

A meeting of the **DEVELOPMENT CONTROL PANEL** will be held in the **VILLAGE HALL, OWLS END, GREAT STUKELY, HUNTINGDON, PE28 4AQ** on **MONDAY, 23 FEBRUARY 2009** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

### **APOLOGIES**

**1. MINUTES** (Pages 1 - 12)

To approve as a correct record the Minutes of the meeting held on 19th January 2009 - to follow.

**2. PROPOSED SERVICE ENHANCEMENTS - THE TRANSFORMATION FROM DEVELOPMENT CONTROL TO DEVELOPMENT MANAGEMENT** (Pages 13 - 18)

To consider a report by the Development Control Manager.

**3. DEVELOPMENT CONTROL** (Pages 19 - 120)

#### **Applications Requiring Reference to Development Control Panel**

- |     |                  |   |
|-----|------------------|---|
| (a) | <b>St. Ives</b>  | Erection of a pair of semi-detached town houses, 9 Merryland  |
| (b) | <b>St. Neots</b> | Erection of 3 townhouses and 5 apartments, land rear of 12-22 Mill Hill Road, Eaton Ford                                      |
| (c) | <b>Somersham</b> | Erection of two-storey residential care home with associated access road, parking and landscaping, land east of West Newlands |
| (d) | <b>Toseland</b>  | Alterations and change of use of chapel to a dwelling, Toseland Methodist Church, High Street                                 |
| (e) | <b>Abbotsley</b> | Erection of dwelling and garage, land adjacent 5 Harbins Lane   |
| (f) | <b>Alconbury</b> | Erection of Post Office with flat over. Erection of two houses, 1 Bell Lane   |
| (g) | <b>Buckden</b>   | Demolition of existing buildings and erection of four flats, 21 High  |

- Street
- (h) **Fenstanton** Erection of single storey dwelling, store at 11 High Street
  - (i) **Hemingford Abbots** Erection of dormer windows to form accommodation at first floor and part demolition of existing dwelling. Erection of new dwelling, land at and including 34 Common Lane
  - (j) **Hemingford Grey** Alterations and sub-division of dwelling into two dwellings, 45 High Street
  - (k) **Holywell-cum-Needingworth** Removal of Condition No. 9 of Reserved Matters Approval 0702174REM to allow floodlighting, land at Giffords Farm, Needingworth Road, St. Ives
  - (l) **The Offords** Retention of use of land as a caravan site for gypsy and traveller residential purposes, Pumping Station, Paxton Road, Offord D'Arcy

To consider reports by the Development Control Manager.

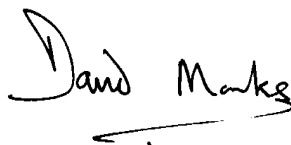
**4. APPEAL DECISIONS** (Pages 121 - 126)

To consider a report by the Development Control Manager.

**5. LATE REPRESENTATIONS AND INFORMATION** (Pages 127 - 146)

To be viewed on the District Council's website - [www.huntsdc.gov.uk](http://www.huntsdc.gov.uk) on Friday 20th February 2009.

Dated this 13 day of February 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](mailto: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](http://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.*

# 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, 19 January 2009.

PRESENT: Councillor P G Mitchell – Chairman.

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

APOLOGY: An apology for absence from the meeting was submitted on behalf of Councillor P L E Bucknell.

IN ATTENDANCE: Councillors I C Bates, P J Downes and L W MacGuire.

### **54. MINUTES**

The Minutes of the meeting of the Panel held on 15th December 2008 were approved as a correct record and signed by the Chairman.

### **55. MEMBERS' INTERESTS**

Councillor W T Clough declared a personal interest in Minute No. 58 (e) by virtue of his appointment as a prison visitor to Littlehey Prison.

Councillor J J Dutton declared a personal interest in Minute No. 58 (g) by virtue of his membership of Godmanchester Town Council.

### **56. NEIGHBOUR NOTIFICATION**

By way of a report by the Development Control Manager (a copy of which is appended in the Minute Book) the Panel considered the present arrangements for notifying neighbours when planning applications had been submitted.

It was explained that the practice of neighbour notification had been

introduced in July 1992 and had since evolved through the benefit of practical experience. Members noted that the Town and Country Planning (General Development Procedure) Order 1995 (As Amended) provided for all applications for planning permission to be subject to mandatory notification and/or advertising which was satisfied by an advertisement in a local newspaper, by a site notice visible to the general public or by neighbour notification to owners and/or occupiers of adjoining properties by post. However, the Council currently exceeded the legislative requirements by also consulting neighbours on receipt of any application for planning permission, reserved matters, listed building consent, demolition in a Conservation Area and where objections or representations had been raised to an earlier related application.

Members reaffirmed their support for the continuation of the practice whereby neighbours would be consulted on those developments to the front and side of opposite properties as well as those involved in a proposed change of use. Similarly, the Panel commended the discretion that would be shown by the Case Officer in notifying neighbours where a development might have an effect on their properties despite it being some distance away.

Having noted that the changes proposed to the notification process were minor in nature, the Panel

RESOLVED

that the present arrangements for notifying neighbours be

endorsed and the proposed changes to the process as described in paragraphs 3.5 to 3.9 of the report now submitted be approved.

**57. ENFORCEMENT ACTION - UNAUTHORISED OCCUPATION OF LODGES/HOUSEBOATS/NARROWBOATS/BOATS/FLATS AS A SOLE OR MAIN RESIDENCE, HARTFORD MARINA, BANKS END, WYTON, HUNTINGDON - 06/00167 AND 07/00146/ENBOC**

*(Councillors I C Bates and L W McGuire addressed the Panel on the item).*

*(During the course of his address and following advice from the Monitoring Officer, Councillor L W McGuire declared a personal and prejudicial interest in the business being considered as the owner of a boat at Hartford Marina and having had a close association with a number of people affected by the enforcement action).*

Further to Minute No. 69 of the meeting of the Panel held on 25th February 2008, the Development Control Manager introduced a report (a copy of which is appended in the Minute Book) regarding the action taken by Officers in the interim to address the breaches of planning control relating to the alleged unauthorised residential occupation of various lodges, houseboats, narrowboats, boats and flats at Hartford Marina, Wyton, Huntingdon

Following the representations made at the meeting and whilst recognising the importance of bringing the issues to some conclusion, the Panel expressed concern that such a complex matter was being discussed without detailed information of the circumstances of the individuals/cases concerned in the absence of existing Council

policies or guidance on marinas and without recognition of the wider issues that might have repercussions for other areas of the Council's service. Therefore, it was

#### RESOLVED

- (a) that a Member Working Group comprising Councillors J D Ablewhite, P A Swales, G S E Thorpe and R J West be established to consider existing Council policies and the preparation of supplementary planning guidance on marinas, a way forward for the enforcement process having regard to further detailed information on the specific cases/individuals concerned and the implications of enforcement action for other Council services; and
- (b) that the Working Party be requested to report to the Panel after six months on the outcome of its investigation and no enforcement action be pursued at Hartford Marina during this interim period.

#### **58. SUMMARY OF ENFORCEMENT ACTIVITY FOR 2008**

By way of a report by the Development Control Manager (a copy of which is appended in the Minute Book) Members were advised of the extent of enforcement activity undertaken by the Enforcement Team in the Planning Division during 2008 and the proposed objectives for the service in 2009.



In particular, the Panel was advised that the appointment of two additional Members of staff had significantly enhanced performance, that there had been a 25% increase in live cases and that notably the Team had achieved the removal of an unauthorised extension to a dwelling in Huntingdon following a successful prosecution.

In terms of the objectives for 2009 and mindful of the resource implications arising from the Hartford Marina investigation, the Panel requested that priority be given to the Hartford Marina cases and to preparation of an advisory leaflet on enforcement issues for town and parish councils.

Having thanked the Team for their efforts during 2008, the Panel

RESOLVED

that the content of the report now submitted be noted and the key objectives identified for the service in 2009 endorsed.

**59. 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) **Retention of use of land for amenity space and occasional/overflow car parking for village hall, land rear of Eastern/Western cottages, High Street, Hemingford Abbots - 08/02995/FUL**

*(Councillor I C Bates, Ward Councillor, Councillor J Peters, Hemingford Abbots Parish Council and Mr D Perrott, applicant, addressed the Panel on the application).*

that the Head of Planning Services be authorised to approve the application subject to further discussions with the applicant to achieve a revised layout for the car park which would seek to preserve and enhance the Conservation Area and conditions to include landscaping, widening of the footway and access road to improve visibility and surfacing of the access road to minimise noise disturbance.

- (b) **Extension to dwelling, Holmeswood, Main Street, Old Weston - 08/03175/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;

- (c) **Residential development, St. Ives Caravans, Old**

**Ramsey Road, St. Ives - 08/02417/OUT**

*(Mr A Campbell, agent, addressed the Panel on the application).*

that the application be refused for the following reasons -

- ◆ 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;
- ◆ 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; and

- ◆ 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.

- (d) **Retention of six metre high posts and safety netting, recreation ground, Daimler Avenue, Yaxley - 08/03212/FUL**

*(Councillor D Youles, Yaxley Parish Council and Messrs A Bartle, C Bolton and G Mold, objectors 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 the removal of the nets and posts in the close football season and for the lowering of the netting when the pitches are not in use.

- (e) **Development of 480 place prison (Class C2A), external visitor centre, parking and landscaping,**

**Littlehey Prison, Crow Spinney Lane, Perry -  
08/03163/FUL**

*(See Minute No. 55 for Members' interests).*

*(Councillor P J Downes, Ward Councillor, Councillor Mrs V E Razzell, Perry Parish Council and Mr L Manton, applicant addressed the Panel on the application).*

- (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 a contribution of £250,000 to upgrade the cycle route in Perry and the continuation, for a minimum of five years, of an extension to the existing mini-bus service for visitors from Huntingdon Railway Station to the prison; 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.

- (f) Erection of timber framed shelter, Duncombe**

**Arms, Eltisley Road, Waresley - 08/02266/FUL**

that the application be refused for the following  
reason:-

the proposed timber framed shelter due to the design, siting and use of materials would be detrimental to the character and setting of the listed building and the character and appearance of the Conservation Area contrary to policies ENV7 of the East of England Plan - Revision to the Regional Spatial Strategy, May 2008; En2, En5, En6, En25 of the Huntingdonshire Local Plan 1995, B1, B7 and B8 of the Huntingdonshire Interim Planning Policy Statement, 2007 and CS1 of the Huntingdonshire Local Development Framework Submission Core Strategy, 2008.

- (g) **Erection of dwelling, land adjacent 15 White Hart Lane, Godmanchester - 08/02594/FUL**

*(See Minute No. 55 for Members' interests).*

that the application be refused for the following  
reason:-

the proposed dwelling, with a frontage of approximately 9.1 metres and a lower ridge line than No. 15 is of an inappropriate scale and proportion,

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 Planning Policy Statement Nos. 1 and 3, 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 the Huntingdonshire Design Guide, 2007.

#### **60. 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 seven appeals against refusal of planning permission by the District Council.

Chairman

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## AGENDA ITEM NO.

COMT  
DEVELOPMENT CONTROL PANEL  
CABINET

3<sup>rd</sup> FEBRUARY 2009  
23<sup>rd</sup> FEBRUARY 2009  
12<sup>th</sup> MARCH 2009

## PROPOSED SERVICE ENHANCEMENTS – THE TRANSFORMATION FROM DEVELOPMENT CONTROL TO DEVELOPMENT MANAGEMENT (Report by Head of Planning Services)

### 1. INTRODUCTION

- 1.1 As Members will be aware, the operational structure of Planning Services is currently divided into planning policy and implementation (including the specialist conservation, urban design, trees and landscape teams) and development control. Simplistically, the planning policy team is involved in the preparation of the Council's planning policy documents and the development control team (receiving appropriate expert advice from the conservation, urban design, trees and landscape teams) provides appropriate pre-application advice, considers and determines planning and related applications, deals with all subsequent appeals and is responsible for ensuring compliance with planning control (enforcement).
- 1.2 The recent shift in the national agenda for planning towards 'Place Shaping', which the Lyons Inquiry into Local Government (March 2007) defined as "the creative use of powers and influence to promote the general wellbeing of the community and its citizens", has highlighted a need for a review of the role and, in particular, the remit and 'emphasis' of development control work within all local planning authorities. Traditionally, the development control function was often seen as 'negative and reactive' and it typically had a reputation for preventing rather than enabling the delivery of development. As part of the move towards delivering a 'Spatial Planning System', the nature of the local policy framework, in the form of the Local Development Framework, has already fundamentally shifted with much more emphasis now being placed on the creation of a sustainable and deliverable vision for development in the District. To support this change in the local policy framework and to ensure that the planning service can deliver the Council's corporate vision and community objectives for the future, it is proposed that the Development Control (DC) function also needs to be formally transformed into Development Management (DM).

### 2. THE TRANSFORMATION TO DEVELOPMENT MANAGEMENT

- 2.1 The Planning Advisory Service (which is supported and funded by Government) in its document 'a benchmark for the spatial planning function' highlights what it considers to be the 5 principles of development management:
1. DM is an integral part of the spatial planning process; it puts spatial plans into action.

