid Ref: 530387 273638

Date of Registration: 16.10.2008

Parish: ST IVES

RECOMMENDATION - REFUSAL

1. DESCRIPTION OF SITE AND APPLICATION

1.1 The site has an area of 0.47 hectares and is located on the western side of Old Ramsey Road, 250m north of the junction with Hill Rise and Marley Road. It is currently the base for a caravan sales and repair business which operates from a range of portacabins and a small workshop. Caravans are displayed for sale on part of the open land. The application is in outline with all matters reserved and is for 9 dwellings of 1 or 1½ storeys. The site is surrounded by trees and hedges.

2. NATIONAL GUIDANCE

2.1 **PPS1: “Delivering Sustainable Development” (2005)** contains advice on the operation of the plan-led system.

2.2 **Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 (2007)** sets out how planning, in providing for the new homes, jobs and infrastructure needed by communities, should help shape places with lower carbon emissions and resilient to the climate change now accepted as inevitable.

2.3 **PPS3: “Housing” (2006)** sets out how the planning system supports the growth in housing completions needed in England.

2.4 **PPS7: “Sustainable Development in Rural Areas” (2004)** sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas.

2.5 **PPG13: “Transport” (2001)** provides guidance in relation to transport and particularly the integration of planning and transport.

2.6 **PPG16: “Archaeology and Planning” (1990)** sets out the Secretary of State's policy on archaeological remains on land, and how they

should be preserved or recorded both in an urban setting and in the countryside.

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. PLANNING POLICIES

Further information on the role of planning policies in deciding planning applications can also be found at the following website: <http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live

3.1 Cambridgeshire and Peterborough Structure Plan (2003) Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003.

- None relevant

3.2 East of England Plan - Revision to the Regional Spatial Strategy (May 2008) Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents

- **ENV7:** “Quality in the Built Environment” - requires new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

3.3 Huntingdonshire Local Plan (1995) Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95

- **H23:** “Outside Settlements” – general presumption against housing development outside environmental limits with the exception of specific dwellings required for the efficient management of agriculture, forestry and horticulture.
- **En12:** “Archaeological Implications” – permission on sites of archaeological interest may be conditional on the implementation of a scheme of archaeological recording prior to development commencing.
- **En17:** “Development in the Countryside” - development in the countryside is restricted to that which is essential to the effective operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services.
- **En18:** “Protection of countryside features” – Offers protection for important site features including trees, woodlands, hedges and meadowland.

- **En25:** "General Design Criteria" - indicates that the District Council will expect new development to respect the scale, form, materials and design of established buildings in the locality and make adequate provision for landscaping and amenity areas.

3.4 Huntingdonshire Local Plan Alterations (2002) Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002)

- **HL2** – “Allocated Sites” – allocates housing sites in and around the Market Towns.
- **HL5** – Quality and Density of Development - sets out the criteria to take into account in assessing whether a proposal represents a good design and layout.
- **HL6** – Housing Density - indicates that housing development shall be at a density of 30-50 dwellings per hectare.
- **HL7** – “Reusing Brownfield Land and Buildings” - indicates that the District Council will seek to maximise the re-use of previously developed land.
- **OB1** – “Nature and Scale of Obligations” – will relate to the size of development and the impact on physical infrastructure, social and community facilities and services.

3.5 Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Informal policy statements where there is a link to Interim Planning Policy Statement 2007

- **P8** – “Development in the Countryside” – Outside the defined limits of the Market Towns development will be restricted to: that which is essential to the efficient operation of agriculture, horticulture or forestry, or required for the purposes of outdoor recreation; the alteration, replacement or change of use of existing buildings in accordance with other policies; limited and specific forms of housing, business and tourism development, as provided for within the Local Development Framework; or land allocated for particular purposes.
- **H2** – Housing Density - lists the minimum density standards housing developments should achieve. Within or adjacent to key centres: 35-55 dwellings per hectare.
- **B1** – Design Quality - developments should demonstrate a high quality of design in terms of layout, form and contribution to the character of the area.
- **B9** – “Sites of Archaeological Interest” – a proposal that could affect a site or area of archaeological interest should; be accompanied by a suitable assessment of the nature and significance of any remains; not cause harm to remains or their

setting which are recognised or identified as being of national importance and allow for their preservation in situ; or make satisfactory arrangements for the physical preservation recording or removal of other remains, as appropriate.

- **T1** – “Transport Impacts” - development proposals should be capable of being served by safe convenient access to the transport network and should not give rise to traffic volumes that exceed the capacity of the local transport network.
- **G2** – “Landscape Character” - development proposals should respect and respond appropriately to the distinctive qualities of the surrounding landscape.
- **G3** – “Trees, hedgerows and other Environmental Features” - development proposals should minimise risk of harm to trees, hedgerows or other environmental features of visual, historic or nature conservation value.

3.6 Policies from the Huntingdonshire Local Development Framework Submission Core Strategy 2008 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning and then click on Planning Policy where there is a link to the Local Development Framework Core Strategy.

- **CS2**: “Strategic Housing Development” – during the period 2001 – 2026, a total of at least 14,000 homes will be provided in the District, including 500 homes in the St Ives Spatial Planning Area. Of these, at least 100 homes will be on previously developed land and about 400 on greenfield land. The general locations that have been selected for development are in a significant greenfield development to the west of the town and in the redevelopment of previously developed land within the built up area of the town.
- **CS3**: “The Settlement Hierarchy” – states that any areas not specifically identified are classed as part of the countryside, where development will be strictly limited to that which has essential need to be located in the countryside.
- **CS10**: “Contributions to Infrastructure Requirements” – proposals will be expected to provide or contribute towards the cost of providing infrastructure and of meeting social and environmental requirements, where these are necessary to make the development acceptable in planning terms.

3.7 The Huntingdonshire Landscape and Townscape Assessment 2007 is also relevant.

3.8 The St Ives Market Town Transport Strategy is also relevant.

4. PLANNING HISTORY

4.1 9100900FUL Retrospective planning permission for ‘retention of use of land for caravan sales, stationing of portacabins for office and storage use and retention of workshop. Personal planning permission 1991.

4.2 0702871OUT Residential development. Withdrawn.

5. CONSULTATIONS

5.1 **St Ives Town Council – OBJECTION** (copy attached) Proposed development is outside the development boundary of the town and therefore considered to be inappropriate.

5.2 **Cambridgeshire County Council (Highways) – NO OBJECTION** subject to:

- (i) the imposition of conditions including the provision of a footway and street lighting to Hill Rise/Marley Road;
- (ii) a contribution to the Market Towns Transport Strategy.

5.3 **Cambridgeshire County Council (Archaeology)** – The site is in an area of high archaeological potential where Roman settlement is suggested by local finds and there is a Roman cemetery to the north. Prehistoric activity is also apparent in the vicinity. It is considered likely that important archaeological remains survive on site and that these would be severely damaged or destroyed by development. The site should be the subject of archaeological investigation before any development commences secured through a condition.

5.4 **Cambridgeshire County Council (Education)** – There is capacity in the local schools. No education contribution is therefore sought.

6. REPRESENTATIONS

6.1 None received

7. SUMMARY OF ISSUES

7.1 The main issues are: the principle of development; access; archaeology; infrastructure requirements and the form and scale of the development.

Principle of the development

7.2 The site is in the countryside beyond the clearly defined northern edge of St Ives and it is not in an area allocated for residential development in policy HL2 of the Local Plan Alteration, which rolled forward the original Local Plan's housing strategy. Its development is therefore contrary to the continuing Local Plan policies controlling housing development in the countryside, policies En17 and H23. It is also outside the built-up area of St Ives as defined in paragraph 5.15 and contrary to policy CS3 of the Submission Core Strategy 2008. In respect of all these plans the site is in an area where new housing development is restricted to that which is essential to the efficient operation of agriculture, horticulture or forestry or required for the purposes of outdoor recreation. These exceptions do not apply in this case.

7.3 The application could potentially be considered to raise policy issues regarding the options for future growth of St Ives. Whilst suitable land in sustainable locations in and around the market towns is the priority for housing allocations, policy CS2 of the Submission Core Strategy 2008 identifies a significant greenfield development to the west of the

town and the redevelopment of previously developed land within the built up area as the appropriate strategic locations for development at St Ives. This proposal is not supported by policy CS2.

- 7.4 In determining this application it is necessary to consider whether the site's status as previously developed land would override the policy objections that have been identified above. Previously developed land (brownfield land) is defined in Annex B to PPS3 as land 'which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.' There are further qualifications but it is accepted that this site is previously developed land. PPS3 states that the priority for housing development should be 'previously developed land', in particular vacant and derelict sites and buildings. However, the definition states there is no presumption that previously developed land is necessarily suitable for housing development or that the whole of the curtilage should be developed.
- 7.5 PPS7 states that new building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled. The Government's overall aim is to protect the countryside for the sake of its intrinsic character and to prevent urban sprawl. It also states that priority should be given to the re-use of previously-developed, brownfield sites in preference to the development of greenfield sites, except in cases where there are no brownfield sites available, or these brownfield sites perform so poorly in terms of sustainability considerations (for example, in their remoteness from settlements and services) in comparison with greenfield sites. This site is detached from the built-up area, it is predominantly open and its development with permanent dwellings would detract from the intrinsically open character and appearance of the countryside. It is also physically separated from the existing built up area by 250m and is some distance from community facilities and other services. Its status as previously developed land does not warrant overriding the normal policy objections to new housing in the countryside.

Access

- 7.6 The number of traffic movements likely to be generated by the development is considered to be broadly compatible with the existing use although the nature of the traffic will be different. It is considered that the carriageway is adequate to serve the development. There is no footway or lighting and their absence means that the use of sustainable non-motorised modes of travel (walking and cycling) will be disadvantaged. There is an objection in principle to residential development in this location but, if it were to be permitted, it is considered essential to provide a footway and lighting on one side of the existing carriageway. This could be secured through a Grampian condition. With the provision of lighting and a footway and subject to the imposition of conditions relating to the detail of the development the proposal is capable of complying with Policy T1 of the Interim Policy Statement.

Archaeology

- 7.7 There is a likelihood of there being archaeological remains but no evidence that they would be of sufficient significance to preclude development. PPG16 advises that in these circumstances it is open to planning authorities to secure the provision of archaeological investigation and recording through a negative condition. With this condition the proposal is capable of complying with policy En12 of the Huntingdonshire Local Plan and Policy B9 of the Huntingdonshire Interim Planning Policy Statement.

Infrastructure requirements

- 7.8 The proposal for 9 dwellings requires a contribution towards the St Ives Market Town Transport Strategy which provides a programme of integrated transport initiatives to deliver a range of sustainable transport objectives. This can be secured through a planning obligation but in the absence of such an obligation the application would be contrary to policies OB1 of the Huntingdonshire Local Plan Alteration and CS10 of the Submission Core Strategy.

Form and Scale of the development

- 7.9 The layout submitted with the application shows that the site can physically accommodate 9 dwellings but even this low density results in an urban form of development that would be incongruous in this rural location and the removal of trees. The proposal equates to a density of 19 dwellings per hectare (dpha), which is below the range of 30-50dpha specified in policy HL6 of the Alteration. Policy H2 of the Interim Planning Policy Statement requires a minimum net density of 30dpha or the maximum density consistent with the character of the area. Given the unsuitable location of the site and the need for significant landscaping to act as a screen, the density should not be increased. It merely emphasises the unsuitability of this site for housing development. The development would be contrary to policies ENV7 of the East of England Plan; En18 and En25 of the Huntingdonshire Local Plan; HL5 of the Huntingdonshire Local Plan Alteration and B1, G2 and G3 of the Huntingdonshire Interim Planning Policy Statement.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

8. RECOMMENDATION – REFUSE, for the following reasons:

- 8.1 The site is in open countryside beyond the built-up area of St Ives where new residential development is restricted to that which has a requirement to be in a rural area. No such justification exists in this case and the development would be detrimental to the open character of the countryside and unsustainable. The proposal is contrary to policies H23 and En17 of the Huntingdonshire Local Plan 1995; HL2 of the Huntingdonshire Local Plan Alteration 2002; and CS2 and CS3 of the Submission Core Strategy 2008.
- 8.2 The site is in the open countryside and its development for housing in the urban manner proposed would be detrimental to the character and appearance of the countryside and would result in unacceptable loss of trees. The proposal is contrary to policies ENV7 of the East of

England Plan 2008; En18 and En25 of the Huntingdonshire Local Plan 1995; HL5 of the Huntingdonshire Local Plan Alteration 2002 and B1, G2 and G3 of the Huntingdonshire Interim Planning Policy Statement.

- 8.3 In the absence of a planning obligation securing a contribution to the St Ives Market Town Transport Strategy the development would be contrary to policies OB1 of the Huntingdonshire Local Plan Alteration 2002 and CS10 of the Submission Core Strategy.

BACKGROUND PAPERS:

Cambridgeshire and Peterborough Structure Plan 2003
Huntingdonshire Local Plan 1995
Huntingdonshire Local Plan Alterations 2002
Huntingdonshire Interim Planning Policy Statement 2007
Policies from the Huntingdonshire Local Development Framework Submission Core Strategy 2008
The Huntingdonshire Landscape and Townscape Assessment 2007
The St Ives Market Town Transport Strategy

CONTACT OFFICER:

Enquiries about this report to **Mr Nigel Swaby Development Control Team Leader 01480 388370**

Case No: 0803212FUL (FULL PLANNING APPLICATION)
Proposal: RETENTION OF 6M HIGH POSTS AND SAFETY NETTING
Location: RECREATION GROUND DAIMLER AVENUE
Applicant: YAXLEY PARISH COUNCIL
Grid Ref: 518222 292644
Date of Registration: 27.11.2008
Parish: YAXLEY

RECOMMENDATION - APPROVAL

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This application, which is retrospective, has been referred to Panel because it is a Parish Council proposal to which there have been objections from third parties.
- 1.2 The proposal is to retain two sections of 6m high post and netting near the boundaries of Queen's Park, the Parish Council recreation ground, off Daimler Avenue.
- 1.3 The posts are galvanised and 75mm square. The netting has a 0.14m mesh of black 2.5mm twine, with blue pulley ropes.
- 1.4 One section with 17 posts supports a 160m long net adjoining the western boundary fence of the recreation field. To the west of the fence is a strip of land approximately 5.8m wide comprising landscaping, scrub and a dyke, beyond which are a bowling green, the close-boarded fences for the gardens of 3 dwellings in Pooley Way and the adjoining Green Lane recreation area.
- 1.5 The other section with 5 posts is 40m long and lies near the southern boundary of the field, separated from the back gardens of residential properties at 168-176 Broadway by approximately 3.5-4.2m of shrub planting which is about 3-4m high. Some of the properties in Broadway have enclosures of varying heights on the back boundary and other rear gardens are open to the landscape strip.
- 1.6 The pitch is level and the levels of the base of the posts and pitch are similar to the level of Broadway's back gardens. However, the houses to the north and west are set on lower ground; a sloping grassed area separates the edge of the pitch from the surrounding gardens. Therefore, the north-western part of the pitch is elevated above the gardens of the properties to the north and west. The base of the northern part of the western net is therefore set at a lower level than the pitch.

- 1.7 The netting is capable of being raised and lowered but the Parish Council advise that it is likely that the southern netting near 168-176 Broadway will be retained in situ at all times and the western netting near Pooley Way may be dismantled in July and August when the pitches may not be used.

2. NATIONAL GUIDANCE

- 2.1 **PPS1: “Delivering Sustainable Development” (2005)** contains advice on the operation of the plan-led system.
- 2.2 **PPG17: “Planning for Open Space, Sport and Recreation” (2002)** sets out the policies needed to be taken into account by regional planning bodies in the preparation of Regional Planning Guidance (or any successor) and by local planning authorities in the preparation of development plans (or their successors); they may also be material to decisions on individual planning applications.

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. PLANNING POLICIES

Further information on the role of planning policies in deciding planning applications can also be found at the following website: <http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live

- 3.1 East of England Plan - Revision to the Regional Spatial Strategy (May 2008) Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents
- **ENV7: “Quality in the Built Environment”** - requires new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.
- 3.2 Cambridgeshire and Peterborough Structure Plan (2003) Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003:
- None relevant
- 3.3 Huntingdonshire Local Plan (1995) Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95
- **R1: “Recreation and Leisure Provision”** – will directly promote district wide recreation and leisure projects and generally support leisure and recreation facilities commensurate with population levels, housing developments and identified need.

- **R2:** "Recreation and Leisure Provision" – applications for recreational facilities will be considered on their merits bearing in mind: advice from sporting recreation authorities on the need for further provision; the effect on residential amenity; the effect on landscape, visual amenity, nature conservation and archaeological interest; access, parking and traffic generation; the siting, design and materials of any building and structures.
 - **En22:** "Conservation" – wherever relevant, the determination of applications will take appropriate consideration of nature and wildlife conservation.
- 3.4 Huntingdonshire Local Plan Alterations (2002) Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002)
- None relevant.
- 3.5 Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Informal policy statements where there is a link to Interim Planning Policy Statement 2007
- **B1** – Design Quality - developments should demonstrate a high quality of design in terms of layout, form and contribution to the character of the area.
 - **B4** – Amenity - developments should not have an unacceptable impact upon amenity of existing or future occupiers.
 - **G1** – Open Space and Recreational Land – development proposals should not entail the whole or partial loss of open space within the settlements, or of outdoor recreation facilities or allotments.
 - **G2** – Landscape Character - development proposals should respect and respond appropriately to the distinctive qualities of the surrounding landscape.
- 3.6 Policies from the Huntingdonshire Local Development Framework Submission Core Strategy 2008 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning and then click on Planning Policy where there is a link to the Local Development Framework Core Strategy.
- **CS1:** "Sustainable development in Huntingdonshire" – all developments will contribute to the pursuit of sustainable development, having regard to social, environmental and economic issues. All aspects will be considered including design, implementation and function of development.

4. PLANNING HISTORY

4.1 89/01659OUT: Outline permission for residential, recreational, shopping and school development was granted for the Ferndale estate in 1998. The recreation field was funded by the Section 106 obligation together with funding from the Football Foundation. The field has been laid out to include 2 adult football pitches at the west end of the field, youth football pitches adjacent and mini football pitches near the centre of the site.

4.2 0201925FUL: A sports pavilion and car park, permitted in 2003, were constructed recently.

5. CONSULTATIONS

5.1 **Yaxley Parish Council – NO OBJECTION** (copy attached).

5.2 **HDC Community and Health Development – NO OBJECTION**

5.3 **Beds and Cambs Wildlife Trust – NO OBJECTION**

6. REPRESENTATIONS

6.1 Twelve objections from 10 households have been received citing the following grounds:

- * Requirement for proposal only results from more intensive use of grounds with more pitches than was originally proposed.

- * Neighbours suggest an alternative pitch layout.

- * facilities in pavilion are below standard/extent for the number of pitches available

- * inadequate capacity of car park for number of pitches and consequent highway safety issues with on-street parking

- * concern that trespass is arising and threats to residents by spectators and players where nets are not provided

- * landscaping is low compared to the enclosure height

- * concern about precedent for more enclosures or higher enclosures (note northern part of western fence is set on lower ground than pitch)

- * pitch is on land higher than properties to the north, thus meaning that the poles appear higher when viewed from those properties

- * harm to enjoyment of garden being in direct view

- * use of pitches causes disturbance

- * balls are being kicked against neighbours fence

- *harm to wildlife such as bats and birds as nets adjoin wooded area

- *harm to occupiers of 23 Pooley Close: from strong reflection of light off the structure into property, noise of ropes against posts in windy conditions and feeling like 'living in a prison exercise yard'

- * concern about lack of site notices

- * query how 6m high posts were selected: can they be lower and are they appropriate since some posts are set at a lower level than the pitch.

6.2 One representation: no objection:

- * balls have previously come into garden and damaged property.

6.3 One representation: No objection in principle:

- * provided the nets are lowered when not in use because they are already being climbed by children using the playing field as a kickabout area.

- * New landscaping should be required.

7. SUMMARY OF ISSUES

- 7.1 The main issues are: the impact on the character and appearance of the area; residential amenities and wildlife.