2. DM is the end-to-end management of the delivery chain for sustainable development (from policy formation through pre-application discussions and the determination of applications to monitoring).
3. The DM approach signals a culture change, underlining the role of the local authority as a place shaper in partnership with others.
4. The processes for considering proposals need to be proportionate and appropriate to the impact of the individual development.
5. The DM approach will necessitate changes in the structure and allocation of resources within the local authority with the traditional boundaries between development control and policy teams changing to allow a freer interplay between roles.

2.2 Some of the main cultural and operational differences between development control and development management are set out in Appendix A. This shift will not happen overnight - it requires a culture change and a wider range of skills and the transformation process has been described as a journey rather than an overnight event. For some years, many local authority development control teams, including HDC's, have been moving away from the traditional, limited development control function of scrutinising and determining applications and now have a positive input into policy formulation, engage in pre-application discussions and monitor outcomes. Now is considered to be the time to formalise the shift from development control to development management (including changing the job titles of officers as may be appropriate and renaming the Development Control Panel the Development Management Panel) as PAS has recently issued more specific guidance on what is meant by and how to embrace Development Management and, perhaps more importantly, the Council's Vision for the future of Huntingdonshire, as set out in the Core Strategy, has been submitted and is moving towards adoption. Lessons will be learnt both from experiences in Huntingdonshire and from best practice from elsewhere but Appendix B sets out the elements of DM that the service is already taking forward and the additional actions already identified to make further steps towards DM.

2.3 The Development Management approach, because of its proactive emphasis, typically requires more 'resources' than traditional development control. To help counter this and to ensure that Councils could concentrate on guiding those developments that have the largest impacts, the Government made revisions to the permitted development rights for householders in October 2008. The intention was that greater permitted development rights for householders would result in fewer householder applications and thereby enable Councils to dedicate more of their limited resources to the more significant larger projects. Early indications are that these revisions may not lead to a significant reduction in householder application numbers and the experience of some authorities indicates that they may in fact result in an increase in applications. The resource implications of the transformation to DM will need to be carefully monitored but the recent fall-off in application numbers also provides an opportunity and a further reason to implement the change to DM now. Budget cycles may also need to be monitored in the medium-term as the DM emphasis

on more pre-application involvement for the largest projects (South of Cambridge Road, St Neots for example) would be some time in advance of any planning application fee.

- 2.4 To provide additional targeted funding, some authorities have begun charging for pre-application discussions. At present, there are no plans to charge for pre-application discussions as they are considered central to the objective of shaping and improving the quality of submissions and should not in any way be discouraged, and we will look to support the Development Management initiative through flexible budget management.
- 2.5 It will be important to ensure that all stakeholders understand and sign-up to this change in approach. Accordingly, we will be holding workshop sessions with Members, interested stakeholders and, most particularly, with agents. Corporate Governance Panel and Council will be asked to agree the change of name of the Development Control Panel to the Development Management Panel at their meetings in March and April respectively.

### **3. RECOMMENDATION**

- 3.1 That the proposed transformation from Development Control to Development Management is noted and endorsed by COMT and Cabinet; noted, endorsed and embraced by the Development Control Panel; and that the Head of Planning Services is authorised to implement all the necessary administrative and procedural changes.

#### **Background Papers:**

PAS 'a benchmark for the spatial planning function' document version 3.0

PAS 'development management - guidance and discussion document' June 2008

**CONTACT OFFICER** - enquiries about this report to Steve Ingram, Head of Planning Services, on 01480 388400.

## Appendix A

### A summary of some of the main differences between development control and development management

<b>Traditional Development Control</b>	<b>Development Management</b>
Was perceived by some as negative and reactive	More positive and proactive in terms of allowing the 'right schemes' in the 'right places' at the 'right times' – directing the place shaping agenda
Was focused on the scrutiny and determination of applications	Whilst the effective scrutiny and determination of applications remains important, DM expands upon traditional DC and encompasses the end-to-end development process including positive inputting into policy formation, pre-application discussions and monitoring of outcomes
Had a reputation for preventing delivery	Central to the enabling and delivery of the Council's and community's objectives
Involved limited partnership working	Greater emphasis on partnership working to achieve positive outcomes
Processes and resources not always proportionate to the impacts of a development. Tendency for too much time and resources to be spent on small projects and not enough on the larger projects that have the greatest impacts.	Processes and resources allocation is more proportionate to the impacts of a development. More reliance on Planning Documents (SPDs) as method of providing positive and constructive guidance on smaller projects.
Required the decision-maker to consider proposals against the many detailed criteria based policies set out in the Local Plan.	With much fewer prescriptive development control policies in the LDF, there is a greater emphasis on assessment of impacts and professional judgements with decision-makers having to have a greater understanding of, and more reliance on, delivering the vision for the District set out in the Core Strategy and other strategies and national policy guidance.
Tendency for an 'Us' and 'Them' attitude to development.	For schemes that help fulfil corporate objectives, more collaborative working with all parties involved in and affected by the development process, but remembering that the regulatory function remains an essential part of DM.
A case officer would consult internal and external consultees after the receipt of an application.	A Development Team approach – corporately and including external consultees – prior to the submission of large proposals in order to inform and shape proposals.

## Appendix B

### Elements of Development Management we are already doing

- 1 DC officers have had more input than ever before into the formulation of the Core Strategy and drafting of the DM policies documents
- 2 We have produced SPDs and other document that will guide, shape and improve the quality of submissions e.g. Design Guide, Landscape and Townscape Assessment, Urban Design Frameworks and Conservation Area Character Assessments
- 3 We are considering applications and proposals in the light of the Vision for the District set out in the Core Strategy
- 4 We have positively promoted development that will help fulfill our Corporate Vision e.g. Huntingdonshire Regional College's move to Hinchingsbrooke and the Affordable Housing Scheme at Mayfield Road
- 5 We are learning some positive lessons from past decision e.g. using CABE's scoring system for officers and Members to assess and evaluate completed schemes
- 6 The Conditions Monitoring Officer is actively monitoring compliance with conditions and some outcomes are monitored through the Annual Monitoring Report

### Elements of Development Management we plan to put into place

- 1 Effective change of mindset of all stakeholders!
- 2 Increase emphasis on, and establish a charter for, pre-application discussions in order to positively shape development prior to submission and use limited resources effectively
- 3 Improve knowledge of National Government initiatives and guidance and Corporate Visions and Objectives which will increase in importance under the new policy framework
- 4 Learn more practical lessons from past decisions including obtaining the views of consultees on developments (e.g. Police Architectural Liaison Officer)
- 5 Continue to monitor advice and guidance in relation to if and how (with probity issues in mind) Members could become more effectively involved at the early stages of large proposals, particularly in respect of any large windfall proposals or large scale regeneration schemes
- 6 Use planning enforcement powers to support Corporate objectives in appropriate circumstances (e.g. consider using S.215 Amenity Notice powers in appropriate instances as part of Corporate Empty Homes Strategy)

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AGENDA ITEM NO.

DEVELOPMENT CONTROL PANEL

23 FEB 09

**APPLICATIONS REQUIRING REFERENCE TO DEVELOPMENT CONTROL  
PANEL**

**(Reports by Development Control Manager)**

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**Case No: 0801352FUL (FULL PLANNING APPLICATION)**

**Proposal: ERECTION OF A PAIR OF SEMI-DETACHED TOWN  
HOUSES**

**Location: 9 MERRYLAND PE27 5ED**

**Applicant: MR M AHMED**

**Grid Ref: 531279 271291**

**Date of Registration: 13.06.2008**

**Parish: ST IVES**

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**RECOMMENDATION - REFUSAL**

**1. DESCRIPTION OF SITE AND APPLICATION**

1.1 This site is located in the centre of St Ives, to the rear of properties on Merryland and Woolpack Lane. The land is presently used for car parking (five spaces), and is one of a number of parking areas in this courtyard, which are served by a narrow access off Merryland. The site is surrounded by development, varying in scale, style and age. There is a blank two storey wall immediately to the south east of the site, and two storey buildings are located on the other sides. The land use in the vicinity is largely mixed commercial, although there is a dwelling to the south west. There are no features of note within the site.

1.2 The proposal is within the town centre of St Ives, and within the Conservation Area. There are a number of Listed Buildings close to the site.

1.3 The proposal is to erect a pair of semi-detached dwellings. The building will be 2 ½ storeys high, and will occupy the majority of the site, being sited 600mm from the two storey wall at the rear, and with each property having a landscaped area measuring 1.8m by 0.5m at the front. The first floor lounges will each have a "Juliet" balcony, overlooking the remaining car parking and access areas.

**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 of housing completions needed in England.

- 2.3 **PPG15 – ‘Planning and the Historic Environment’ (1994)** advises on development affecting Listed Buildings and Conservation Areas.
- 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](http://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.
  - **H37**: Environmental pollution – housing development will not be permitted in locations where there is a known source of environmental pollution which would be detrimental to residential amenity.
  - **En2**: “Character and setting of Listed Buildings” – indicates that any development affecting a building of architectural or historic merit will need to have proper regard to the scale, form, design and setting of the building.



- **En5:** “Conservation area character” - development within or directly affecting Conservation Areas will be required to preserve or enhance their character or 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.
- **CS8:** “Water” – satisfactory arrangement for the availability of water supply, sewerage and sewage disposal facilities, surface water runoff 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](http://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.
- **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.

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 – development 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 on the amenity of existing and future occupiers.
- **B7** – Listed Buildings – lists the criteria against which development proposals 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.
- **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 of flooding or increase the risk of flooding elsewhere. Flood risk assessments are required where appropriate. Sustainable drainage systems should be used 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.
- **CS3**: Settlement hierarchy. St Ives is a market town within which housing development of all scales may be appropriate.

3.7 The SPD Design Guide (section 2.2) is a material consideration.

#### 4. PLANNING HISTORY

4.1 None relevant

#### 5. CONSULTATIONS

5.1 **St Ives Town Council – NO OBJECTION** (copy attached)

5.2 **Environment Agency – OBJECTION** on grounds of insufficient information.

5.3 **Local Highway Authority (HDC) – OBJECTION** Inadequate access for additional use. It is unclear whether the existing parking spaces on the site are allocated to a specific unit.

5.4 **Environmental Health Officer – OBJECTION** on grounds that plans do not show how dwellings will be protected from the odours, noise etc from the adjoining uses, especially from the restaurant and the P.H.

#### 6. REPRESENTATIONS

6.1 Neighbours – two letters have been received. The following points have been raised:-

1. There will be a loss of amenity to adjoining properties due to overlooking. This is because of the number of windows located on the first and second floors, including the balcony. The distance between

the proposal and Elwyn House is very limited and both the house and garden will be affected.

2. The building, due to its height will be a visually very dominant and alien feature when viewed from Elwyn House. The existing walls at Elwyn House will not provide any screening.

3. The applicants have not shown how the proposal will deal with pollution.

4. The occupants of the dwellings will suffer noise and disturbance from the adjoining land uses, notably the public house.

5. The building is poorly detailed, notably the dormers and the roof, and it does not preserve the character of the Conservation Area. It will also adversely affect the setting of the adjoining Listed Buildings. The roof materials are not appropriate for a Conservation Area.

6. The proximity of the building to other structures will make maintenance very difficult.

7. Elwyn House is an 18c. Listed Building, and it could be damaged during the construction phase.

8. Some residents may not have commented because of restrictive covenants.

## **7. SUMMARY OF ISSUES**

7.1 The issues in this case relate to the principle of residential development, the effect on the amenities of the immediate neighbours, the effect on the character and appearance of the Conservation Area and the setting of adjoining Listed Buildings, access, flooding and the impact of the existing nearby uses on the occupiers of the proposed dwellings.

### **The principle of new residential development**

7.2 St Ives is classified as a market town in the settlement hierarchy, where development of all scales may be appropriate within the built up area. The site is within the built up area and the erection of two dwellings would be consistent with the provisions of policies STR1, STR3 and CS3.

7.3 This site is previously developed land within the definition of PPS3, and thus its more efficient use would be in line with one of the major thrusts of this guidance. The use of land for residential purposes would be in keeping with the present land use pattern, and, in terms of principle, could be supported. However, there are other significant issues to consider, which have a bearing on the ultimate recommendation.

### **Impact on neighbouring properties**

7.4 This is a large building, and there will be a 2½ storey high gable wall directly on the boundary with garden of the adjoining public house. This will inevitably have a significant impact on the enjoyment of this

space in terms of overshadowing, and overbearing impact. The effect on other properties will be less, but there will be overlooking of the front of Elwyn House. This will mainly be over the front, or more public aspect of the property, including the main room windows. To the south west, the proposal will have an overbearing effect on land presently used for parking. Overall, loss of amenity is a significant issue, and the proposal is contrary to the provisions of policies H31 and B4.

### **Impact on the Conservation Area/Listed Buildings**

- 7.5 The site is within the St Ives Conservation Area, and there are three listed buildings in close proximity. The grain of the historic burgage plots is still evident, as is the hierarchy of buildings, with the principal structures being on the street frontages, and ancillary buildings to the rear. The proposed development does not respect its historical context in that the building is too tall and does not respect the grain of the burgage plots. The development is too cramped within the site, and it is not subservient to the frontage properties. Its scale is unsympathetic to its backland location, and it will be over-dominant on the site. It does not relate well to the adjacent listed buildings, either in terms of its setting, or detailing, which fails to build on the local vernacular and incorporates too many “standard” features. It is considered that the proposal would harm the character and appearance of the Conservation Area, and would not respect the setting of the Listed Buildings. In this respect, the proposal would be contrary to the provisions of policies En2, En5, En6, HL5, B1, B7, B8 and ENV7.