Introduction:

- 7.2 Since the pitches were brought into use in September 2008, there have been a number of incidences of footballs being kicked into neighbouring gardens when games are played on 3 pitches that are close to the site boundaries. The nets are intended to reduce annoyance and hazards to residents and players and reduce the potential damage to property. The applicant advises that the western section, which is immediately adjacent to the palisade fence, was requested by the Health and Safety Executive in the interests of player safety.
- 7.3 The nets therefore help facilitate the use of the three football pitches. The Parish Council and District Council's Community and Health Development Services Officer confirm that there is a high demand for the pitches on this site and elsewhere in Yaxley and that the pitch arrangement maximises the use of the recreation ground. As the recreation use has been approved, the Local Planning Authority is unable to control the intensification of use, even though the density of pitches has resulted in a requirement for netting.

The impact on the character and appearance of the area and the neighbour amenities:

- 7.4 The upper parts of the posts and nets, which are above the adjoining boundary treatments, entail some visual clutter from surrounding properties and public areas. However, where seen, this is not considered to cause significant harm to visual amenity because,
* the net is a fine twine in a subdued colour with a relatively open mesh,
* the posts are evident in silhouette against the sky in views from outside the site but their slim profile, modest height and galvanised finish minimise the impact.
* the nets are separated from surrounding properties by planting and, in some cases, further enclosures of varying height.
- 7.5 The pitch is elevated above the ground level of the properties to the north, but although the enclosures therefore appear higher when viewed from those properties, the posts and nets are far enough away from them that no undue harm arises to the residents on the north side of the site.
- 7.6 The Parish Council has been asked to advise the Local Planning Authority about their intentions for the future height of the planting in the landscaping strips adjoining the development because if, as anticipated, the intention is to allow the planting to gain height, this may assist in softening the impact of the enclosures.
- 7.7 The concerns of the occupiers of 23 Pooley Way, where the main rear aspect faces the western nets are acknowledged. However, the position of the net is far enough away from their rear boundary to

avoid undue harm from an oppressive/overbearing effect and noise, and in time, the weathering of the galvanised posts is expected to reduce the impact of light reflection.

Impact on wildlife:

- 7.8 The Wildlife trust is not aware of any evidence to suggest that the netting would be a problem, most birds would fly around or over it. Bats could be affected if the netting was obstructing a flight line to a major roost but this does not appear to be the case here. The proposal is unlikely to harm wildlife and it does not therefore conflict with policy En22 which seeks to safeguard wildlife.
- 7.9 Having regard to applicable national and local policies and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

- 8. RECOMMENDATION – APPROVE**, subject to conditions to include the following:

Nonstand net gauge and colour

Nonstand landscape management

BACKGROUND PAPERS:

Planning Application File Reference: 0803199FUL
East of England Plan - Revision to the Regional Spatial Strategy (May 2008)
Huntingdonshire Local Plan, 1995
Huntingdonshire Local Plan Alteration, 2002
Huntingdonshire Interim Planning Policy Statement 2007
Huntingdonshire Local Development Framework Submission Core Strategy 2008

CONTACT OFFICER:

Enquiries about this report to **Sheila Lindsay Development Control Officer**
01480 388407

AGENDA ITEM NO.

DEVELOPMENT CONTROL PANEL

19 JANUARY 2009

**SECTION 106 APPLICATION
(Report by Development Control Manager)**

Case No: 0803163FUL (FULL PLANNING APPLICATION)

Proposal: DEVELOPMENT OF 480 PLACE PRISON (CLASS 2A),
EXTERNAL VISITOR CENTRE, PARKING AND
LANDSCAPING

Location: LITTLEHEY PRISON, CROW SPINNEY LANE, PERRY

Applicant: NATIONAL OFFENDER MANAGEMENT SERVICE

Grid Ref: 515233 266080

Date of Registration: 03.11.2008

Parish: PERRY

RECOMMENDATION - APPROVE

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This full application proposes the development of a new 480 place prison for 18-21 year old male prisoners to be built predominantly within the existing secure perimeter fence on the existing sports pitches and associated development within the remainder of the prison site. The site can be divided into 3 main areas:
- the existing sports pitches within the secure perimeter fence where the majority of the new development will take place;
 - the more public area seen as you first approach the site and where ancillary development of staff club, mess and visitor centre and car park on an area of 6.2 hectares is proposed; and
 - the existing prison accommodation, of predominantly 2 storey buildings, on 11 hectares which accommodate 726 prisoners.
- 1.2 The proposed buildings within the secure perimeter fence are a reception and healthcare building, an education building, multi faith building, library and information centre, and four living units for the 480 prisoners. These are all two storey buildings. A kitchen, workshop and segregation unit are also proposed, all of which are single storey. Outside the perimeter fence the only new building proposed is a new visitor centre. The floorspace of the proposed new buildings is 17,661 square metres. It is also proposed to increase the size of the car park from the existing 248 spaces with an extra 167 parking spaces to give a total of 415 spaces and will involve re-

modelling of the landscape areas near to the entrance of the prison complex.

- 1.3 It is estimated that the prison will employ 243 additional members of staff, which represents a 75% increase in the numbers of staff. This is a relatively high figure as there are higher staff ratios for young offenders as opposed to the older existing prison population.
- 1.4 The proposal is one part of a wider programme to increase prison capacity to address the accommodation pressures currently faced by the National Offender Management Service. It is proposed that the new prison would be operational from early 2010.
- 1.5 The application has been accompanied by a Design and Access Statement, a Transport Assessment, a Foul Sewerage and Utilities Assessment, Heritage Statement, Land Contamination Assessment, Lighting Assessment, Noise Assessment, Open Space Assessment, Planning Statement, Statement of Community Involvement, Sustainability Statement, Travel Plan, Tree Survey/Implications Report, Ventilation Extraction Statement, Air Quality Assessment, Biodiversity Report, Economic Statement and Crime Reduction Statement.

2. NATIONAL GUIDANCE

- 2.1 **PPS1: “Delivering Sustainable Development” (2005)** contains advice on the operation of the plan-led system.
- 2.2 **PPS7: “Sustainable Development in Rural Areas” (2004)** sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas. Decisions in rural areas should be based upon sustainable development principles and priority should be given to previously developed land.
- 2.3 **PPS9: “Biological and Geological Conservation” (2005)** sets out planning policies on protection of biodiversity and geological conservation through the planning system.
- 2.4 **PPG13: “Transport” (2001)** provides guidance in relation to transport and particularly the integration of planning and transport.
- 2.5 **PPG16: “Archaeology and Planning” (1990)** sets out the Secretary of State's policy on archaeological remains on land, and how they should be preserved or recorded both in an urban setting and in the countryside.
- 2.6 **PPS22: “Renewable Energy” (2004)** sets out the Government's policies for renewable energy, which planning authorities should have regard to when preparing local development documents and when taking planning decisions.
- 2.7 **PPS23: “Planning and Pollution Control” (2004)** is intended to complement the new pollution control framework under the Pollution Prevention and Control Act 1999 and the PPC Regulations 2000.

- 2.8 **PPG24: “Planning & Noise” (1994)** guides planning authorities on the use of planning powers to minimise the adverse impact of noise.
- 2.9 **PPS25: “Development and Flood Risk” (2006)** sets out Government policy on development and flood risk. Its aims are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall.
- 2.10 **Circular 03/98 Planning for Future Prison Development 1998** – sets out advice to local planning authorities on making provision through the planning system.
- 2.11 **Circular 05/2005 Planning Obligations.**

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. **PLANNING POLICIES**

Further information on the role of planning policies in deciding planning applications can also be found at the following website: <http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live

3.1 **East of England Plan - Revision to the Regional Spatial Strategy (May 2008)**

Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents

- **SS4:** “Towns other than Key Centres and Rural Areas” – Local Development Documents should define the approach to development in towns and rural areas. For other rural areas should seek to support the viability of agriculture, other economic activities, diversification of the economy, provision of housing for local needs and sustainability of local services.
- **T2:** “Changing Travel Behaviour” – to bring about significant change in travel behaviour, a reduction in distances travelled and a shift towards greater use of sustainable modes should be promoted.
- **T3:** “Managing Traffic Demand” – Demand management measures for highway use should be pursued to tackle congestion and, as a consequence provide more reliable journeys.

- **T7:** “Transport in rural Areas” support should be given to providing sustainable access from villages and other rural settlements to market towns and urban areas.
- **T8:** “Local Roads” – local road networks should be managed in accordance with the local transport plan objectives: tackling congestion and its environmental impacts; facilitating the provision of safe and efficient public transport, walking and cycling; providing efficient vehicular access to locations and activities requiring it and improving safety.
- **T9:** “Walking, Cycling and other Non-Motorised Transport” – existing networks should be improved and developed as part of the Regional Transport Strategy.
- **T13:** “Public Transport Accessibility” – public transport should be encouraged throughout the region by increasing accessibility to appropriate levels of service of as high proportion of households as possible, enabling access to core services.
- **T14:** “Parking” – controls to manage transport demand and influencing travel change alongside measures to improve public transport accessibility, walking and cycling should be encouraged. Maximum parking standards should be applied to new commercial development.
- **ENV7:** “Quality in the Built Environment” - requires new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.
- **ENG1:** “Carbon Dioxide Emissions and Energy Performance” – for new developments of 10+ dwellings or 1000sqm non residential development a minimum of 10% of their energy should be from decentralised and renewable or low carbon resources unless not feasible or viable.

3.2 **Cambridgeshire and Peterborough Structure Plan (2003)**

Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003.

- P6/1 – Development Related Provision – development will only be permitted where the additional infrastructure and community requirements generated by the proposal can be secured.

3.3 **Huntingdonshire Local Plan (1995)**

Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95

- **R2:** “Recreation and Leisure Provision” – applications for recreational facilities will be considered on their merits bearing in mind: advice from sporting recreation authorities on the need for further provision; the effect on residential amenity; the effect

on landscape, visual amenity, nature conservation and archaeological interest; access, parking and traffic generation; the siting, design and materials of any building and structures.

- **R13:** "Countryside Recreation" – provision of facilities for informal countryside recreation subject to the criteria of R2 will be supported.
- **R14:** "Countryside Recreation" – will support the promotion of Grafham Water as a major area for informal countryside recreation.
- **R15:** "Countryside Recreation" – will seek to improve access to the countryside, including the network of public rights of way with a view to modifying, extending and improving the network where appropriate.
- **T18:** "Access requirements for new development" states development should be accessed by a highway of acceptable design and appropriate construction.
- **T19:** "Pedestrian Routes and Footpath" – new developments are required to provide safe and convenient pedestrian routes having due regard to existing and planned footpath routes in the area.
- **T20:** "Cycle Routes" – the District Council will identify segregated cycleway routes to be provided in association with certain housing, employment and shopping developments.
- **T21:** "Bus Travel" – applications which maintain or improve the present level of public transport services will be supported.
- **En12:** "Archaeological Implications" – permission on sites of archaeological interest may be conditional on the implementation of a scheme of archaeological recording prior to development commencing.
- **En13:** "Archaeological Implications" – in areas of archaeological potential, planning applications may be required to be accompanied by the results of an archaeological field evaluation or desk-based assessment.
- **En17:** "Development in the Countryside" - development in the countryside is restricted to that which is essential to the effective operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services.
- **En18:** "Protection of countryside features" – Offers protection for important site features including trees, woodlands, hedges and meadowland.

- **En19:** "Trees and Landscape" – will make Tree Preservation Orders where it considers that trees which contribute to the local amenity and/or the landscape are at risk.
- **En20:** Landscaping Scheme. - Wherever appropriate a development will be subject to the conditions requiring the execution of a landscaping scheme.
- **En25:** "General Design Criteria" - indicates that the District Council will expect new development to respect the scale, form, materials and design of established buildings in the locality and make adequate provision for landscaping and amenity areas.

3.4 **Huntingdonshire Local Plan Alterations (2002)**

Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002)

- **OB1** – Nature and Scale of Obligations – will relate to the size of development and the impact on physical infrastructure, social and community facilities and services.

3.5 **Huntingdonshire Interim Planning Policy Statement 2007**

Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Informal policy statements where there is a link to Interim Planning Policy Statement 2007

- **P8** – Development in the Countryside – Outside the existing built framework of the Smaller Settlements development will be restricted to: that which is essential to the efficient operation of agriculture, horticulture or forestry, or required for the purposes of outdoor recreation; the alteration, replacement or change of use of existing buildings in accordance with other policies; limited and specific forms of housing, business and tourism development, as provided for within the Local Development Framework; or land allocated for particular purposes.
- **G2** – Landscape Character - development proposals should respect and respond appropriately to the distinctive qualities of the surrounding landscape.
- **G3** – Trees, hedgerows and Other Environmental Features - development proposals should minimise risk of harm to trees, hedgerows or other environmental features of visual, historic or nature conservation value.
- **G4** – Protected Habitats and Species – development proposals should not harm sites of national or international importance for biodiversity or geology. Proposals will not be permitted if they potentially damage County Wildlife Sites, Local Nature Reserves, Ancient Woodland, Important Species or Protected Roadside Verges, unless they significantly outweigh the harm.

- **G7** – Biodiversity – proposals that could affect biodiversity should: be accompanied by a suitable assessment of habitats and species; maintain and enhance biodiversity; provide appropriate mitigation measures; seek to achieve positive gain in biodiversity.
- **B1** – Design Quality - developments should demonstrate a high quality of design in terms of layout, form and contribution to the character of the area.
- **B9** – Sites of Archaeological Interest – a proposal that could affect a site or area of archaeological interest should; be accompanied by a suitable assessment of the nature and significance of any remains; not cause harm to remains or their setting which are recognised or identified as being of national importance and allow for their preservation in situ; or make satisfactory arrangements for the physical preservation recording or removal of other remains, as appropriate.
- **T1** – Transport Impacts - development proposals should be capable of being served by safe convenient access to the transport network and should not give rise to traffic volumes that exceed the capacity of the local transport network.
- **T2** – Car and Cycle Parking - development proposals should limit car parking and provide cycle parking facilities to the levels set out in the Council’s parking standards.
- **T3** – Rights of Way and Other Public Routes - Lists the criteria which should be considered in relation to Rights of Way.

3.6 **Huntingdonshire Local Development Framework Submission Core Strategy 2008**

Policies from the Huntingdonshire Local Development Framework Submission Core Strategy 2008 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning and then click on Planning Policy where there is a link to the Local Development Framework Core Strategy.

- **CS1**: “Sustainable development in Huntingdonshire” – all developments will contribute to the pursuit of sustainable development, having regard to social, environmental and economic issues. All aspects will be considered including design, implementation and function of development.
- **CS9**: “Strategic Green Space Enhancement” – enhancement of areas of strategic green space including Grafham Water with enhanced green corridors and creating appropriate access for a wide range of users to enjoy the countryside.
- **CS10**: “Contributions to Infrastructure Requirements” – development expected to provide or contribute towards the cost of providing appropriate infrastructure, including open space and recreation and cycleways.

4. PLANNING HISTORY

- 4.1 87/01914/CI1884 - Construct staff social centre – no objections raised.
- 4.2 88/00653/CI1884 - Construct new cell block – no objections raised.
- 4.3 89/00280/CI1884 - Proposed new dairy unit – objections.
- 4.4 93/01380/CI1884 - erection of temporary visitors centre – objections.
- 4.5 95/00003/CI1884 - proposed new dairy unit – objections.
- 4.6 96/01469/CI1884 - erection of additional accommodation – objections.
- 4.7 97/01266/CI1884 - erection of additional accommodation – objections.
- 4.8 98/00001/CI1884 - erection of storage building – objections.
- 4.9 98/01582/CI1884 - erection of office building – objections.
- 4.10 00/01916/CI1884 - installation of security cameras – no objections.
- 4.11 03/00112/CI1884 - erection of building to provide additional living accommodation – no objections.
- 4.12 07/02298/FUL - satellite dish – approved.
- 4.13 08/02154/FUL - construction of all weather sports pitch with lighting – approved.

5. CONSULTATIONS

- 5.1 **Perry Parish Council – recommend APPROVAL (copy attached).**
- 5.2 **Great Staughton Parish Council – CONCERNS** about screening from the B645; the use of Cage Lane should be prohibited during construction and not used as a rat run by prison staff and the drainage implications fully considered. **(copy attached)**
- 5.3 **HDC Transportation** – the opportunity should be taken to improve cycling facilities within Perry Village with the upgrading of approximately 850 metres by the provision of an off street route to replace the on street cycling route. It is also recommended that the existing community transport which currently operates between Huntingdon Rail Station and the prison on visiting days is secured for a further 5 year period.
- 5.4 **HDC Environmental Health** – requires additional work to be done on the noise assessment report.
- 5.5 **HDC Lighting Engineer – NO OBJECTIONS** subject to lighting being carried out in accordance with submitted design.
- 5.6 **Highways Agency – NO OBJECTIONS.**

- 5.7 **County Council Highways – NO OBJECTIONS** subject to a Section 106 contribution being secured and approved Travel Plan being in place.
- 5.8 **Sport England – OBJECTION.**
- 5.9 **Natural England – NO OBJECTIONS** subject to the proposed precautionary measures to ensure no impacts on species during the construction works being secured through planning conditions.
- 5.10 **The Wildlife Trust** – recommend that a bat survey is undertaken and that if any bats are found then appropriate mitigation measures are put in place.
- 5.11 **Environment Agency – NO OBJECTIONS** subject to conditions relating to surface water and contamination.
- 5.12 **County Council Archaeology – NO OBJECTIONS** subject to a condition requiring archaeological investigation before development commences.
- 5.13 **Cambridgeshire Fire and Rescue** – recommends that a planning condition be imposed requiring the details and provision of fire hydrants.

6. REPRESENTATIONS

- 6.1 A total of 8 letters have been received from local residents which raise the following points:
- Increase in traffic through Perry on an already overcrowded stretch of road;
 - How can car sharing be encouraged if people mainly work shifts and they are looking to stagger shifts to 'smooth out' traffic flows;
 - Danger to cyclists, walkers and resident;
 - Risk of boy racers;
 - Drugs being thrown over the fence;
 - Increase in local crime rate;
 - Reduction in value of properties;
 - Work appears to have already started;
 - Prison contributes to the life of the village particularly the shop;
 - Existing light pollution especially at night;
 - Site already overdeveloped;
 - Vehicles using The Drive and damaging the road;
 - Increase in visiting days;
 - Must be enough car parking;
 - Vital to complete the cycle path through Perry off road and this should be covered by condition;
 - Additional landscape screening needed to screen development from the south;
 - Cage Lane should not be used by prison staff or construction traffic;
 - Drainage must be in accordance with Environment Agency requirements as surface water runoff is a problem;

- Additional load on sewerage system;
- Noise and overlooking to the two cottages directly to the south of the site;
- Bus service to prison very limited and therefore most people will drive;
- A speed restriction on Crow Spinney Lane should be imposed;
- Visitors to the prison will use the shop and pub;
- It is on land which is not allocated for development;
- Residents should be consulted on the landscape scheme;
- A noise barrier should be erected to protect residents, wildlife and rest of Perry Village; and,
- Impact upon wildlife and SSSI

7. SUMMARY OF ISSUES

- 7.1 The main issues to consider here are the principle of the development including the need for the proposal, the siting, layout and design of the proposal, traffic and highways, effect on landscape and wildlife, external lighting, loss of playing fields, impact upon residential amenity.

Principle of Development

- 7.2 Circular 3/98: Planning for Future Prison Development, states that 'there is a need for Her Majesty's Prison Service to provide new prison places in locations close to the areas they serve'. It goes on to say that 'the Secretary of State expects local planning authorities to ensure that appropriate weight is given to the public interest in providing an adequate number of prison places to meet the requirements of the criminal justice system'. Nationally the prison estate has 84,256 prison places and on 26 September 2008 the prison population was 83,508, which was the highest on record. The Carter Review of prisons carried out in 2007 predicted a shortfall of 6000 places by 2009 which would generate a need of 21 new prisons. The proposal for a new prison at Littlehey arises from the urgent need to provide additional prison places identified in the Carter Report and is part of a wider programme to increase prison capacity in order to address the unparalleled accommodation pressures currently faced by NOMS (National Offender Management Service). This proposal is therefore part of the wider programme to address this shortfall.
- 7.3 It is an established practice in terms of meeting this need that existing sites are considered first in terms of a sequential approach. This provides for the intensification of existing prison uses to create economies of scale particularly using land which is within the existing secure perimeter of a prison. This proposal is part of a package of proposals to extend existing prison sites in the region and should not be viewed in isolation as all these proposed extensions are required to meet the additional needs.
- 7.4 The site is outside the village of Perry and is therefore classified as being within the open countryside. Both local and central government policies aim to restrict development within the countryside to that which is essential to agriculture or forestry, recreation and public utility services in the interests of preserving the countryside and sustainability. It is a material consideration to note that prisons have particular requirements in terms of location with security being the

overwhelming consideration. In this case the existing prison already exists on the site and the new prison will be able to benefit from existing infrastructure in place. Although no figures have been presented it is likely that the land take as a result will be less than if a completely new site were being chosen. The application proposes building on previously developed land within the existing perimeter of the prison and therefore it is not extending out into undeveloped land in the countryside. This in turn results in sustainability benefits over and above a Greenfield site since existing infrastructure, such as car parking, can be utilised.