### **Access**

- 7.6 The access to the site is narrow, and the visibility at the entrance is poor. The access serves a number of properties already, and there is a substantial number of parking spaces within the confines of the overall site, although there is no clear indication as to who uses them. The proposed development will remove five of these spaces although each dwelling will be provided with a single space. It is likely, therefore, that the proposal will result in a net decrease in traffic generation, and hence a reduction in the use of the access. The proposal would comply with policies T1 and T2.

### **Flooding**

- 7.7 The Environment Agency has objected to the proposal on the grounds of insufficient information given in the Flood Risk Assessment. The site is within the E.A. flood zones 2 and 3, and the Flood Risk Assessment does not meet the requirements for new development as laid down in PPS25. In particular, it has not addressed the issue of climate change. It is considered that this is a valid objection, and that the proposal is contrary to the provisions of policies P10 and CS8.

### **Impact of existing uses**

- 7.8 The Environmental Health Officer has commented that the site is located very close to two sources of pollution, i.e. noise and disturbance from the adjoining beer garden, and odours from the

tandoori restaurant. The occupiers of the proposed dwellings could suffer a loss of amenity from these uses unless suitable preventative measures are taken. None are shown on the submitted plans, and thus the proposal is considered to be contrary to policy H37.

### **Other issues**

- 7.9 A respondent's concern that some neighbouring residents may not have commented because of legal restrictions in covenants is not a material planning consideration.

### **Conclusions**

- 7.10 This proposal is unacceptable for the reasons given above, and should not be approved.
- 7.11 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 contrary to the provisions of policies ENV7 of the East of England – Revision to the Regional Spatial Strategy 2008, policy HL5 of the Huntingdonshire Local Plan Alteration 2002, policies En2, En5 and En6 of the Huntingdonshire Local Plan 1995, and policies B1, B7 and B8 of the Huntingdonshire Interim Planning Policy Statement 2007, in that the development, by reason of its scale, location and design would not be sympathetic to the historical development of the site or the locality, and would thereby be detrimental to the character and appearance of the site and the Conservation Area, and the setting of the adjacent Listed Buildings.
- 8.2 The proposal would be contrary to the provisions of policy H31 of the Huntingdonshire Local Plan 1995, and policy B4 of the Huntingdonshire Interim Planning Policy Statement 2007, in that the development would result in an unacceptable loss of amenity to the adjoining properties by reason of loss of light, loss of privacy and overbearing impact.
- 8.3 The proposal would be contrary to the provisions of policy CS8 of the Huntingdonshire Local Plan 1995, policy P10 of the Huntingdonshire Interim Planning Policy Statement 2007 and PPS25 in that the application does not adequately demonstrate that due regard has been taken of the potential flood risk to the site during the likely lifetime of the building, nor has assessed the flood risk resulting from climate change.
- 8.4 The proposal would be contrary to the provisions of policy H37 of the Huntingdonshire Local Plan 1995 and policy B4 of the Huntingdonshire Interim Planning Policy Statement 2007 and policy B4 of the Huntingdonshire Interim Policy Statement 2007 in that it

does not demonstrate how the development would incorporate measures to adequately protect the amenities of the inhabitants of the dwellings from noise, disturbance and odours emanating from adjacent properties.

**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 SPD Design Guide

**CONTACT OFFICER:**

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

**01480 388406**

**Case No:** 0803231FUL (FULL PLANNING APPLICATION)  
**Proposal:** ERECTION OF 3 TOWNHOUSES AND 5 APARTMENTS  
**Location:** LAND REAR OF 12 TO 22 MILL HILL ROAD, EATON FORD  
**Applicant:** AJB HOMES LTD  
**Grid Ref:** 517658 260265  
**Date of Registration:** 19.11.2008  
**Parish:** ST NEOTS

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**RECOMMENDATION - APPROVE**

**1. DESCRIPTION OF SITE AND APPLICATION**

- 1.1 This site was last used for motor vehicle repairs and the existing buildings on the site are currently vacant. The site is 0.11 hectare in size; or approximately 50 metres x 18.5 metres. It is surrounded by residential development on all sides and accessed by a narrow vehicular access from Hanover Close. This access is a shared public footpath which also links to Constable Avenue to the north.
- 1.2 This full application proposes the erection of 3 dwellinghouses and 5 flats sited in two groups of buildings. On the frontage of the site is proposed a two storey building containing 4 flats and to the rear is a lower two storey building with car parking on the ground floor and a flat above. The three townhouses are sited towards the rear of the site with individual rear gardens behind the dwellings. Ten car parking spaces are proposed.
- 1.3 The application is accompanied by a Design and Access Statement, Flood Risk Assessment, Access Appraisal, Contamination Investigation and Bat Survey report.

**2. NATIONAL GUIDANCE**

- 2.1 **PPS 1 - 'Delivering Sustainable Development' (2005)** contains advice on delivering sustainable development.
- 2.2 **PPS 3 - 'Housing' (2006)** aims to make good use of land and comments on development in urban areas.

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
- **ENG1:** Carbon Dioxide Emissions and Energy Performance

#### 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](http://www.huntingdonshire.gov.uk/localplan95)

- **H31** - new housing only permitted where appropriate standards of privacy and amenity can be maintained.
- **En20** – Planning permission subject to condition requiring landscape scheme.
- **En25** - all new development to respect scale, form, materials and design of buildings in locality.

#### 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](http://www.huntingdonshire.gov.uk/localplan) - Then click on "Local Plan Alteration (2002)

- **STR1** – Housing development up to and including estate scale may proceed in St Neots.
- **HL5** - good design and layout in all new housing developments to achieve an efficient use of land, respect townscape, appropriate dwelling mix, incorporate landscaping, create an attractive distinctive place and promote energy efficiency.



- **HL7** – The District Council will seek to maximise the re-use of previously developed land and support the re-use of empty properties, and the conversion of under used dwellings or office or other buildings into housing use.

### 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 - a development proposal should demonstrate a high quality of design in terms of layout, form and contribution to the character of the area.
- **B2** Street Scene - requires development to make a positive contribution to the character and appearance of streets and public spaces.
- **B4** Amenity - a development proposal should not have an unacceptable impact upon the amenity of existing or future occupiers within, adjoining or in the vicinity of the site in terms of daylight and sunlight, privacy, noise and disturbance, air quality, safety and security or oppressive or overbearing impact.

### 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:** Settlement hierarchy’ – residential development schemes of all scales may be appropriate within the built up area of St Neots.

## 4. **PLANNING HISTORY**

- 4.1 8301081FUL – Erection of cover over car hoist – approved.
- 4.2 0702966OUT – Residential Development to include means of access – approved.
- 4.3 0801871FUL – Erection of 5 Dwellings and 4 flats – withdrawn.

## 5. CONSULTATIONS

- 5.1 **St Neots Town Council – OBJECTION** (copy attached).
- 5.2 **County Council Highways – NO OBJECTIONS.**
- 5.3 **HDC Environmental Health** – further information on the ground contamination is required and this can be dealt with by condition.
- 5.4 **Environment Agency – NO OBJECTIONS** subject to minimum floor levels for the development, contamination information and no filtration of surface water drainage into the ground to be subject of conditions.
- 5.5 **CCC Footpaths Officer** – no comments received.
- 5.6 **Natural England – NO OBJECTIONS** subject to the recommendations regarding avoidance of impacts to nesting birds being incorporated in a planning condition.

## 6. REPRESENTATIONS

- 6.1 **THREE** letters of **OBJECTION** have been received commenting on the original plans which make the following points:
- Overlooking;
  - Height of the building is twice the height of the existing;
  - Adverse affect on the value of property;
  - High density of development;
  - Insufficient car parking;
  - Inability of cars to pass each other on the access road;
  - Access route used frequently by pedestrians and children going to school;
  - Do not want 5 apartments at the rear of property; and,
  - Original objections have not been met
- 6.2 **ONE** letter has been received in response to the amendments, re-iterating the point that they did not want five apartments at the rear of their property and that the revisions did not address their concerns. Any further comments received will be included in the Friday letter.

## 7. SUMMARY OF ISSUES

- 7.1 The principle of residential use on this site using the existing access has been established with the granting of outline planning permission reference 0702966OUT. Although the use of the access was established the layout at that time was illustrative and the number of dwellings therefore unknown. This application has been submitted as a full application following the withdrawal of the previous full application for 5 houses and 4 flats. The main issues to consider here therefore are the layout and design of the development, access and highway issues, effect upon residential amenity, wildlife and landscape issues and third party representations.

## **Quantum and Density of Development**

- 7.2 Both central and local planning policy aims to achieve an efficient use of land and generally at least a minimum of 30 dwellings per hectare should be achieved. In built up areas of towns where access to public transport is good higher densities can be achieved. The local guidance is contained within Policy H2 of the Interim Planning Policy Statement where it states that densities of between 40-75 dwellings per hectare can be achieved. In this case the density is 72 dwellings per hectare which is below the maximum suggested by the policy. Of more relevance on an enclosed, relatively small site such as this, is whether the proposal represents a well conceived, high quality design.

## **Layout and Design**

- 7.3 The buildings on the site have been arranged in two blocks with the flats closer to the entrance and the houses located towards the rear of the site. The car port with flat above will form the visual link between the two blocks. This grouping of buildings will form a central courtyard space creating a sense of identity and focus for the new dwellings. The courtyard will also provide space for the parking and manoeuvring of vehicles. The design of dwellings is traditional and takes its cue from traditional courtyard developments. Materials would be brick and dark stained weatherboarding. It is considered that this is a well thought out design which responds appropriately to the constraints of the site.

## **Access and Highway Issues**

- 7.4 The access serving the site is also a shared public footpath and designated public right of way which has over the years been used by both the car repair business and pedestrians using the footpath. Estimated vehicular traffic to the car repair business was 50 vehicular movements per day. The accompanying Access Appraisal submitted with the application states that the established commercial use of the site could have the potential to generate around 95 movements per day. The same appraisal document states that the anticipated traffic generation for the proposed development will be around 33 trips per day, which is clearly a reduction in traffic using the access. The Highway Authority, whilst not doubting this figure and not objecting to the proposal, have queried whether a company generating 95 trips per day would consider moving onto the site because of the restrictions of the access. The highway authority has suggested conditions relating to turning and parking on site, and details of the access improvements. The access for this proposed use is therefore acceptable subject to the imposition of appropriate conditions. Ten car parking spaces for eight units close to the Town Centre is considered appropriate.

## **Effect upon Residential Amenity**

- 7.5 This is a site which is enclosed on all sides by established housing. The existing buildings on the site are single storey commercial/car repair buildings and the proposal will represent a considerable visual change to the site. Amendments have been received relating to the position of windows on the proposed scheme in order to minimise the

impact upon the residential amenity of surrounding properties. Although there will be some impact upon the residential amenity it is considered that this is acceptable bearing in mind the distances involved and the removal of the existing commercial use.

### **Wildlife and Landscape Issues**

- 7.6 The site has few natural features apart from some relatively immature trees. Natural England were consulted as the site is within 600 metres of the St Neots Common SSSI; however they have commented that this development is unlikely to have any effect upon the special features of interest and they have no objections. They do however recommend that the recommendations regarding avoidance of impacts to nesting birds be secured through the use of a planning condition.

### **Flooding**

- 7.7 The Environment Agency has requested that floor levels be no lower than 16.10 ODN and the topographical survey submitted shows existing floor levels at between 15.80 and 16.00 metres and therefore it is considered that the required floor level will be acceptable.

### **Third Party Representations**

- 7.8 The points raised in third party representations have been dealt with in this report. The impact upon the value of properties is not a material planning consideration.

### **Conclusion**

- 7.9 This represents a well thought out development which will enhance the local area, while resulting in minimum impact upon the surrounding residential amenity. Traffic generation levels as a result of the proposal will be lower than that of a lawful commercial use which could use the existing buildings without the need for planning permission. It is therefore considered that planning permission in this instance should be granted.