- 7.5 The proposal constitutes a departure from the Development Plan, specifically Policy En17 of the Huntingdonshire Local Plan, in that it proposes development within the open countryside and this particular use is not included in the list of exceptions to the normal strict control over new development in the countryside. While Policy En17 is clearly a relevant consideration this needs to be looked at in terms of the purpose of the policy. The supporting text clearly states that the basis of the policy is aimed at avoiding sporadic building in the countryside which could be visually intrusive and lead to uneconomic demands for public services. The proposed development would not create either of these situations and moreover the proposed location of the development primarily within the existing secure perimeter is on land which has a lawful C2A (Residential Institutions) use and therefore must be a significant material consideration. Moreover the intensification of the existing C2A on the site is not detrimental to other uses in the countryside such as agriculture, forestry etc because there is no possibility of these uses taking place on the existing site.
- 7.6 For these reasons, the principle of the development on this site is considered to be acceptable. Having regard to its scale, nature and location, it is considered that the development would not significantly prejudice the implementation of the Development Plan's policies and proposals. If the Panel is minded to support it, the application does not therefore need to be referred to Full Council or the Government Office for East of England.

Siting Layout and Design of Proposal

- 7.7 The submitted Design and Access Statement states that the scheme has been in the planning stage for some time and that during this time several siting options have been considered. The other options, included developing land to the north of the existing prison or developing on the existing sports area but relocating the sports pitches to the land to the north. These options were discounted because of the need for additional perimeter fencing and increased visual impact upon the village of Perry and nearby residential dwellings. The chosen siting therefore represented the option with the least visual and residential impact.
- 7.8 The layout of the buildings on the site has been largely determined by security considerations and the creation of separate activity and residential zones. However the height of the proposed buildings is no higher than the existing buildings. It is proposed that the buildings will be clad with pre-finished steel and the precise colour is currently under discussion. It is likely that a colour for the walls which is similar

to the colour of the brickwork of the existing buildings and brown roof covering will be chosen. This will reflect the existing built form and is acceptable.

Traffic and Highways

- 7.9 There are 248 existing car parking spaces on the site and it is proposed that this should increase to 415. An assessment of parking demand in the Transport Assessment showed that there was a peak demand of 190 cars, or 82% of the total. The Transport Assessment shows that weekdays are busier than weekends and, on the week that the survey was carried out, on Thursday there were 747 two way daily movements to and from the site. Accident data for the last 3 years shows three recorded accidents which resulted in slight injuries. None of the accidents were at the junction of Crow Spinney lane with the B661 or on Crow Spinney lane itself, but on the B661 West Perry Road. The capacity of the junction has been assessed and the Local Highway Authority accepts that the proposed additional traffic will not have a detrimental impact upon the operation of the junction or the local highway network. Furthermore the Highways Agency is satisfied that the proposal would not have an adverse impact upon the nearest roundabout junction of the A1 and have not objected to the proposal.
- 7.10 In terms of public transport, bus services are poor and the nearest rail station is at Huntingdon 12 km away. As the catchment area of staff is wide, very few walk or cycle. The only practical opportunities to reduce staff car travel therefore is to promote car sharing. The travel plan has indicated that 23% of those responding to the survey would consider car sharing. There are also opportunities with new starters to promote this. The main opportunities to reduce visitor car numbers is by promoting the mini bus service which currently runs from Huntingdon Station on visiting days. The submitted Travel Plan concludes with an Action Plan and this should be secured through a planning condition.
- 7.11 It is considered that there should be transport mitigation measures due to the impact of the additional traffic on the B661 road through Perry Village, particularly upon the existing level of leisure cyclists using the road. A contribution of £250,000 to upgrade the 850 metre length of cycle route which is currently mainly on the road and therefore considered unsatisfactory has been requested. In addition because of the low level of public transport and the difficulties this presents to visitors it is considered essential that the existing mini-bus service from Huntingdon Station be funded for a further 5 years. The applicant has agreed to the contribution for the cycle route upgrading and to £41,600 for the mini bus service.
- 7.12 The proposed obligation is to be considered by the Section 106 Advisory Group at its meeting on 14 January and its recommendation will be reported at the Panel meeting.

Loss of Sports Playing Fields

- 7.13 Sport England would normally object to the loss of playing fields and this policy relates to all playing fields whether or not they have community access. The current provision consists of 2 senior football pitches and 1 senior rugby pitch and the all weather pitch currently

under construction. The development will result in 1 senior football pitch and the all weather pitch being retained. It is Sport England's policy to oppose the loss of all or part of any playing field unless one or more of their exception criteria is satisfied. In this case exception E5, the only exception which is applicable as new sports facilities are proposed as part of the scheme, is not satisfied. Sport England has stated that the way to satisfy their objection would be to acquire additional land to replace the playing fields lost.

- 7.14 The applicants have submitted an Open Space Assessment and concluded that the sporting facilities will meet prison standards and that the loss of 2 pitches will be replaced by an all weather sports pitch and new sports hall. 8 new basketball courts are also proposed as part of the scheme. The applicants have responded to the Sport England objection by stating that the starting point for the assessment of need must be based upon the nature of the proposed users which consists of a structured programme of specific sport activities at particular times and that the proposals meet the minimum requirements. The new provision will also be of a better quality than the existing in terms of the indoor facilities proposed and surfacing and will therefore have an increased amount of use than the existing grass pitches. In this case it is not considered that it would be beneficial to extend the prison area to provide extra playing field space when this would increase the visual impact of the prison due to the need to extend the perimeter fence. The proposed level of provision is considered appropriate.

Effect upon Landscape and Wildlife

- 7.15 The effect upon existing and proposed landscape and trees is acceptable subject to amendments which will provide landscaping between the accommodation blocks and new buildings, changes to proposed tree species, and additional tree protection information. These have been requested from the applicants and an update will be given at the meeting.
- 7.16 The application site lies within 2 km of Perry Wood and Grafham Water, both of which are Sites of Special Scientific Interest (SSSI). The proposals will have no discernable effect upon the SSSI sites. The site itself is of low ecological value, with the only likely interest being nesting birds. The effect upon wildlife is covered in the habitat and protected species report and this makes recommendations relating to bats and nesting birds. On that basis Natural England and the Wildlife Trust have no objections subject to the use of suitably worded planning conditions.

External Lighting

- 7.17 The application has been accompanied by a Lighting Assessment which provides information on the enhanced and additional CCTV and lighting proposed. The Council's Lighting Engineer has looked at the proposals and concluded that they are satisfactory as long as implemented in accordance with submitted details. A third party representation has been received concerned about the existing level of light and the applicants response to this will be reported at the meeting.

Impact upon Residential Amenity

- 7.18 The prison is a considerable distance away from most residential properties, the nearest one being Gaynes Lodge Farm at over 300 metres away. Whilst this is a considerable distance there are no features or buildings between this farm dwelling and the new buildings, and thus they will be very noticeable features from this angle within the countryside. The owner of the properties has asked for off site tree planting to soften the effect of the buildings. The other effect there may be upon amenity is noise and the Environmental health officer has requested that the noise assessment be amended so that it is a technically competent document. An update on this will be given at the meeting.

Archaeology

- 7.19 The County Archaeologist has requested a programme of archaeological work be carried out prior to the commencement of any development. The applicants are discussing this further with the County Archaeologist with a view to identifying which areas need to be investigated and then carrying out the investigation, if possible before the planning application is determined. This will not affect the determination of the application and an update will be given at the meeting.

Conclusion

- 7.20 This represents a well thought out proposal which retains the existing prison perimeter but provides much needed additional prison accommodation with minimal impact upon the surrounding area. Subject to further consideration being given to the impact upon residential amenity as stated above, the impacts which the proposal will have upon the surrounding area can be adequately mitigated against and therefore it is considered that the proposal is acceptable and that planning permission can be granted in this instance subject to conditions and a Section 106 Agreement.

8. **RECOMMENDATION – APPROVE**, subject to a Section 106 Agreement to cover transport mitigation as outlined in paragraph 7.9 and conditions to include the following:

Nonstand - Standard time limit

Nonstand - Details of materials

Nonstand - Details of surface water drainage

Nonstand - Details of fire hydrants

Nonstand - Bat Survey to be carried out

Nonstand - Archaeology Survey

Nonstand - Lighting to be carried out in accordance with submitted details

- Nonstand** - Landscaping to be implemented in accordance with approved details
- Nonstand** - Tree protection details
- Nonstand** - Travel Plan

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

Background Papers:

Planning Application File Reference: 0803163FUL
East of England Plan – Revision to the Regional Spatial Strategy May 2008
Cambridgeshire and Peterborough Structure Plan, 2003
Huntingdonshire Local Plan, 1995
Huntingdonshire Local Plan Alteration, 2002
Huntingdonshire Interim Planning Policy Statement 2007
Huntingdonshire Local Development Framework Submission Core Strategy 2008

CONTACT OFFICER - enquiries about this Report to Jennie Parsons, Development Control Team Leader ☎ 01480 388409.

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AGENDA ITEM NO.

DEVELOPMENT CONTROL PANEL

19 JANUARY 2009

**APPLICATIONS REQUIRING REFERENCE TO
DEVELOPMENT CONTROL PANEL
(Reports by Development Control Manager)**

Case No: 0802266FUL (FULL PLANNING APPLICATION)
Proposal: ERECTION OF TIMBER FRAMED SHELTER
Location: DUNCOMBE ARMS, ELTISLEY ROAD, WARESLEY
Applicant: GREENE KING PUB PARTNERS
Grid Ref: 524998 254572
Date of Registration: 12.08.2008
Parish: WARESLEY

RECOMMENDATION - APPROVE

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This is a Grade II Listed, two-storey rendered public house with plain tiled roof, within the Waresley Conservation Area. The building is in a prominent location situated at a junction opposite St James's Church a Grade II* Listed Building, there is parking to the front (south-west), and there is a garden area to the side (north-west).
- 1.2 It is proposed to erect a free-standing timber-framed smoking shelter (with glass panels on two sides), of 2m by 3m (footprint) and 3m high to the ridge, to the north-west of the building behind the existing fence. Additional planting is also proposed behind the existing fence.

2. NATIONAL GUIDANCE

- 2.1 **PPS1: "Delivering Sustainable Development" (2005)** contains advice on the operation of the plan-led system.
- 2.2 **PPG15: "Planning and the Historic Environment" (1994)** sets out Government policies for the identification and protection of historic buildings, conservation areas, and other elements of the historic environment. It explains the role played by the planning system in their protection.

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. PLANNING POLICIES

Further information on the role of planning policies in deciding planning applications can also be found at the following website:
<http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live

3.1 East of England Plan - Revision to the Regional Spatial Strategy (May 2008)

Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents

- **ENV7:** “Quality in the Built Environment” - requires new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

3.2 Cambridgeshire and Peterborough Structure Plan (2003)

Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003.

- None relevant.

3.3 Huntingdonshire Local Plan (1995)

Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95

- **En2:** “Character and setting of Listed Buildings” - indicates that any development involving or affecting a building of architectural or historic merit will need to have proper regard to the scale, form, design and setting of that building.
- **En5:** “Conservation Area Character” - development within or directly affecting conservation areas will be required to preserve or enhance their character and appearance.
- **En6:** “Design standards in Conservation Areas” – in conservation areas, the District Council will require high standards of design with careful consideration being given to the scale and form of development in the area and to the use of sympathetic materials of appropriate colour and texture.
- **En9:** “Conservation Areas” - development should not impair open spaces, trees, street scenes and views into and out of Conservation Areas.
- **En20:** “Landscaping Scheme”. - Wherever appropriate a development will be subject to the conditions requiring the execution of a landscaping scheme.

- **En25:** "General Design Criteria" - indicates that the District Council will expect new development to respect the scale, form, materials and design of established buildings in the locality and make adequate provision for landscaping and amenity areas.

3.4 **Huntingdonshire Local Plan Alterations (2002)**

Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002)

- None relevant

3.5 **Huntingdonshire Interim Planning Policy Statement 2007**

Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Informal policy statements where there is a link to Interim Planning Policy Statement 2007

- **B1:** "Design Quality" - developments should demonstrate a high quality of design in terms of layout, form and contribution to the character of the area.
- **B4:** "Amenity" - developments should not have an unacceptable impact upon amenity of existing or future occupiers.
- **B7:** "Listed Buildings" - lists the criteria against which development proposal affecting the fabric or setting of a listed building should be assessed.
- **B8:** "Conservation Areas" - states the criteria against which developments within or affecting a Conservation Area should be assessed.

3.6 **Huntingdonshire Local Development Framework Submission Core Strategy 2008**

Policies from the Huntingdonshire Local Development Framework Submission Core Strategy 2008 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning and then click on Planning Policy where there is a link to the Local Development Framework Core Strategy.

- **CS1:** "Sustainable development in Huntingdonshire" – all developments will contribute to the pursuit of sustainable development, having regard to social, environmental and economic issues. All aspects will be considered including design, implementation and function of development e.g., by making best use of land, buildings and existing infrastructure.

3.7 **SPD – Huntingdonshire Design Guide 2007.**

4. PLANNING HISTORY

- 4.1 A previous application was withdrawn reference 0801370FUL due to inappropriate siting at the rear of the public house.

5. CONSULTATIONS

- 5.1 **Waresley Parish Council – recommend REFUSAL (copy attached).**

6. REPRESENTATIONS

- 6.1 There have been no third party representations received regarding this proposal.

7. SUMMARY OF ISSUES

- 7.1 The main issues to consider in this instance are the siting; suitability of the design, scale and proportions of the proposal in relation to the existing listed building; and impact of the proposal on the character and appearance of the conservation area.

Siting

- 7.2 The following comments explain the justification for the choice of siting for the proposed shelter.

- 7.3 A previous application for a smoking shelter was withdrawn reference 0801370FUL due to inappropriate siting at the rear of the public house. It is considered that the rear of the Duncombe Arms is not very attractive, there have been a number of modern extensions on the rear elevation which are not in keeping with the style of the property, and to erect a smoking shelter in this location would exacerbate the situation and would be detrimental to the character and interest of the listed building.

- 7.4 The proposed use dictates the way smoking shelters are used and their location, and this usually means they are positioned within close proximity to external doors to allow quick access particularly in colder weather.

Design, scale, proportions and use of materials

- 7.5 This is a modest proposal that has good proportions with the roof pitch and roof alignment consistent with the main roof of the listed building. The use of the materials is appropriate to the setting of the listed building and the character and appearance of the conservation, and in this regard the proposal is consistent with policies ENV7, En6, En25 and B1.

- 7.6 Heating and lighting packs to be used within the shelter should be designed to be an integral part of the structure rather than introduced in an ad hoc way, and can be conditioned to protect the setting of the listed building and character and appearance of the conservation area.

Impact on the Listed Building

- 7.7 The proposed shelter will not be attached to the listed building, and therefore listed building consent is not required. However the design has had careful consideration as the development affects the setting of the listed building.
- 7.8 The shelter is modest in size and with a simple plain pitch roof is deemed to be sympathetic to the listed building, with the ridge running in alignment with the ridge of the main roof of the public house, and therefore it is considered that the proposal will not be harmful to the setting of the listed building and is consistent with policies En2 and B7.

Impact on the character and appearance of the Conservation Area

- 7.9 As the siting and design are considered to be appropriate in this instance, and with additional planting to enhance the existing planting in front of the proposed shelter, it is considered that the proposal will not be harmful to the character and appearance of the conservation area and is consistent with Policies En5 and B8.

Conclusion

- 7.10 The development is acceptable and is consistent with the provisions of the Development Plan. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that planning permission should be approved in this instance.

- 8. RECOMMENDATION – APPROVE**, subject to conditions to include the following:

02003	Time limit (3yrs)
Nonstand	Joinery details to include sections
Nonstand	Material samples
Nonstand	Details of lighting and heating packs
Nonstand	Landscaping

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

Background Papers:

Planning Application File Reference: 0802266FUL; 0801370FUL
East of England Plan – Revision to the Regional Spatial Strategy May 2008
Cambridgeshire and Peterborough Structure Plan, 2003
Huntingdonshire Local Plan, 1995
Huntingdonshire Local Plan Alteration, 2002

Huntingdonshire Interim Planning Policy Statement 2007
Huntingdonshire Local Development Framework Submission Core Strategy
2008

CONTACT OFFICER:

Enquiries about this report to **Ms Dallas Owen Development Control Officer**
01480 388468

AGENDA ITEM NO.

DEVELOPMENT CONTROL PANEL

19 JANUARY 2009

Case No: 0802594FUL (FULL PLANNING APPLICATION)

Proposal: ERECTION OF DWELLING

Location: LAND ADJACENT 15 WHITE HART LANE

Applicant: MR AND MRS M D GOULD

Grid Ref: 525234 270389

Date of Registration: 14.10.2008

Parish: GODMANCHESTER

RECOMMENDATION - REFUSE

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The site is located within an existing residential area in Godmanchester and currently forms part of the garden to No. 15 White Hart Lane. Within the immediate locality there are a mix of semi detached two storey dwellings, terrace dwellings along Hilsdens Drive, as well as semi detached single storey dwellings further to the north west of White Hart Lane.
- 1.2 The proposal seeks the erection of a two-storey dwelling to the end of 15 White Hart Lane, to form a row of terrace dwellings. The proposed dwelling measures approximately 9.1 metres in width by 7.5 metres in height. In addition to the dwelling a detached single garage is proposed, approximately 3 metres in width by 5.54 metres in depth. Further alterations include the creation of a fenced access route from the north western corner of the site, to provide rear access to No. 15.

2. NATIONAL GUIDANCE

- 2.1 **PPS1: “Delivering Sustainable Development” (2005)** contains advice on the operation of the plan-led system.
- 2.2 **PPS3: “Housing” (2006)** sets out how the planning system supports the growth in housing completions needed in England.
- 2.3 **PPG13: “Transport” (2001)** provides guidance in relation to transport and particularly the integration of planning and transport.

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. PLANNING POLICIES

Further information on the role of planning policies in deciding planning applications can also be found at the following website:

<http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live.

3.1 **East of England Plan - Revision to the Regional Spatial Strategy (May 2008)**

East of England Plan - Revision to the Regional Spatial Strategy (May 2008) Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents

- **SS1:** "Achieving Sustainable Development" – the strategy seeks to bring about sustainable development by applying: the guiding principles of the UK Sustainable Development Strategy 2005 and the elements contributing to the creation of sustainable communities described in Sustainable Communities: Homes for All.
- **H1:** "Regional Housing Provision 2001 to 2021" – Local Planning Authorities should facilitate the delivery of district housing allocations – 11,200 for Huntingdonshire.
- **ENV7:** "Quality in the Built Environment" - requires new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

3.2 **Cambridgeshire and Peterborough Structure Plan (2003)**

Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003.

None relevant

3.3 **Huntingdonshire Local Plan (1995)**

Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95.

- **H31:** "Residential privacy and amenity standards" – Indicates that new dwellings will only be permitted where appropriate standards of privacy can be maintained and adequate parking provided.
- **H32:** "Sub-division of large curtilages" states support will be offered only where the resultant dwelling and its curtilage are of a size and form sympathetic to the locality.
- **En25:** "General Design Criteria" - indicates that the District Council will expect new development to respect the scale, form, materials and design of established buildings in the locality and make adequate provision for landscaping and amenity areas.

3.4 **Huntingdonshire Local Plan Alterations (2002)**

Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002).

- **STR1** – District Hierarchy - Outlines the settlement hierarchy. Market Towns and the rural growth village of Yaxley where housing development up to and including estate scale may proceed.
- **STR2** – Provides definitions for housing development.
- **STR3** – Market Towns – are Huntingdon; Godmanchester; St Neots; St Ives; Ramsey and Bury.
- **HL5** – Quality and Density of Development - sets out the criteria to take into account in assessing whether a proposal represents a good design and layout.
- **HL7** – Reusing Brownfield Land and Buildings - indicates that the District Council will seek to maximise the re-use of previously developed land.