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

- |                   |                        |
|-------------------|------------------------|
| <b>02003</b>      | Time Limit (3yrs)      |
| <b>05001</b>      | Buildings              |
| <b>Nonstand -</b> | Floor levels           |
| <b>Nonstand -</b> | Contamination risks    |
| <b>Nonstand -</b> | Surface water drainage |

- Nonstand** - Parking and turning
- Nonstand** - Details of access
- Nonstand** - Access to be hard surfaced
- Nonstand** - Protection of nesting birds
- Nonstand** - External lighting
- 13003** - Permitted Development (Extensions)
- 13007** - Permitted Development (Windows)

**Background Papers:**

Planning Application File Reference: 0803231FUL  
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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**Case No:** 0802248OUT (OUTLINE APPLICATION)

**Proposal:** ERECTION OF TWO STOREY RESIDENTIAL CARE HOME WITH ASSOCIATED ACCESS ROAD, PARKING AND LANDSCAPING.

**Location:** LAND EAST OF WEST NEWLANDS

**Applicant:** MARLBOROUGH PROPERTIES UK LTD

**Grid Ref:** 535482 277971

**Date of Registration:** 06.08.2008

**Parish:** SOMERSHAM

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**RECOMMENDATION - APPROVE**

**1. DESCRIPTION OF SITE AND APPLICATION**

- 1.1 This site is located on the western side of Somersham, between the main part of the village, and the West Newlands industrial estate. The land is part of a large open field, presently in agricultural use, and it has no natural features of note apart from mature hedges on the southern and western boundaries. It rises slightly away from the road. The site has dimensions of approximately 60m by 120m (0.72ha). There is a field access to the site at the south western corner.
- 1.2 Apart from the industrial estate to the west, and the main body of the village to the east, there is a ribbon of residential development on the opposite side of the road. The land to the north is in agricultural use.
- 1.3 The proposal is in outline, with all matters reserved, and is to erect a two storey residential care home. Indicative plans have been submitted with the application which show the proposed layout of the site, the position of the access, and the provision of car parking at the rear of the site. The overall dimensions of the building will be 70m by 80m, with a maximum footprint of 3900 sqm and its height will vary between a maximum of 12m for the entrance feature, and 9.8m generally. The Design and Access Statement says that the applicants' intention is a building in a "modern style of architecture". The building will contain around 80 bedrooms and will generate between 50 and 60 full time jobs. Landscaping will be provided around the site.
- 1.4 The land is within the village environmental limit, but outside the existing built form, and is part of a larger allocation for employment purposes (a total of 2.5ha) in the Huntingdonshire Local Plan 1995. This allocation has been carried forward into the Huntingdonshire Interim Planning Policy Statement 2007. The road is classified (B1086).

1.5 The application has been advertised as a departure from the provisions of the development plan.

## 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 of housing completions needed in England.

2.3 **PPG4: “Industrial and Commercial Development and Small Firms” (1992)** contains advice on the role of the planning system in relation to industrial and commercial development.

2.4 **Consultation Paper on new Planning Policy Statement 4: Planning for Sustainable Economic Development.** This sets out how planning bodies should, in the wider context of delivering sustainable development, positively plan for sustainable economic growth and respond to the challenges of the global economy, in their plan policies and planning decisions.

2.5 **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) 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](http://www.huntingdonshire.gov.uk/localplan95)



- **E3:** “Provision of land” – land allocations for the needs of general industry, warehousing and distribution, office and high technology uses.
- **E8;** “Small scale employment generating development” – will normally be permitted within defined environmental limits subject to demonstrated employment need, likely impact on character, amenities and infrastructure.
- **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.
- **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 provision for landscaping and amenity areas.
- **CS5:** “Health and Social Services” - the Council will normally support the provision of facilities for social care subject to environmental and traffic considerations.
- **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](http://www.huntingdonshire.gov.uk/localplan) - Then click on "Local Plan Alteration (2002)

- **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.

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 – development should demonstrate a high quality of design in terms of layout, form and contribution to the character of the area.
- **B2** – Street Scene – development proposals should make a positive contribution to the character of streets and public spaces.
- **B4** – Amenity – developments should not have an unacceptable impact on the amenity of existing and future occupiers.
- **H10** – Nursing and Care Homes. Development should be located in the defined limits of Key Centres (Somersham is a key centre

[limited growth]) and should enable facilities to be reached easily without the use of the car.

- **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 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 Somersham as a ‘Key Service Centre’ in which development schemes of moderate and minor scale and infilling may be appropriate within the built up area.

3.7 The SPD Design Guide (Part 1) is a material consideration.

#### 4. **PLANNING HISTORY**

4.1 None recorded.

#### 5. **CONSULTATIONS**

5.1 **Somersham Parish Council – OBJECTION** (copy attached)

5.2 **Local Highway Authority (CCC) – NO OBJECTION**

5.3 **Cambridgeshire Archaeology** – The site lies to the immediate north of the Registered Park and Garden of Somersham Palace Deer Park and to the north-west of Somersham Palace which is a Scheduled Ancient Monument. Finds in the area are consistent with settlement in the Roman and Elizabethan periods. A condition requiring archaeological evaluation prior to development would be appropriate.

5.4 **Environmental Health Officer** – Noise from the adjoining industrial units should not have a significant impact on this development.

## **6. REPRESENTATIONS**

- 6.1 Neighbours – Six letters have been received. The following comments have been raised:-
1. The provision of an additional access from the main road would be inappropriate and would lead to further hazards for road users. The road is heavily used and slowing and turning traffic into the site would exacerbate the turning movements already happening with the other accesses. Traffic generated by the proposal would add to the problems on the road.
  2. The residents of the care home would suffer noise and disturbance from the adjoining industrial units.
  3. There is no need for such a large facility in the village. The site is not appropriate, and a smaller one should be found elsewhere in the village.
  4. The land should be retained as farm land or should be used for set aside.
  5. Somersham does not have a good bus service, and residents would find it difficult to access facilities elsewhere.
  6. The electricity supply in this part of the village is poor.
  7. The location of the road suggests that additional land may come forward for development at some time. Land to the side and rear could be under threat. There should be a comprehensive scheme for the whole of the site.
  8. If approved, a footpath/cycle track should be constructed along St Ives Road from The Pasture to the industrial estate.
  9. The land is green belt, and should not be built on.
  10. The land should be used for industrial purposes to provide employment.

## **7. SUMMARY OF ISSUES**

- 7.1 The issues in this case relate to the principle of the development; the impact the development will have on the character of the area; the highway considerations; the impact on existing and proposed occupants and drainage.

### **Principle of the development**

- 7.2 The application site is part of a larger (2.5ha) area of land allocated for employment purposes (Classes B1 and B2) in policy E3 of the 1995 Local Plan. It is also within the village limits shown on the Local Plan Inset Map for Somersham. Prior to this application, no proposals have been forthcoming to develop the land for these or any other purposes since its allocation. The proposed residential care home is a Class C2 Residential Institution use; as such it is not within the range of uses for which the site is allocated and the proposal is a departure from the provisions of the development plan. The 1995 Local Plan does not have a policy safeguarding allocated employment sites from other forms of development so in terms of that plan proposals for other uses are treated on their merits. This proposal is on a site that has not been developed for the allocated use over a prolonged period, including a period of economic growth; the proposal will generate significant employment and it would not, even in the absence of a comprehensive scheme for the site, prejudice the development of the remainder of the site for appropriate

employment uses. The remaining land would mainly lie between the proposed development and housing on The Pasture so a Class B2 use might not be suitable in this area. Policy CS5 of the Local Plan is specific to the development of facilities for health and social care. It states that these will normally be permitted subject to environmental and traffic considerations. The site is considered to be suitable for this use. The size of the proposed care home suggests that it would cater for needs arising from a wider area than just Somersham but this would be compatible with the identification of the village as a 'Key Service Centre' in the Submission Core Strategy.

- 7.3 The site is shown on the Proposals Map which accompanied the withdrawn 2006 Core Strategy and the Huntingdonshire Interim Planning Policy Statement as an unimplemented employment allocation. The allocation will be reviewed in the preparation of the site specific Planning Proposals DPD later this year, after the Core Strategy has been resolved.
- 7.4 Policy H10 of the Interim Planning Policy Statement HIPPS allows nursing homes to be developed in the defined limits of Market Towns and Key Centres (Somersham was identified as a Key Centre - Limited Growth) provided that shopping, community and medical facilities can be reached easily by those without access to a car, as appropriate for the level of mobility of potential residents. The policy allows development on a scale which would not normally be allowed for general housing, recognising that specialist accommodation often requires a minimum number of units to be viable and that a rural location may sometimes be appropriate in addressing the care needs of the residents. The site is in the Settlement Boundary for Somersham shown in the Proposals map which accompanied the withdrawn Core Strategy of 2006 and remains relevant to some settlements and policies in the Interim Planning Policy Statement. It is about 700m from the village centre, which is considered to be an acceptable walking distance to facilities. As recommended by the Local Highway Authority, any permission should be subject to a condition requiring the provision of a footway along the site frontage and extending to link with the existing footway network.
- 7.5 The Submission Core Strategy, which is the most up to date statement on settlement policies, uses a written definition of what constitutes the 'built-up area' for all settlements. The site is part of a large area of undeveloped land which is clearly not within the built-up area. But for the reasons set out above it is considered that the principle of this use in this location is acceptable.

#### **Impact on the character of the area**

- 7.6 The development will have an impact on the character of the area, given that the site is presently an open field. Although all matters of detail are reserved for subsequent approval, the drawings submitted with the application show sufficient information for the application to be determined in accordance with current regulations. The drawings show an approximate location for the building, together with dimensions giving the lengths, width and maximum height. The drawings submitted with the application show that the proposed building will be set back from the road frontage, and that additional landscaping will be provided between it and the frontage hedge. This

scale of development is acceptable in the context of this large site, and there will be ample space around the building for it not to appear cramped in its setting. The amount of floor area proposed is substantial, but it will be broken down into a series of individual wings, and this will reduce the overall visual impact. The wings will be arranged around a central entrance feature (maximum height of 12m) – a common feature of many modern buildings. Additional planting will help to break up the outline of the building, and soften visual impact.

- 7.7 Whilst this building will be different from the adjoining properties, it is considered that a development of the scale, appearance and location proposed will not have an adverse impact on the character of the locality. Development on this site can be seen as a self contained unit, and there is no reason why it should follow the style of the existing buildings. High quality design is encouraged by PPS1, and Authorities are encouraged not to stifle innovation or originality. There is no reason why a modern style, two storey building would be inappropriate in this location. The proposal will be consistent with the requirements of policies ENV7 of the East of England Plan, En25 of the Local Plan, HL5 of the Local Plan Alteration and B1 of the Interim Policy Statement.

### **Highway Considerations**

- 7.8 The Local Highway Authority has no objection to the proposal, and the recommended requirements can be dealt with at the detailed application stage, or through the imposition of conditions. A development of this type is unlikely to generate a high volume of traffic, and will not attract large vehicles in the same way that a B1 or B2 use would. 38 parking spaces are shown on the indicative layout plan although more could be provided if necessary without there being an adverse impact on the location of the buildings, or the provision of landscaping. A precise requirement cannot be established at this stage as the number of full time employees present on the site at any one time is not known with certainty. However, assuming a three shift working pattern, in accordance with the provisions of policy T2 and Appendix 1 of the Interim Policy Statement no more than about 20 spaces should be provided for employees and 20 for residents. This gives a total of 40 spaces overall, whereas 38 are indicated. It is considered that the site can accommodate the appropriate number of parking spaces for the proposed development. The amount of traffic generated by the development should not have an adverse impact on traffic using St Ives Road. The development conforms to policies T1 and T2 of the Interim Policy Statement.

### **Amenity of existing and proposed occupants**

- 7.9 The amount of noise and disturbance generated by the development will not be high. The nearest residential properties are on the other side of St Ives Road, and should not be significantly affected. The site is close to the West Newlands industrial estate end and there is the potential for noise and disturbance from present or future industrial uses to adversely affect the amenity of residents in the residential care home. The issue has been investigated by acoustic consultants and it is considered that the impact should be at a level which can be

considered in the detailed design of the new building. The proposal conforms to policy B4 of the Interim Policy Statement.

## **Drainage**

- 7.10 Notwithstanding the Parish Council's concern, technical consultations have not indicated any surface water drainage issues. The proposal complies with policies CS8 of the Local Plan and P10 of the Interim Policy Statement.

## **Conclusions**

- 7.11 The proposal is a departure from the development plan which allocates the site for employment uses in Classes B1 and B2. Notwithstanding this, it would be appropriate to grant planning permission because the site has not been developed for the allocated use over a prolonged period; the proposal will generate significant employment; it would not, even in the absence of a comprehensive scheme for the site, prejudice the development of the remainder of the site for appropriate employment uses and it would comply with policies relating to the proposed use, namely policy CS5 of the Local Plan and H10 of the Huntingdonshire Interim Planning Policy Statement 2007. In other respects the proposal complies with the Development Plan policies referred to above, and there are no overriding reasons why outline planning permission should not be granted. Even though the application is a departure from the Development Plan, for the reasons set out above, it is considered that approval would not significantly prejudice the implementation of the development Plan policies and proposals. The application need not, therefore be referred to Council or Go-East.
- 7.12 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.

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:

<b>01014</b>	Details reserved (all reserved)
<b>01003</b>	Reserved matters within three years
<b>01006</b>	Dates for commencement
<b>Nonstand</b>	Hedge retention
<b>06012</b>	Hard and soft landscape implementation
<b>Nonstand</b>	Tree/hedge protection.
<b>Nonstand</b>	Closure of existing access

<b>Nonstand</b>	Access construction
<b>Nonstand</b>	Visibility splays
<b>Nonstand</b>	Footpath link.
<b>06017</b>	Landscape maintenance schedule
<b>Nonstand</b>	Archaeological work
<b>04001</b>	Details surface and foul water
<b>Nonstand</b>	Various access details

**BACKGROUND PAPERS:**

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 Alterations (2002)  
 Huntingdonshire Interim Planning Policy Statement 2007  
 Huntingdonshire Local Development Framework Submission Core Strategy  
 2008

**CONTACT OFFICER:**

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

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**Case No:** 0802703FUL (FULL PLANNING APPLICATION)  
**Proposal:** ALTERATIONS AND CHANGE OF USE OF CHAPEL TO A DWELLING  
**Location:** TOSELAND METHODIST CHURCH, HIGH STREET  
**Applicant:** ST NEOTS AND HUNTINGDON METHODIST CHURCH CIRCUIT  
**Grid Ref:** 523917 262578  
**Date of Registration:** 18.09.2008  
**Parish:** TOSELAND

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**RECOMMENDATION - APPROVE**

**1. DESCRIPTION OF SITE AND APPLICATION**

- 1.1 This application relates to a Methodist Church building located at the western edge of Toseland village. A low level wall marks the front boundary of the site and mixed planting encloses the site on all other boundaries. The building has a single storey extension to the rear and is surrounded by land laid to grass.
- 1.2 The site is located on the northern side of the High Street. Residential properties lie directly to the east and south, and open fields lay beyond, to the west and north. 'Green Farm' lies further to the northwest of the site.
- 1.3 The building at present lies empty and ceased to be used for worship in 2007. The building is a prominent feature and is structurally intact. It has stone features, an attractive front entrance and long narrow windows.
- 1.4 The proposal seeks to convert the Methodist Church building into a dwelling and to remove part of the low level wall to provide a vehicular access with two parking spaces.
- 1.5 The external appearance will remain mostly as existing, apart from the insertion of conservation roof lights on the eastern and western roof slope, and additional fenestration to be inserted on the eastern and western elevations of the ground floor element to the rear.

**2. NATIONAL GUIDANCE**

- 2.1 **PPS 1 – Delivering sustainable development (2005)**
- 2.2 **PPS 3 – Housing (2006)**

### 2.3 **PPS 7 – Sustainable development in rural areas (2004)**

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** - 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.
- **SS1** – Achieving sustainable development.

### 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](http://www.huntingdonshire.gov.uk/localplan95)

- **En17** – Development outside of defined environmental limits will generally be restricted to that which is essential to the efficient operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services.
- **En18** – Protection of important site features such as trees and hedges.
- **En20** - Landscaping Scheme - Wherever appropriate a development will be subject to the conditions requiring the execution of a landscaping scheme.
- **En25** – development should respect the scale, form, materials and design of buildings in the area.

- **H23** - there is a general presumption against new houses in the open countryside unless it is required for the efficient management of agriculture etc.
- **H29** - Existing Buildings in the Countryside - provides criteria for the proposed conversion of buildings in the countryside to residential use.
- **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.

#### 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](http://www.huntingdonshire.gov.uk/localplan) - Then click on "Local Plan Alteration (2002)

- Toseland village was not included in the settlement policies and is considered as a hamlet for the purposes of the Development Plan
- **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

- **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.
- **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.
- **B6** - Re-use and Redevelopment of Buildings in the Countryside – subject to certain criteria, a proposal to re-use or redevelop an existing building in the countryside for economic purposes will be preferable to the re-use of an existing building for residential purposes.

- **E8** – Retention of key local services and facilities – A development proposal should not result in an unacceptable reduction in the availability of key services and facilities in a settlement.
- **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.

### 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 - The settlement hierarchy identifies Toseland as a smaller settlement within which the development of a small site within the built up area by up to three dwellings will be appropriate.

### 3.7 **Huntingdonshire Design Guide SPD 2007**

## 4. **PLANNING HISTORY**

- 4.1 9701109FUL – Demolition of rear extension and re-build of another extension approved 11th June 1998

## 5. **CONSULTATIONS**

- 5.1 **Toseland Parish Council – OBJECTION (copy attached).**
- 5.2 **Highway Authority - NO OBJECTION** subject to conditions.
- 5.3 Environmental Health - **NO OBJECTIONS** received as of the 21st January 2009.

## 6. **REPRESENTATIONS**

- 6.1 **TWO** letters of representation have been received. The concerns raised are:
- Incorrect measurements for parking area;
  - No existing driveway, highway safety;
  - Overlooking;
  - Velux windows an eyesore;
  - Occupancy should be restricted, limited on site parking; and,

- Parking and turning, highway safety

## 7. SUMMARY OF ISSUES

- 7.1 The main issues to consider are the principle of the development, the impact the change may have on the character of the area, neighbour amenity and highway safety.

### Principle

- 7.2 The village of Toseland is noted as a hamlet in the Local Plan Alteration 2002, and in the open countryside for the purposes of the Development Plan. However, Toseland village is defined as a smaller settlement in the settlement policies in the Core Strategy 2008, where infill housing development is considered acceptable in principle.
- 7.3 The building is located at the edge of the village directly adjacent to the existing residential properties, within the built form of the village.
- 7.4 Part of the Parish Council's reasons for objection suggest the building is used as a community centre for village meetings, including Parish Meetings and as a polling station, and Policy E8 of HIPPS 2007, does state that a development proposal should not result in an unacceptable reduction in the availability of key services and facilities in a settlement. The information submitted with the application confirms the building has not been used for worship for approximately two years and only used occasionally for village meetings as a goodwill gesture. However, the Church finances are now completely exhausted. The Parish Council was invited to take ownership of the building, but declined due to lack of funds. The opportunity for worship will be maintained for villagers, as St Michaels Church close by. There is also a village hall reasonably close by, in the village of Yelling.
- 7.5 PPS3 and Policy HL7 of the Huntingdonshire Local Plan Alteration 2002 both seek to maximise the re-use of previously developed land and supports the re-use of empty properties, and the conversion of underused buildings, into housing use.
- 7.6 The proposal to convert this building to residential accords with Policy B6 of the Interim Planning Policy Statement 2007 in that, the building is in good condition and the minor changes proposed will conserve the character of the existing building. It is considered that the building would not be suitable for business use as this would generate significantly more vehicular movements than the residential use.
- 7.7 While the proposal does not fully meet the requirements of sustainable development, in terms of the location of the site and additional car movements, this argument should be weighed up against the fact this is an existing building which contributes to the character of the village. If a new use for the building is not found, there is a strong possibility of it remaining unused, and deteriorating to the detriment of the immediate and wider character of the village.
- 7.8 The principle of the change of use is acceptable and the proposal accords with Policies HL7 of the Huntingdonshire Local Plan Alteration 2002 and E8 and B6 of the Huntingdonshire Interim

**Impact on the surrounding countryside and the character of the area**

- 7.9 The existing building is a prominent feature on the approach to the village and makes a valuable contribution to its character. The conservation roof lights have been kept to a minimum on the western roof to reduce the appearance of the domestic use. There are no changes proposed to the external appearance of the openings to the building, thus maintaining the character of the building.
- 7.10 The main alterations are the changes to the access to the site, by means of part removal of the low level wall. It is clear that the wall was not constructed at the time of the building and does nothing to enhance the character of the building. Therefore removing a section to allow for vehicles to access the site will not detract from the building or the wider character of the site.
- 7.11 The plans submitted with the proposal confirm the hedges surrounding the site will be retained. However a condition should be appended to the decision notice to clarify the hard and soft landscaping proposed at the site, and to ensure the trees and hedges are protected as their long term retention will help maintain appearance of the site from the surrounding countryside.
- 7.12 Conditions should be imposed to confirm the position of bin storage, and to remove permitted development rights to ensure the amenity space around the building is retained and the neighbour's amenities maintained.
- 7.13 The proposal meets the requirements of policy En18, En20 and En25 of the Huntingdonshire Local Plan 1995, Policy G1, G2, and B1 of the Interim Planning Policy Statement 2007.

**Neighbour amenity**

- 7.14 The letters received from the two neighbours mainly express concern about privacy and highway safety.

***Privacy***

- 7.15 The openings on the eastern side will remain as the existing situation, apart from one additional opening proposed on the ground floor of the rear extension. The hedge will be maintained along this boundary and the neighbours could erect two metre fencing if it was felt necessary. The roof lights are positioned high enough not to raise concern and the agent has confirmed the windows at first floor on the eastern elevation will be covered internally. The first floor rooms on the eastern side will take light from the roof lights. Conditions should be appended to the decision to ensure detailed sections of the internal arrangement are provided, and details of the internal works to the 1st floor windows should be approved in writing before the residential use commences at the site.

### **Parking**

- 7.16 The residential property to the east of the site, 'October Cottage' has a parking arrangement that allows for cars to park on the western side of the dwelling, with no on site turning. One parking space alongside the hedge will not be unduly harmful to the amenities of the neighbour in terms of additional noise and disturbance, mainly due to the existing parking situation at the neighbouring property.
- 7.17 Highway safety matters are discussed below; the Agent has submitted parking plans and confirmed the measurements at the site to be as originally submitted. The confusion appears to be the point the measurements have been taken.
- 7.18 If the building were to remain unused this may encourage anti social behaviour. The additional windows and the parking of vehicles is not considered to be unduly harmful to the amenities of the neighbouring properties and the proposal meets the requirements of Policy H31 of the Huntingdonshire Local Plan 1995 and B4 of the interim Planning Policy Statement 2007.

### **Highway Safety**

- 7.19 The Highways officer has considered the proposal and as the change of use is unlikely to give rise to any significant levels of additional traffic he has not objected to the proposal.
- 7.20 The agent has however submitted three options for parking at the site, option two, which shows one parking space to the side and one to the front of the property appears to be the most workable in terms parking and manoeuvring. The details of this can be secured by condition.

### **Conclusion**

- 7.21 The principle to use the existing building as a dwelling is acceptable and the proposal due to the limited changes proposed will not have an adverse impact on the immediate or wider character of the open countryside. The imposition of suitable conditions will ensure the proposal will not unduly impact on the amenities of the neighbouring properties. Therefore having regard to applicable national and local planning policies, and having taken all relevant consideration 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** - Sections
- Nonstand** - Details of internal window 1st floor
- Nonstand** - Tree and hedge protection
- Nonstand** - Hard and soft landscape

- Nonstand** - No dig access
- Nonstand** - Service trenches
- Nonstand** - Details sections rooflights
- Nonstand** - PD removal extensions
- Nonstand** - PD removal outbuildings
- Nonstand** - Position of bins
- Nonstand** - PD removal fencing
- Nonstand** - Parking

**Background Papers:**

Planning Application File Reference: 0802703FUL  
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 **Linda Morse Planning Officer 01480 388411**



**Case No:** 0802557FUL (FULL PLANNING APPLICATION)

**Proposal:** ERECTION OF DWELLING AND GARAGE

**Location:** LAND ADJACENT 5 HARBINS LANE

**Applicant:** A AND R BRUCE LTD

**Grid Ref:** 523075 256650

**Date of Registration:** 10.10.2008

**Parish:** ABBOTSLEY

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### RECOMMENDATION - APPROVE

#### 1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This application relates to a patch of land north of 5 Harbins Lane. Harbins Lane is a cul-de-sac which lies north of the high street, to the east of the main body of the village. The site is also adjacent to the Abbotsley Conservation Area.
- 1.2 Currently on the site there is a disused single storey outbuilding with a corrugated roof. There are also various articles generally associated with agriculture stored on the site. These articles appear to have been on the land for some time.
- 1.3 To the north of the site is a single storey bungalow with an agricultural occupancy restriction. To the south is a two storey modern residential dwelling. Opposite the site is No. 16, a two storey double fronted Victorian residence fronting Harbins Lane. The wider area is residential in character and is made up of varying types of architecture.
- 1.4 This application is seeking planning permission to erect a two storey double fronted building set back from Harbins Lane. It is also proposed to erect an ancillary single garage set back within the plot.

#### 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 **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.

- 2.4 **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.

- Not applicable.

#### 3.3 **Huntingdonshire Local Plan (1995)**

Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at [www.huntingdonshire.gov.uk/localplan95](http://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
- **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.
- **En5:** "Conservation Area Character" - development within or directly affecting conservation areas will be required to preserve or enhance their character and appearance.
- **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](http://www.huntingdonshire.gov.uk/localplan) - Then click on "Local Plan Alteration (2002)

- **STR1** – District Hierarchy - Outlines the settlement hierarchy
- **STR6** – Defines Abbotsley as an infill village.
- **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.
- **HL9** – Infill Village Housing – will be restricted to infilling, where suitable sites exist within the village environmental limits.

#### 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
- **B1** – Design Quality - developments should demonstrate a high quality of design in terms of layout, form and contribution to the character of the area.
- **B2** – Street scene – development proposals should make a positive contribution to the character and appearance of streets and public spaces.
- **B3** – Accessibility, Adaptability and Security – the location and design of new development should enable ease of access, have convenient and appropriate facilities and minimise the extent to which users feel at risk of crime.
- **B4** – Amenity - developments should not have an unacceptable impact upon amenity of existing or future occupiers.
- **B8** Conservation Areas- a development proposal within or affecting a Conservation Area should seek to preserve and enhance the character or appearance of the Conservation Area.

### 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 Abbotsley as a smaller settlement in which residential infilling will be appropriate within the built up area.

### 3.7 **Supplementary Planning Document**

- The Huntingdonshire Design Guide 2007.

#### **4. PLANNING HISTORY**

- 4.1 0200341OUT – Erection of a dwelling – Planning permission was refused but allowed on appeal by The Planning Inspectorate acting on behalf of The Secretary of State. A copy of the appeal is attached as a green paper.
- 4.2 0501147REM – Approval of siting, design, external appearance and means of access for the erection of one dwelling – Refused.
- 4.3 0601782FUL – Erection of a dwelling – Refused.

#### **5. CONSULTATIONS**

- 5.1 **Abbotsley Parish Council – recommend REFUSAL (copy attached)** on the grounds of:

- Outside the built up framework of Abbotsley;
- Would set a precedent for future development on Harbins Lane;
- Design not in keeping with adjacent agricultural bungalow or 1½ storey dwellings on opposite side of the road; and,
- Sustainability.