3.5 **Huntingdonshire Interim Planning Policy Statement 2007**

Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Informal policy statements where there is a link to Interim Planning Policy Statement 2007.

- **B1** – Design Quality - developments should demonstrate a high quality of design in terms of layout, form and contribution to the character of the area.
- **B4** – Amenity - developments should not have an unacceptable impact upon amenity of existing or future occupiers.
- **T2** – Car and Cycle Parking - development proposals should limit car parking and provide cycle parking facilities to the levels set out in the Council's parking standards.

3.6 **Huntingdonshire Local Development Framework submission Core Strategy 2008**

Policies from the Huntingdonshire Local Development Framework submission Core Strategy 2008 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning and then click on Planning Policy where there is a link to the Local Development Framework Core Strategy.

- **CS1:** "Sustainable development in Huntingdonshire" – all developments will contribute to the pursuit of sustainable development, having regard to social, environmental and economic issues. All aspects will be considered including design, implementation and function of development.

- **CS3:** “The Settlement Hierarchy” – Identifies Godmanchester as a key service centre in which development schemes of up to 59 dwellings may be appropriate in the built up area.

3.7 **Huntingdonshire Design Guide (2007)**

4. **PLANNING HISTORY**

- 4.1 0800052FUL - Erection of dwelling with garage and erection of 4.1 garage – refused (**Copy attached**)

5. **CONSULTATIONS**

- 5.1 **Godmanchester Town Council** – recommend **APPROVAL**, adequate space for new property, design accords with policies on design quality and streetscene (**Copy attached**)

6. **REPRESENTATIONS**

- 6.1 **TWO** letters of **OBJECTION** from occupiers of 8 and 9 Hilsden Drive on the following grounds:

- proximity to the surrounding properties, loss of privacy and loss of value
- land should not be used for development
- concern that this development would not be in keeping with the area
- loss of sunlight to garden
- lack of time given to research boundaries
- noise from dwelling

7. **SUMMARY OF ISSUES**

- 7.1 The main issues to consider are the principle of the development, the impact on the character and appearance of the area, the design of the proposal and the impact on highway safety.

Principle of development

- 7.2 The site is located with an existing residential area of Godmanchester. Godmanchester is identified as a Key Service Centre in the Submission Core Strategy in which development schemes of moderate and minor scale and infilling may be appropriate within the built-up area. The proposal for a single dwelling on this site is therefore considered to be acceptable, in principle, subject to other material considerations.

Character and appearance of the area

- 7.3 The site area currently forms the side garden for No. 15 White Hart Lane. The site lies within an existing residential area. To the north west of the site along Hilsdens Drive there are a variety of terrace and semi detached properties. Adjacent to the site and to the south east the majority of the dwellings are flat fronted semi-detached dwellings, with some single storey dwellings further along White Hart Lane to the North West.

Design

- 7.4 The proposal seeks the erection of a two storey dwelling, to be attached to the end elevation of No. 15 White Hart Lane, forming a row of three dwellings. The proposed dwelling would have a frontage of approximately 9.1 metres and would have a ridgeline lower than No.15. It would be flat fronted. The proposed dwelling would have a larger frontage than the existing semi detached dwellings and as such would include additional windows at ground floor and first floor to serve a study and dressing room respectively.
- 7.5 There are no objections to the flat fronted design of the dwelling, however the proposed dwelling has a frontage approximately 2.8 metres longer and has a lower ridgeline than the existing semi detached dwellings and as such appears to be out of proportion with the surrounding properties. The proposed dwelling would not appear to be well integrated with the neighbouring buildings. The proposal would therefore not respect the character of the area, given the dwelling's proportions and scale and fails to harmonise with its surroundings.
- 7.6 Having regard to the siting of the single detached garage and the existing positioning of the detached garage associated with No. 7 Hilsdens Drive, there are no objections in principle to the proposed garage. However, a garage set further back into the site would improve the relationship of the dwelling and garage within the streetscene.

Residential amenity

- 7.7 The proposed dwelling is approximately 5.4 metres from the boundary to the northwest and approximately 4.5 metres to the north/north east (at the nearest point). There is only one small window at first floor level on the side elevation, to the landing. Having regard to the siting of the dwelling, its scale and the position of windows, it is not considered that the proposal would unduly harm residential amenity by reason of overlooking or overshadowing.
- 7.8 Whilst concern has been raised over noise, the proposal is only for one residential unit, in a residential area. The use is therefore acceptable. Issues over loss of value and the need to research the existing boundaries are noted, however these are not planning matters and are not considered further.
- 7.9 In conclusion, the proposed development is of an inappropriate scale and given its relationship with the adjoining properties would form an unsatisfactory relationship. The proposal would fail to harmonise with its surroundings and does not make a positive contribution to the area.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

8. RECOMMENDATION - REFUSE for the following reason:

- 8.1 The proposed dwelling, with a frontage of approximately 9.1 metres and a lower ridgeline than no.15, is of an inappropriate scale and proportions, having regard to the existing semi detached dwellings in the locality. The proposed dwelling would not appear well integrated with neighbouring buildings, fails to harmonise with its surroundings and would not make a positive contribution to the area. The proposal is therefore contrary to PPS1, PPS3, policy ENV7 of the Regional Spatial Strategy – East of England Plan, policy HL5 of the Huntingdonshire Local Plan Alteration 2002, policies H32 and En25 of the Huntingdonshire Local Plan 1995, policy CS1 of the Submission Core Strategy, policy B1 of the Huntingdonshire Interim Planning Policy Statement 2007 and Huntingdonshire Design Guide (2007).

BACKGROUND PAPERS:

Planning Application File Reference: 0802594FUL
East of England Plan – Revision to the Regional Spatial Strategy May 2008
Cambridgeshire and Peterborough Structure Plan, 2003
Huntingdonshire Local Plan, 1995
Huntingdonshire Local Plan Alteration, 2002
Huntingdonshire Interim Planning Policy Statement 2007
Huntingdonshire Local Development Framework Submission Core Strategy 2008
Huntingdonshire Design Guide, 2007

CONTACT OFFICER:

Enquiries about this report to **Michelle Nash Development Control Officer**
01480 388405

WRITTEN REPRESENTATIONS

1. **0703275FUL** **Extension and alterations to dwelling**
7 Brookfield Way, Bury
Mr & Mrs Saxby

Planning permission was refused under delegation agreement contrary to the recommendation of the Parish Council for the following reasons:

1. The size, proximity and set back position of the extension in relation to the neighbouring property would result in an overbearing impact and loss of light that would be detrimental to the amenities of the neighbouring property contrary to Development Plan Policy.
2. The position, size and distance of projection of the extension from the front elevation, would create an unduly prominent and intrusive feature that would be detrimental to the character and appearance of the host dwelling and detrimental to the amenities of the street scene contrary to Development Plan Policy

The Inspector's Reasons

- No. 7 is stepped back from the front of No.9 so that the two-storey side extension created would be predominantly to the rear of the original back wall of No. 9. It would protrude beyond a 45 degree line from the centre of the nearest windows of No. 9 and would conflict with Huntingdonshire Design Guide (SPD).
- The Inspector found that although the extension would be to the north west of the rear of No. 9 it would significantly reduce the light available to the rear elevations of that dwelling. It will also reduce the light from the south west that currently reaches the rear garden over the single storey element closest to No. 9. In addition, the occupiers would be faced with a large two-storey wall to the rear of their house and close to the garden boundary, this would dominate the view from the back of the house in a manner he considered overbearing.
- The Inspector found that the creation of a complex set of single and two storey extensions to the front of the building with different roof pitches would fail to harmonise with the existing building and would thus be harmful to its character and appearance. Furthermore, the size of the front extension would have a negative impact of the green and open appearance of the street created by the large front gardens that characterise the street scene.

The appeal was dismissed.

The link to this planning application in Public Access is:

http://planning.huntsdc.gov.uk/publicaccess/tcd/DcApplication/application_detailview.aspx?caseno=IU9IJ9IKS0000

2. **0704220OUT** **Erection of two dwellings with garaging**

**Wood Farm, Vicarage Road, Waresley
Mr & Mrs Mear**

Outline planning permission was refused under delegation agreement in accordance with the recommendation of the Parish Council for the following reason:

1. The erection of two dwellings with no agricultural restriction, outside of the environmental limits and beyond the built-up framework of Waresley, represents an unsustainable form of development which would be contrary to Development Plan Policy.

The Inspector's Reasons

- The appellants have asserted that the dwellings would be used in connection with agricultural and equestrian businesses but the development has not been justified as being required for the efficient management of agriculture. Therefore, the Inspector has treated the appeal as being for two dwellings without agricultural justification.
- The appeal site is at the end of Vicarage Road. There are farm buildings and a farm house close by and the character of the site is of open countryside. The Inspector acknowledged that the site is at the edge of the settlement but did not consider that the case for its inclusion within the environmental boundary of Waresley is strong enough to lead him to a conclusion that would conflict with the current Local Plan. Although the appellants have argued that they intend the dwellings to be used for agricultural occupancy the Inspector found that without the occupancy condition the properties could be used by non-agricultural worker commuting to work by car and the harm to sustainability would have taken place whether or not the Council was to refuse further applications for dwellings to support these businesses with an agricultural justification.

The appeal was dismissed.

The link to this planning application in Public Access is:

http://planning.huntsdc.gov.uk/publicaccess/tdc/DcApplication/application_detailview.aspx?caseno=IU9IJ9IKS0000

3. **0800119OUT** **Erection of dwelling with garaging following demolition of commercial store buildings
The Murdens and Colne House,
Church Street, Woodhurst
Mr T G Stimson**

Outline planning permission was refused under delegation agreement in accordance with the recommendation of the Parish Council for the following reasons:

1. The siting of the proposed dwelling, outside of the built form of the village and its scale would have a detrimental impact on the frontage settlement pattern of Woodhurst contrary to Development Plan Policy.
2. The siting and scale of the dwelling would harm the character of the Conservation Area contrary to Development Plan Policy.

3. The siting of the dwelling to the rear of the frontage development would have a detrimental impact on the amenities of the two dwellings to the east and west of the access contrary to Policy B4 of the HIPPS.