#### **6. REPRESENTATIONS**

- 6.1 None received.

#### **7. SUMMARY OF ISSUES**

- 7.1 The main issues for consideration are the principle of development, impact on neighbours, impact on Conservation Area and the design of the proposal.

##### **Principle of Development**

- 7.2 In 2002, planning permission was refused under planning reference 0200341OUT for a dwelling on the site by the Local Planning Authority on the grounds that the development was outside the village environmental limits of Abbotsley and outside the built up framework of the village. The inspector did not dispute that the site was outside the village environmental limits but considered this specific plot to be within the built up framework of the village. This decision was based on there being dwellings immediately abutting the site to the north and south. The planning inspector contended that the development of this plot for residential purposes was acceptable in principle.
- 7.3 This permission expired on the 6 December 2007, five years from the date of approval. The Local Development Framework Submission Core Strategy defines Abbotsley as a village where infill development may be acceptable within the built up area. For the avoidance of doubt, Paragraph 5.15 of that document goes on to define the built up area. 'The built up area is considered to be the existing built form excluding buildings that are clearly detached from the main body of the settlement, gardens or other undeveloped land within the curtilage of buildings at the edge of the settlement, especially where these relate more to the surrounding countryside than they do to the built up

parts of the village.’ Also excluded are agricultural buildings where they are on the edge of the settlement.

- 7.4 Conditions on the ground have not altered since the Planning Inspectorate issued its decision. For that reason and as the site is considered to be within the built up area as defined within the Core Strategy, it is considered that the infilling of this plot for residential development is still acceptable in principle.
- 7.5 It is noted that Abbotsley has limited services and that occupiers of this dwelling are likely to be car dependant. However, the Core Strategy does allow residential infilling by up to 3 dwellings within Abbotsley’s built up area.
- 7.6 It is not considered that this would set a precedent for future development along Harbins Lane. Each application must be considered on its own merits against relevant policy. As already highlighted in this report, the Planning Inspectorate gave very specific reasoning as to why this particular site was suitable for residential development.

#### **Impact on neighbours**

- 7.7 This dwelling will be set back from Harbins Lane and will have windows on the first floor rear elevation. It is noted that No. 5 has a greater depth to the property and projects further east than this dwelling. It is therefore considered that this proposal will not be detrimental to the amenity of the occupiers of No. 5. To the north, the bungalow is not immediately adjacent to this site and will again project further north than this property. Again, it is not considered that this proposal will cause undue harm to neighbours and no representations have been received to the contrary.

#### **Impact on Conservation Area**

- 7.8 The designated Conservation Area lies to the south east of this site. It is not considered that this proposal will be detrimental to the visual setting or character of the Abbotsley Conservation Area.

#### **Design**

- 7.9 The dwellings along Harbins Lane are mixed in age and character. In the immediate vicinity of the site, No. 5 and No. 16 are two storey dwellings and No. 11 is a single storey bungalow. It is considered that this dwelling should act as a ‘bridge’ between the bungalow to the north and the two storey dwelling to the south while also seeking to reflect the rural character of No. 16. To achieve this, the applicant has proposed a two storey dwelling with simple, rural features. It is also characteristic of rural dwellings to have associated outbuildings set back from this primary dwelling and for that reason the garage is to be set back from the dwelling house. It is considered that this proposal has been designed sympathetically in relation to the rural character and visual setting of Harbins Lane. For the avoidance of doubt a condition requiring detail of the landscaping proposed shall be included. This will ensure that the landscaping is appropriate for this end of the rural lane.

- 7.10 The Parish Council have expressed concerns over lack of details of materials. Details of all external materials will be a conditional detail of any permission granted.
- 7.11 Overall it is considered that the erection of a dwelling, in this location is acceptable in principle and would not significantly prejudice the implementation of the development plans policies and proposals. Following negotiations with the applicant, it is considered that the design, as amended, meets the objectives of the Huntingdonshire Design Guide and with the use of appropriate materials this dwelling will be in keeping with the wider Harbins Lane area and adjacent Conservation 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 – APPROVE**, subject to conditions to include the following:

- 02003** - Time Limit (3yrs)
- Nonstand** - Materials and sample panel
- Nonstand** - Sections
- Nonstand** - Parking and turning area
- Nonstand** - Hard/soft landscaping
- Nonstand** - Boundary treatment

**Background Papers:**

Planning Application File Reference: 0802557FUL  
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 **Clara Kerr Planning Officer 01480 388434**

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**Case No:** 0803128FUL (FULL PLANNING APPLICATION)  
0803129CAC (CONSERVATION AREA CONSENT)

**Proposal:** ERECTION OF POST OFFICE WITH FLAT OVER.  
ERECTION OF TWO HOUSES.

**Location:** 1 BELL LANE PE28 4DU

**Applicant:** MR MISTRY

**Grid Ref:** 518605 275950

**Date of Registration:** 03.12.2008

**Parish:** ALCONBURY

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**RECOMMENDATION - REFUSAL**

**1. DESCRIPTION OF SITE AND APPLICATION**

- 1.1 The site measures 0.07ha and is located within Alconbury village and the Conservation Area.
- 1.2 The site is a corner plot adjacent to Bell Lane and High Street and opposite a Grade II Listed Building, 8 High Street. The site consists of a two storey 5 bedroom dwelling as well as the shop. Extensions have been added in the past and there are a number of single storey ancillary buildings at the rear. A large forecourt forms part of the frontage to High Street.
- 1.3 The site is surrounded on all sides by residential development from a variety of periods.
- 1.4 Two applications have been made, the first application seeks consent for the redevelopment of the site to include 2 new dwellings, 1 flat and a new shop, with associated parking. The second is for Conservation Area Consent for the demolition of all of the existing buildings on site, with the exception of the C19 building located at the junction of Bell Lane and High Street.

**2. NATIONAL GUIDANCE**

- 2.1 **Planning Policy Statement 1- Delivering Sustainable Development 2005** sets out the plan led system and encourages sustainable development
- 2.2 **PPS3-Housing (2006)** provides guidance on the provision of new housing, making more efficient use of land, and other related issues.
- 2.3 **PPG15 - "Planning and the Historic Environment" (1994)** provides advice on development in Conservation Areas or that involving Listed Buildings.

- 2.4 **PPS25 – “Development and Flood Risk**, provides advice and guidance on development within the flood plains.

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

- **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.
- **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 residential 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
- **WAT4:** “Flood Risk Management” – River flooding is a significant risk in parts. The priorities are to defend existing properties from flooding and locate new development where there is little or no flooding.

- 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](http://www.huntingdonshire.gov.uk/localplan95)

- **En25** - requires new development to respect the scale, form, materials and design of established buildings in the locality.

- **H31** - new dwellings and conversions of existing dwellings or buildings to provide separate units of accommodation will only be permitted where appropriate standards of privacy and amenity can be maintained and adequate parking provision provided.
- **S17**- support will be given for the retention of existing shopping facilities in villages and if necessary will encourage multi use development to secure local shopping provision.
- **En5** - requires development within or directly affecting a conservation area to preserve or enhance the character or appearance of the area.
- **En6** - states that 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 the use of sympathetic materials of appropriate colour and texture.
- **En8**-where demolition is to be followed by redevelopment, conservation area consent may be withheld until acceptable plans for the new development have been approved.
- **En9**- development will not normally be permitted if it would impair views into or out of the Conservation Area.

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](http://www.huntingdonshire.gov.uk/localplan) - Then click on "Local Plan Alteration (2002)

- **STR1** - Huntingdonshire settlement hierarchy
- **STR2** – defines a housing group as up to 8 dwellings forming a planned entity using either an existing frontage or grouped around a short cul-de-sac. Exceptionally where the site is within the environmental limits, in order to make the best use of land and estate scale benefits are strong, up to 15 dwellings may be permitted.
- **STR5** - defines Alconbury as a group village
- **HL5** - states that good design and layout will be required for new housing development which makes efficient use of land, respects the townscape, provides an appropriate mix, incorporates landscaping, creates safe places and promotes energy efficiency
- **HL6** - requires high density housing development on sites close to town centres
- **HL7**- support will normally be given to the re-use of previously developed land, the re-use of empty properties, and the conversion of underused dwellings or other buildings, for housing.
- **HL8** - In group villages, groups or infilling development will be permitted on appropriate sites where it is sensitive to the scale and character of the village.

- **HL10-** housing should reflect the full range of the local community's needs.

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- a development proposal should demonstrate a high quality of design in terms of layout, form and contribution to the character of the area.
- **B2** Street Scene-requires development should make a positive contribution to the character and appearance of streets and public spaces.
- **B4** Amenity- a development proposal should not have an unacceptable impact on amenity.
- **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- a development proposal within or affecting a Conservation Area should seek to preserve and enhance the character or appearance of the Conservation Area.
- **H2** – Housing Density -requires development to make the efficient use of land. Within smaller settlements, 30-40 dwellings per hectare.
- **H3** – Housing Mix- explains that development proposals should include an appropriate mix of sizes and types of dwellings
- **H6** – Affordable Housing -defines affordable housing requirements for development.
- **T1** Transport Impacts-explains transport requirements of new development proposals.
- **T2** – Car and Cycle Parking- explains these should comply with the Council's Standards.

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.

- **CS3:** “The Settlement Hierarchy” – identifies Alconbury as a smaller settlement in which residential infilling will be appropriate within the built up area.

3.7 Supplementary Planning Guidance

- Retention of Shops, Post Offices and Public Houses in Villages
- Market Housing Mix
- Huntingdonshire Design Guide 2006

**4. PLANNING HISTORY**

4.1 Three previous applications are related, 0600784CAC is for the demolition of a group of adjoining unlisted buildings including the village shop and Post Office, and 0600783FUL is for the redevelopment of the site to include 5 new dwellings and a new shop. These applications were refused on a number of grounds including, siting, layout, design, lack of justification for the loss of a shop and post office and impact on the Conservation Area.

4.2 The most recent application, 0701632FUL, relates to partial demolition of buildings on the site, erection of 2 dwellings with a flat over a new shop. This application was refused on a number of grounds, siting, layout, design lack of justification for the loss of a post office and impact on the Conservation Area.

**5. CONSULTATIONS**

5.1 **Alconbury Parish Council – NO OBJECTION** due to the retention of a shop and post office in the village. Subject to appropriate working hours for the developer due to noise and traffic generation. (copy attached)

5.2 **CCC Archaeology** – Require an archaeological investigation to be carried out post demolition and prior to the commencement of the development.

5.3 **IDB** – no comment.

5.4 **Environment Agency – OBJECTION** The sequential test has not been adequately applied across the site and the proposed layout may increase flooding elsewhere.

5.5 **HDC Transportation – NO OBJECTION** subject to no obstructions above 760mm within a 2x2m visibility splay on either side of the access.

**6. REPRESENTATIONS**

6.1 16 Chapel Street – Fully supports the proposal which will ensure that a viable shop and post office is retained in the area.

6.2 One additional letter was received in support of the application but no address was provided.

**7. SUMMARY OF ISSUES**

- 7.1 The main issues to consider with this application are the principle of the development including the impact on shopping/ Post Office facilities in Alconbury, impact on the highway and amenity, design issues, the impact on the Conservation Area and adjacent Listed Building and flood risk.
- 7.2 The site lies within the Environmental Limits and built form of Alconbury and the designated Conservation Area. The Huntingdonshire settlement hierarchy defines Alconbury as a group village and Policies STR1, STR2 and STR5 of the Local Plan Alteration 2002 are applicable. Within group villages development of up to eight dwellings formed in a planned entity using either an existing frontage or grouped around a short cul-de-sac could be considered. Exceptionally, where the site is within the Environmental Limits of the village, up to 15 dwellings may be permitted, if the overall benefits of estate scale development are strong and it would make better use of the land.
- 7.3 Within the emerging Core Strategy policy CS3 identifies Alconbury as a Smaller Settlement, where only residential infilling is considered to be acceptable, this equates to a development of up to 3 dwellings.
- 7.4 Policies HL7 and HL6 are also relevant and the District Council may support the reuse or conversion of underused dwellings into housing use at densities of between 30 and 50 dwellings per hectare. Additionally, the District Council has produced a Supplementary Planning Guidance 'Retention of Shops, Post Offices and Public Houses in Villages' in response to the national trend of declining community facilities in villages. This SPG sets down the criteria by which applications for changes of use in respect of such community facilities will be judged.
- 7.5 It is noted that, unlike previous applications, the applicant clearly intends to retain the post office function and a shop of similar proportions to that as existing is proposed.
- 7.6 It is therefore concluded that the general principle of residential development in this location is acceptable, alongside the retention of the post office/shop facility.

### **Housing Mix**

- 7.7 A second SPG on Market Housing Mix should also be considered. The District Council has conducted extensive research into local community needs and has identified a shortage of one and two bedroom properties. New development should include a choice of properties to provide for these needs. The types of dwelling proposed would not comply with the Council's SPG on Housing Mix. The proposal should include 2 dwellings with no more than 2 bedrooms. That said, whilst it is accepted that the applicant has not proposed a mix that meets the requirements of the SPG, subject to an appropriate design being achieved, the interrelationship with the Conservation Area is considered more important than obtaining an appropriate mix of housing in this instance.

## **Access and Parking**

- 7.8 The proposed access and parking arrangements are considered to be acceptable, subject to a condition pertaining to maintenance of visibility splays.

## **Design Impact on Historic Setting and Amenity**

- 7.9 The general principle of the development of this site is considered to be acceptable. Unlike the original refused scheme, the applicant proposes the retention of the existing 19th Century dwelling located at the junction of Bell Lane and High Street. The general principle of the retention of this building is acceptable. However there are concerns regarding the retention of the original concrete tiles and window details on the previous addition to the building.
- 7.10 Turning to the two new dwellings fronting High Street. Again the proposed development of this location is considered acceptable in principle, however, the relationship between the proposed new dwellings and the C19 retained property is considered to be unbalanced, poor and unacceptable within the Conservation Area. The conversion of the retained building appears to raise issues with ground/floor levels, necessitating the need for a ramp to the front of the proposed dwellings, which in turn have been raised and results in a higher roof form than the C19 building, which then becomes significantly less dominant within the streetscene, to its detriment.
- 7.11 Added to this, the junction of the roof form with the retained building will be visible above the corner buildings roof line, further emphasising the poor quality design feature that this is and the inappropriate relationship between the properties.
- 7.12 Overall the new dwelling overwhelms the retained C19 building which has a successful relationship with the listed building opposite as the relative scale of both existing buildings strikes a good balance. The prominence of unit 2 particularly would compete with both the retained building and the listed building, unbalancing its relationship and harming the setting.
- 7.13 Turning to the impact on Bell Lane, at present Bell Lane is a tightly enclosed streetscape. The proposed development will result in the loss of the existing built form towards the rear of the site which adds to the character of the streetscene. Whilst accepting that there is no merit in the retention of these buildings, it is important to retain the sense of enclosure to the rear, ensuring the character of the conservation area is retained. The applicant proposes the erection of a wall to bound the car park area to the rear, however, it is not considered that this wall provision would be of adequate proportions to achieve the sense of enclosure necessary, especially when read in association with the width of access proposed deemed necessary. The applicant has been continually advised that a built form should be reinstated adjacent to this boundary and it is considered that this could be easily achieved within the scheme proposed, via the inclusion of an open car port type arrangement with a solid roof form.

- 7.14 At this time, the proposed wall feature is not considered adequate to retain the general form of this part of the conservation area, to its detriment.
- 7.15 The proposal is therefore considered to be flawed in its design approach. Whilst the retention of the existing dwelling is welcomed, the scale of the proposed additional dwellings, and the failure to adequately address the Bell Lane streetscene appropriately following the demolition of the existing out buildings are considered to be detrimental to the visual amenities of the street scene and more importantly the character and appearance of the Conservation Area and the setting of the listed building opposite.

### **Flood Risk**

- 7.16 The application site lies within a flood zone and the applicant has submitted a flood risk assessment(FRA), which has been assessed by the Environment Agency. Upon assessment, the EA consider the assessment submitted unacceptable. It is noted that the FRA has identified the fluvial flood risks appropriately, but it has not properly associated those risks within the delineated site itself. Furthermore, the EA also consider that the Sequential Test has not been applied across the site and the proposed layout may increase flooding elsewhere.

### **Conservation Area Consent**

- 7.17 Whilst the existing built form, with the exception of the C19 building located on the corner of the site, are not considered to be individually worthy of retention within the Conservation Area, they do cumulatively add to the general character and form of the area, thereby offering a positive impact on the area.
- 7.18 PPG15 states that there is a general presumption in favour of retaining buildings, which make a positive contribution to the character or appearance of the Conservation Area. Consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment.
- 7.19 The buildings therefore cumulatively contribute to the character and appearance of the area and it is considered that the loss of these buildings would open up unattractive views through the site and fundamentally change the character and appearance of this part of the Conservation Area to its detriment.

### **Conclusion**

- 7.20 In the light of national guidance, Development Plan policies and other material considerations it is recommended that planning permission should be refused for the development as proposed. Whilst a scheme which provides a post office and shop facility is to be welcomed, it is considered that the applicant at this time has failed to properly associate the identified fluvial flood risks with the application site, and demonstrate that the proposed development would not increase flood risk elsewhere. Furthermore, the design relationship between the proposed dwellings and the retained C19 building, and the rear boundary wall with the Bell Lane street scene, are considered to



result in a development that neither preserves or enhances the character and appearance of the conservation area or the setting of the listed building opposite.

- 7.21 As the proposed re-development scheme is considered to be unacceptable, the grant of Conservation Area Consent would be premature and contrary to the aforementioned Development Plan policies and PPG15. Accordingly, it is also recommended that the Conservation Area Consent application be refused.

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 0803128FUL**, for the following reasons:

- 8.1 The applicant has failed to provide an acceptable Flood Risk Assessment that would appropriately associate the fluvial flood risks with the application site and demonstrate that the proposed development would not cause or exacerbate flooding or flood risk elsewhere contrary to the guidance contained within Planning Policy Statement 25 and Policy WAT4 of the East of England Plan 2008.
- 8.2 The proposal would fail to preserve or enhance the character and appearance of the Conservation Area. Whilst the retention of the existing 19th Century building is supported, the new development adjacent would by virtue of its height, form and massing fail to enhance or preserve the character and appearance of the Conservation Area and would have a detrimental impact on the setting of the listed building opposite. Furthermore, the proposed wall detail fronting the Bell Lane frontage would fail to preserve the tightly formed streetscape that characterises this part of the Conservation Area. The proposal would therefore be contrary to Policy ENV7 of the East of England Plan 2008, Policies En2, En5, En6, En25, HL5 and HL8 of the Huntingdonshire Local Plan 1995, Policies B1, B2, B7 and B8 of the Huntingdonshire Interim Planning Policy Statement 2007, the Huntingdonshire Design Guide 2007 and PPG15.

**RECOMMENDATION – REFUSE 0803129CAC**, for the following reason:

- 8.3 The existing buildings are considered to cumulatively preserve the character and appearance of the Conservation Area. PPG15 states that there is a general presumption in favour of retaining buildings, which make a positive contribution to the character or appearance of a Conservation Area. Consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment. Whilst a re-development scheme has been proposed, this in itself is not considered to be acceptable and as such the loss of such buildings is premature and would be detrimental to the character and appearance of the Conservation Area. The application is therefore contrary to PPG15, policy En8 of the Huntingdonshire Local Plan 1995 and policy B8 of the Huntingdonshire Interim Planning Policy Statement 2007 and policy CS1 of the Submission Core Strategy.

**BACKGROUND PAPERS:**

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 Alterations (2002)  
Huntingdonshire Interim Planning Policy Statement 2007  
Huntingdonshire Local Development Framework Submission Core Strategy  
2008

**CONTACT OFFICER:**

Enquiries about this report to **Ms Elizabeth Fitzgerald Development Control  
Team Leader 01480 388490**

**Case No:** 0802818FUL (FULL PLANNING APPLICATION)  
0803317CAC (CONSERVATION AREA CONSENT)

**Proposal:** DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF  
FOUR FLATS

**Location:** 21 HIGH STREET

**Applicant:** AWJ USHER AND SONS

**Grid Ref:** 519066 267442

**Date of Registration:** 22.10.2008

**Parish:** BUCKDEN

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**RECOMMENDATION - APPROVE**

**1. DESCRIPTION OF SITE AND APPLICATION**

- 1.1 The site comprises a two-storey cottage with its front elevation abutting the back edge of the pavement. Within the site there are remains of outbuildings that have been demolished; a lean-to conservatory attached to the existing dwelling; and an overgrown garden. This site lies on the western side of High Street, immediately north of the roundabout; the site backs onto the A1 a strategic transport highway. Due to the prominent location the site is very exposed. The site lies within the Buckden Conservation Area.
- 1.2 This is a joint report for both the planning application and Conservation Area Consent – 0802818FUL for demolition of existing buildings and erection of four flats – 2 x one bedroom and 2 x two bedrooms; and 0803317CAC for demolition of cottage and associated buildings.

**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.
- 2.4 **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.

- 2.5 **PPG24: “Planning & Noise” (1994)** guides planning authorities on the use of planning powers to minimise the adverse impact of noise.

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

- 3.3 **Huntingdonshire Local Plan (1995)**

Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at [www.huntingdonshire.gov.uk/localplan95](http://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.
- **H33:** “Sub-division of large curtilages affecting protected buildings or features” states the subdivision of curtilages will not be supported where development will adversely affect the

qualities of a Conservation Area or affect trees worthy of protection.

- **H37:** “Environmental Pollution” – housing development will not be permitted in locations where there is a known source of environmental pollution which would be detrimental to residential amenity.
- **H38:** “Noise Pollution” – development sites adjoining main highways, railways, industrial operations and other potentially damaging noise pollution sources will be required to adopt adequate design solutions to create acceptable ambient noise levels within the dwellings and their curtilage.
- **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.
- **En8:** “Demolition in Conservation Areas” – consent may be withheld until acceptable plans for the new development have been approved, if approved the timing of demolition will be strictly controlled.
- **En18:** “Protection of countryside features” – Offers protection for important site features including trees, woodlands, hedges and meadowland.
- **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](http://www.huntingdonshire.gov.uk/localplan) - Then click on "Local Plan Alteration (2002)

- **STR1:** “District Hierarchy”- Outlines the settlement hierarchy. Group villages are those where housing groups and infilling will be allowed and infill villages where only infilling will be allowed.
- **STR2:** “Provides definitions for housing development” – Housing group: up to 8 dwellings forming a planned entity using either an existing frontage or grouped around a short cul-de-sac. Exceptionally where: the site is within the environmental

limits of the village; the development would make the best use of land; the overall benefits of estate scale are strong, up to 15 dwellings may be permitted.

- **STR5:** “Group Villages” – includes Buckden
- **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.
- **HL8:** “Rural Housing” - identifies that in group villages groups of dwellings and infilling will be permitted on appropriate sites within the village environmental limits where development is sensitive to the scale and character of the village.

### 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

- **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.
- **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 the demolition of a listed building and an unlisted building in a conservation area should be assessed.
- **B8:** “Conservation Areas” - states the criteria against which developments within or affecting a Conservation Area should be assessed.
- **H2:** “Housing density” – lists the minimum density standard housing developments should achieve. Within smaller settlements and the countryside: 30-40 dwellings per hectare.
- **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.

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.
- **CS3:** “The Settlement Hierarchy” – Identifies Buckden as a ‘Key Service Centre’ in which development schemes of moderate and minor scale and infilling may be appropriate within the built up area.

3.7 **SPD – Huntingdonshire Design Guide 2007, 2.1**

4. **PLANNING HISTORY**

4.1 There is none relevant to the determination of this proposal.

5. **CONSULTATIONS**

5.1 **Buckden Parish Council – recommend APPROVAL (copy attached).**

5.2 **Environmental Health Consultation – recommend REFUSE;** due to noise levels the site is unsuitable for intensification of residential use

5.3 **CCC Highways Consultation –** comments on access, pedestrian visibility splays, parking and need for a speed survey to justify vehicle to vehicle visibility

5.4 **Highways Agency –** advises on conditions to be attached to any planning permission which may be granted, e.g. demolition method statement; and new access to be made operational for construction vehicles

6. **REPRESENTATIONS**

6.1 **ONE** third party representation received raising the following issues:

- highways issues regarding the roundabout and traffic along the High Street;
- overlooking and loss of privacy/amenity for Nos. 6 and 8 High Street due to proposed window position;

- character out of keeping due to detailing (lack of chimneys, windows etc) and scale, form; and
- air pollution.

## **7. SUMMARY OF ISSUES**

- 7.1 This land is “previously developed” within the meaning of PPS3, and thus its more efficient use would be supported by some of the provisions of this guidance, and by a number of policies referred to above. However, although Government advice encourages the best use of land by re-using previously developed land, this should not be to the detriment of other planning issues, which in this case are the design; impact of the proposal in relation to the character and appearance of the Conservation Area; highways issues; noise; refuse; landscaping; impact of the development on the neighbouring properties; and air quality.

### **Design**

- 7.2 Due to the exposed nature of the site in this prominent location it is imperative that any development on the site must be of high quality, having regard to the character of the locality and preserving and enhancing the character of the street scene and the Conservation Area. The proposal seeks to demolish the existing cottage and replace it with a much larger development which would wrap around the southern and eastern boundaries of the site creating a stronger frontage to the highway than there currently is, although it is intended to site the buildings further back from the edge of the footpath than the existing building or those within the locality. It is considered that this will erode the character of this part of the High Street.
- 7.3 In addition to this, the proposal fails to successfully turn the corner with the ground floor unit at the south of the site is proposed to be accessed where the curve of the road is; a highway verge is currently adjacent to the road and there is no pavement. It is considered that the removal of this verge to incorporate the extension of the footpath would erode the informal nature of this entrance into Buckden.
- 7.4 The general character of dwellings along the High Street is of dwellings with a shallow gable, as the existing cottage on the site, although it is noted that the dwellings to the north have wide gables. The main element of the proposed building on the site is quite wide at 7.3 metres which increases the bulk and height of the building. The length of the development proposed at two-storey would create a very bulky building in the street scene. This is not in accordance with the proportions of other buildings in the locality or with guidance in the SPD – Huntingdonshire Design Guide 2007.
- 7.5 The main elements of the scheme give the appearance of three dwellings, with three front doors. The window locations however fail to give any composition to the building. Dwellings in the locality are noted for their composition of openings and rhythm. Whilst there is a window feature, above the central door which gives access to the two first floor flats, because it is bricked up this elevation does not comfortably read as two dwellings.