The Inspector's Reasons

- The appeal site is located to the rear of The Murdens and Colne House. The site's southern boundary adjoins residential properties fronting Church Street. Although there are small-scale outbuildings nearby, the frontage dwellings form a hard-edge between the more rural settings and built-up areas. The Inspector found no functional or physical link between the site and existing residential curtilages and considered that the site is not within the defined environmental limits. In addition, the dwelling would occupy a backland position, which would be uncharacteristic of the wider area.
- The Conservation Area overlaps the site and in the Inspector's view the scheme would harm the surrounding historic settlement pattern because tandem residential development would be atypical of this part of the area. Additionally, the new dwelling would be visible from Church Street through gaps between frontage properties. Whilst the traditional barn-like appearance would complement its rural settings the Inspector considered that its layout and form would not reflect the local vernacular.
- The Inspector considered that residential use of the access would be fundamentally and materially different from the existing activity, due to the frequency of comings and goings associated with residential living. Furthermore, the increased residential use of the access would be a continued source of annoyance for both The Murdens and Colne House. He concluded that the proposal would unacceptably harm those residents' living conditions.

The appeal was dismissed.

The link to this planning application in Public Access is:

http://planning.huntsdc.gov.uk/publicaccess/tdc/DcApplication/application_detailview.aspx?caseno=IU9IJ9IKS0000

4. **0704119FUL 'A'** **Erection of two dwellings**
0704120CAC 'B' **2 Longstaff Way, Hartford**
Mr & Mrs Herbert

Planning permission and Conservation Area Consent were refused by Development Control Panel at its meeting held on 25 February 2008 in accordance with officer advice but contrary to the recommendation of the Town Council. Planning permission was refused for the following reasons:

1. The proposed subdivision of the site would fail to respect the local pattern of development, characterised by large properties, generally set forward within the plot. The resultant expanse of built form and subdivision of the site is considered to be at odds with the strong sense of space and loose knit nature of the development which characterises

this part of the Conservation Area. The proposal is therefore contrary to Development Plan Policy.

2. The proposed erection of a second dwelling on the site and use of the existing informal access as a widened primary access to the dwelling, would fail to respect the informal and rural character of Church Lane. The proposed built form will have an increased presence when viewed from within the street while the boundary with the road will have a more domestic feel and character. Highway improvements required to improve visibility from the access will also cause further harm to the informal character of the area. The development has failed to demonstrate that the special character and appearance of this part of the Conservation Area can be retained/preserved and is thus considered contrary to Development Plan Policy.

Conservation Area Consent was refused for the following reason:

1. The scheme for redevelopment was refused and not considered acceptable, the demolition of this building without such a scheme would not ensure that the character and appearance of the Conservation Area is preserved or enhanced.

The Inspector's Reasons (Both Appeals)

- The Inspector considered the two appeals together as the outcome of the proposal for redevelopment is the only consideration in relation to the application for Conservation Area Consent.
- The plot lies within the Hartford Conservation Area, the proposed development would replace the existing bungalow. Property 1 would be sited 25m back from Church Lane and property 2 would be built to the north of the site accessed from Longstaff Way. The proposed subdivision of the plot would result in a development density of about 9 units per hectare which the Inspector considered would be sufficiently low to maintain the very loose knit and well wooded character of the area. Property 1 would be slightly larger than the existing bungalow but the roof line would be lower than that of the approved extension to the existing dwelling. There would also be the potential to secure extensive planting through a landscape condition which would reduce the prominence and retain the very green character of Church Lane.
- The Inspector considered that the three dwellings opposite the site give this part of Church Lane less of a rural character than that beyond the small car park. Furthermore, he did not consider that the small increase in traffic from one additional dwelling would be harmful nor did he accept that an additional dwelling would lead to a harmful sense of formality. The visibility splay required would not need to be heavily engineered and sensitive boundary treatment would respect the character of the lane more than the existing fencing. The Inspector concluded that the proposed development would not be harmful to the character and appearance of the area and it would satisfy the statutory requirement to preserve or enhance the character and appearance of the Conservation Area.

The appeals were allowed subject to conditions including a requirement for the detailed submission and approval of all materials to be used for the houses and boundary treatments and soft landscaping. Permitted development rights relating to the erection of fencing, gates and walls to the front of the dwellings were removed.

The link to this planning application in Public Access is:

http://planning.huntsdc.gov.uk/publicaccess/tdc/DcApplication/application_detailview.aspx?caseno=IU9IJ9IKS0000

5. **0704192FUL'A'** **Erection of three flats**
0704193CAC 'B' **Demolition of bungalow**
 3 Temple Close, Huntingdon
 Mr T Beazleigh

Planning permission and Conservation Area Consent were refused under delegation agreement in accordance with the recommendation of the Town Council. Planning permission was refused for the following reasons:

1. The scale of the proposal is not considered in keeping with the residential character of the locality and would create a cramped form of development on the site. The design is such that the building would not sit comfortably within the existing street scene, the building would appear squat with an uncharacteristically heavy roof. The proposal would therefore have a detrimental impact on the character and appearance of the street scene and the Conservation Area contrary to Development Plan Policy.
2. The applicant has failed to demonstrate that adequate cycle parking has been provided on site to serve the three dwellings contrary to Development Plan Policy.
3. The applicant has failed to provide adequate bin storage for the development, locating the storage 32 metres from the highway from where it would be collected contrary to Development Plan Policy.

Conservation Area Consent was refused for the following reason:

1. The scheme for redevelopment was refused and not considered acceptable, the demolition of this building without such a scheme would not ensure that the character and appearance of the Conservation Area is preserved or enhanced.

The Inspector's Reasons (Both Appeals)

- The Inspector considered the two appeals together as the outcome of the proposal for redevelopment is the only consideration in relation to the application for Conservation Area Consent.
- Temple Close is a very narrow street on the edge of the Town Centre and within the Conservation Area. The existing buildings on this part of the street present a disparate range of styles whilst on the north side there is a more compact and coherent character derived from Victorian housing with more modern infilling. The

proposed building would replace the existing bungalow with a wider, deeper building which would have a two and a half storey element to the front and a single storey element to the rear. Although the Inspector did not find the greater width of development harmful in itself, he considered the single storey element with its low roof line covering the full width of the building would be an awkwardly proportioned addition. The proposed building would stand well forward of the detached house at 5 Temple Close and it would tend to dominate the street scene from the east.

- The Inspector acknowledged that planning should not be prescriptive in terms of style, but for a development in this location to meet the statutory test of preserving or enhancing the character or appearance of the Conservation Area it should sit comfortably in the street scene. He considered that the proposed development would fail to successfully integrate with the neighbouring development.

The appeals were dismissed.

The link to this planning application in Public Access is:

http://planning.huntsdc.gov.uk/publicaccess/tdc/DcApplication/application_detailview.aspx?caseno=IU9IJ9IKS0000

6. 0801482FUL Alterations and extensions to create one dwelling, 3 School Lane, Kings Ripton Mr & Mrs P Raynor

Planning permission was refused under delegation agreement contrary to the recommendation of the Parish Council for the following reasons:

1. The design, bulk and massing of the extension would not adequately respect the form and scale of the existing dwelling contrary to Development Plan Policy.
2. The design and mass of the extension, located in close proximity to the common boundary with No. 4A School Lane, would create conditions that are detrimental to the amenities of the adjacent property contrary to Development Plan Policy.

The Inspector's Reasons

- The proposed development would convert a pair of small semi-detached houses into a single detached house and add a substantial two storey extension to the rear elevation and an extension to the front. No issues have been raised in respect of the small extension to the front and the Inspector found no harm in relation to this element of the proposed development.
- The appeal site lies within the Kings Ripton Conservation Area. The extension would more than double the existing depth of the house and the ridge height would be only marginally lower than the existing. The Inspector acknowledged that, from the Churchyard, the appearance would not be harmful to the setting of

the listed building or the Conservation Area. However, from the east the overall depth of the building with a largely bare side elevation, would make it appear excessively bulky and poorly proportioned in relation to the smaller scale of the existing building and neighbouring cottages. In this respect he considered that it would fail to preserve or enhance the character or appearance of the Conservation Area.

- Whilst the Inspector accepted that the position of the house would mean it would not have a significant impact inside No 4A he considered that the height and depth of the rear extension would dominate the sitting out area of the garden of No 4A and result in a significant loss of afternoon sunlight. This would seriously detract from the enjoyment of this space. He concluded that the development would be harmful to the living conditions at 4A.

The appeal was dismissed.

The link to this planning application in Public Access is:

http://planning.huntsdc.gov.uk/publicaccess/tdc/DcApplication/application_detailview.aspx?caseno=IU9IJ9IKS0000

7. 0801514FUL Erection of first floor extension Linden House, Wennington Road Wennington Dr Schofield

Planning permission was refused under delegation agreement contrary to the recommendation of the Parish Council for the following reasons:

1. The height and length of the first floor extension would dominate the existing dwelling, significantly increasing its massing and resulting in an elongated built form that would be detrimental to the character and appearance of the open countryside. The two unequally spaced groups of roof lights are a modern design element that would be incongruous and out of keeping within the design of this traditional dwelling. The proposal would therefore be contrary to Development Plan Policy.

The Inspector's Reasons

- Linden House is a large house with a spreading floorplan standing on a large plot in a fairly isolated position in the countryside. The proposed extension would provide a second storey and a balcony above the long single storey element to the rear.
- The Inspector considered that the extension proposed would respect the form of the dwelling as it is now and would not result in a significant change to its scale and form. The ridge of the extension would be slightly lower than the original dwelling and whilst it would increase the bulk of the dwelling the footprint would remain unchanged. The Inspector concluded that in the context of the scale of the building and the character of the plot on which it stands, the extension would not dominate the existing building and would be subservient to it. The proposal would therefore not have a harmful impact on the character of the countryside.

The appeal was allowed subject to standard time and material conditions.

The link to this planning application in Public Access is:

http://planning.huntsdc.gov.uk/publicaccess/tdc/DcApplication/application_detailview.aspx?caseno=IU9IJ9IKS0000

Background Papers:

Relevant Appeal Files

CONTACT OFFICER - enquiries about this Report to Mrs J Holland, Administrative Officer, ☎ 01480 388418.

FORTHCOMING APPEALS

Informal Hearing

21 January 2009 98a Great North Road, Eaton Socon

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