- 7.6 The detailing is also poor, and the proposed development fails to include any chimneys, a common feature along High Street; the fenestration detailing is poor; the brick detailing is bland although in contrast the arches are overly ornate and are totally inappropriate for the development proposed; the double drive through is uncharacteristic of the area as buildings generally have one arch at most and these often relate to grander/larger buildings.
- 7.7 The single-storey element generally has the appearance of an outbuilding; however the two windows facing the road are of domestic proportions echoing the windows proposed for the main building, thus creating an awkward relationship.
- 7.8 In essence the proposals are considered to be contrary to policies in the Development Plan.

**Impact of the proposal in relation to the character and appearance of the Conservation Area**

- 7.9 Despite being within the Conservation Area, Paragraph 2.8 of the Design and Access Statement asserts that the site is not within the boundary and the D & A Statement does not reference relevant Development Plan policies or PPG15. The application cannot therefore be considered to have fully analysed the context or constraints of the site adequately and is apparent by the rather pedestrian design of the proposed building and the lack of justification for the demolition of the existing cottage; the other buildings on the site appear to have already been removed.
- 7.10 The existing cottage is an attractive traditionally built property which retains many historic features. It complements the modest scale of the properties at this end of the High Street and is considered to make a positive contribution to the character and appearance of the Conservation Area. As such any proposals to demolish this property should be assessed against the criteria in Policy B7 of the Huntingdonshire Interim Planning Policy Statement to consider the demolition of a listed building. This application has not undertaken such an assessment providing no evidence that the property is structurally unsound or that it is incapable of continuing in its present or other use.
- 7.11 It is considered therefore that the proposal relates poorly to the traditional forms and detailing of the surrounding properties and is certainly not of the same quality as the building it is proposed to replace. The large vehicular openings are not a traditional feature of dwellings of this relatively modest scale along the street, particularly as there are two proposed, creating an unsuccessful break in the elevation.
- 7.12 The single-storey element of the scheme does not respect the traditional relationship of buildings in the area, being too domestic in detailing for an 'outbuilding' and at odds with the formality of the rest of the proposal. The lack of chimneys is also noticeable, in stark contrast to the strong rhythm created by chimneys in the locality.
- 7.13 The proposal fails to justify the demolition of the existing property which contributes to the character and appearance of the

conservation area and therefore is contrary to policy. The merits of the proposed replacement building are not sufficient to justify the demolition of the existing property.

### **Highways**

- 7.14 The existing highway access further south along the site is proposed to be closed. It is considered that the details of the proposed access are unclear and a minimum width of 5 metre is required with 1.5 metre x 1.5 metre pedestrian visibility splays on either side. This could be covered by conditions.
- 7.15 A speed survey carried out by the Local Highway Authority demonstrates that the proposed vehicle to vehicle visibility is adequate. The provision of six parking spaces as proposed is considered adequate.

### **Noise**

- 7.16 The noise report submitted with the application suggests that the Noise Exposure Category for the site (NEC – PPG24, Annex 1) is NEC C based on the use of the shortened measurement procedure in CRTN during the daytime hours only. The reported levels place the site near the top of this NEC. PPG24 does, however, also categorise sites due to their night time noise environment, but no night time noise levels have been included in the submitted report.
- 7.17 The report makes a case that many developments are permitted in NEC C environments, which may be true, but PPG24 does state that ‘Planning permission should not normally be granted...in these circumstances’. Furthermore it is possible that night time noise levels would place this site within NEC D.
- 7.18 HDC Environmental Health Services undertook longer term noise measurements at the site and found that the site lies within NEC D, and it is therefore the opinion of the Environmental Health Officer that this site is just not suitable for intensification of residential development due to the noise in the vicinity. PPG24 recommends that ‘Planning permission would normally be refused’ where a site is within NEC D.

### **Refuse**

- 7.19 The bin store may need to allow for extra bins, as two bedroom properties may require an additional recycling bin, also depending on who will be responsible for the maintenance of the planted areas green bins may also be required.

### **Impact on the neighbouring properties**

- 7.20 The proposed scheme has been designed with bedroom and lounge windows looking towards Nos.6 and 8 High Street across the road at ground and first floor level, and although this is an increase to the present situation it is not uncommon in a residential situation such as this. Therefore, it is considered, particularly with the distance of approximately 18 metres (the proposed buildings will be set further

back from the footpath than the existing building), that there will not be an unacceptable loss of amenity for the neighbouring properties.

- 7.21 The other issues raised by a third party, of highways and character, have been addressed earlier in the report.

### **Air quality**

- 7.22 The application site is also in an area where nitrogen dioxide concentrations have been predicted to exceed European and UK objective levels. It is therefore likely that the introduction of residential receptors at this location would result in the Council being obliged to declare a further Air Quality Management Area. Although the air quality does not in itself constitute a robust reason for refusal it does support the suggestion that this site is not suitable for residential development due to its extremely close proximity to a busy roundabout on the A1 and the associated traffic pollution and the resulting poor quality living conditions for possible occupants.

- 7.23 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 refused in this instance.

- 8. RECOMMENDATION – REFUSE BOTH APPLICATIONS** for the following reasons:

### **0802818FUL**

- 8.1 The proposed residential development by reason of its layout, design, form, bulk and detailing would appear out of keeping with the character and appearance of the street scene and would result in an unduly prominent and inharmonious development which would fail to preserve and enhance the character and appearance of the Conservation Area. This would be contrary to policy ENV7 of the East of England Plan - Revision to the Regional Spatial Strategy 2008; policies En5, En6, En9, En25 of the Huntingdonshire Local Plan 1995; HL5 of the Huntingdonshire Local Plan Alteration 2002; policies B1 and B8 of the Huntingdonshire Interim Planning Policy Statement 2007; and CS1 from the Huntingdonshire Local Development Framework submission Core Strategy 2008.
- 8.2 The application site lies within Noise Exposure Category D (NEC D; PPG24:1994). The NEC is derived from average daytime and night time noise levels which have been found to be very high. In addition to the very high average noise levels the site is also subject to extremely high maximum noise levels and the maximum noise level found during the recent survey was in 101dB L(A)max. The impact of these high maximum levels is that, even with very substantial noise mitigation incorporated into a building envelope, there could still potentially be frequent disturbance for occupiers. The proposal would therefore result in poor living conditions for the future occupiers of the proposed properties and would be contrary to policies H37 and H38 of the Huntingdonshire Local Plan 1995; B4 of Huntingdonshire Interim Planning Policy Statement 2007; and to PPG24: Planning & Noise (1994).

## **0803317CAC**

- 8.3 The proposal fails to justify the demolition of the existing property which contributes positively to the character and appearance of the Conservation Area. The merits of the proposed replacement building are not sufficient to justify the demolition of the existing property. This would be contrary to guidance in PPG15; policy En8 of the Huntingdonshire Local Plan 1995 and policy B8 of the Huntingdonshire Interim Planning Policy Statement 2007.

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: 0802818FULL; 0803317CAC  
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**

**Case No:** 0702876FUL (FULL PLANNING APPLICATION)

**Proposal:** ERECTION OF SINGLE STOREY DWELLING

**Location:** STORE AT 11 HIGH STREET

**Applicant:** MR SHEEMAR

**Grid Ref:** 531569 268398

**Date of Registration:** 10.09.2007

**Parish:** FENSTANTON

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**RECOMMENDATION - APPROVE**

**1. DESCRIPTION OF SITE AND APPLICATION**

- 1.1 The development site is within an enclosed courtyard to the rear of a shop and guest house on the southern side of the High Street. It is accessed through a narrow pedestrian route from High Street which is shared with the shop and other flats. The shop and flats are in the applicant's ownership but the guest house is in separate ownership. The shop has been vacant for some time. The courtyard is untidy and there is a static caravan located within the rear garden area.
- 1.2 The proposal is to demolish a row of outbuildings located along the eastern boundary of the site, and to erect a single storey, two bedroom dwelling (measuring 11.6m x 4.5m) in their place. The dwelling would feature a hipped roof with window and door openings set mainly within the west facing elevation. It would share the access and amenity space with the shop and flats.
- 1.3 Amended plans have been submitted. These reduced the length of the building, moving it away from the rear boundary of the guest house by 1m and replacing the gabled roof with a hipped form.
- 1.4 The shop, guest house and adjacent public house are all grade II listed buildings. To the south there is an outbuilding at the rear of no. 17, beyond which is the Dairy and the A14. The site is within the village environmental limit, and within the built up area. It is in the Fenstanton Conservation Area.

**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 of housing completions needed in England.
- 2.3 **PPG13 Transport (2001)** provides guidance in relation to transport and particularly the integration of planning and transport.

- 2.4 **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 the 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](http://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 that support will be offered only where the resultant dwelling and its curtilage are of a size and form sympathetic to the locality.
  - **H33** – “sub-division of large curtilages affecting protected buildings and features states that the subdivision of large curtilages will not be supported where development will adversely affect the qualities of a Conservation Area or trees worthy of protection.
  - **En2**: “Character and setting of Listed Buildings” – indicates that any development affecting a building of architectural or historic

merit will need to have proper regard to the scale, form, design and setting of the building.

- **En5:** “Conservation area character” - development within or directly affecting Conservation Areas will be required to preserve or enhance their character or 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.
- **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 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](http://www.huntingdonshire.gov.uk/localplan) - Then click on "Local Plan Alteration (2002)

- **STR1** – Infill development will be allowed in group villages.
- **STR5** – Fenstanton is classed as a group village.
- **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, and support the re-use of empty properties.
- **HL8** – Rural Housing – identifies that in group villages, groups of dwellings and infilling will be permitted on appropriate sites within the village limits and where the development is sensitive to the scale and character of the village.

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 – development 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 on the amenity of existing and future occupiers.
- **B7** – Listed Buildings – lists the criteria against which development proposals 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.
  - **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 Policies from the Huntingdonshire Local development Framework Submission Core Strategy 2008 are relevant and are viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning 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.
  - **CS3** The Settlement Strategy. Fenstanton is a “Key Service Centre” where development schemes of moderate and minor scale and infilling may be appropriate within the built up area.
- 3.7 The SPD Huntingdonshire Design Guide (2007) is a material consideration.

#### 4. **PLANNING HISTORY**

- 4.1 0702869FUL – Change use of storage area to the rear of the shop to create a dwelling. Refused 15.10.2007
- 4.2 0702870LBC – Alterations to the storage area to the rear of the shop. Consent granted 16.10.2007.

#### 5. **CONSULTATIONS**

- 5.1 **Fenstanton Parish Council – OBJECTION** (copy attached). The Parish Council has repeated its objections in respect of the amended plan.
- 5.2 **HDC Transportation – NO OBJECTION** Following the recent appeal decision at St Ives the Council has no justification within adopted parking policy for recommending the refusal of planning permission if it is considered that an insufficient level of parking provision has been made as part of the submission. The Interim Planning Policy Statement is clear in setting maximum parking standards so less or no parking provision, while maybe not ultimately desirable, cannot on its own be a reason for refusal, particularly where Government policy provides guidance on reducing provision and encouraging other sustainable modes of travel. In the case of Fenstanton, it has to be noted that a good level of public transport provision exists serving the village and, while accepting that recent service changes have reduced the level of service over that previously enjoyed, the new level of provision is still rated as satisfactory for a village of the scale and population of Fenstanton. With regard to the issue of the High



Street and the effects of any on-street parking if that were to occur in conjunction with the proposed use, the County Council's Accident Records show no evidence of any recorded injury accidents in the previous three-year period in the vicinity of the application site. In considering the impact of any marginal increase in the level of any on-street parking or congestion in relation to any propensity of an increase in the risk of accidents, it is considered that this is so small as to be negligible. A valid reason for refusal based on highway safety or parking issues could not be sustained. While the comments of both the Parish Council and other third parties are noted in relation to these matters, there is no objections to this proposal.

## **6. REPRESENTATIONS**

- 6.1 Neighbours – One letter of objection has been received from the owner of the Gallows Guest House (13-15 High Street). The writer has raised the following points:-
1. The proposal will have an overbearing impact on the Listed Building and its amenity area.
  2. The scale of the proposal is inappropriate and will result in a loss of amenity due to loss of light and privacy.
  3. There will be a loss of value of the business and loss of revenue.
  4. The proposal would be detrimental to the views from the Guest House.
  5. The lack of parking provision would exacerbate the already chaotic traffic problems on the High Street and would increase the demand for on-street parking spaces in an area where such spaces are strictly limited. Slowing and turning vehicles seeking parking spaces would be to the detriment of highway safety.
  6. The lack of parking will reduce the available parking for existing businesses.
  7. There may be questions over the legality of using the shared access to the development site.
  8. The lack of adequate drainage provision may exacerbate existing flooding issues.
- 6.2 The writer has repeated these objections in respect of the amended plan.

## **7. SUMMARY OF ISSUES**

- 7.1 The main issues to consider are the principle of the development, car parking and highway safety, the impact on the amenities of neighbouring properties and the effect on the setting of listed buildings and the character and appearance of the conservation area.

### **The principle of development**

- 7.2 Fenstanton is identified as a “key service centre” in the Core Strategy settlement hierarchy (policy CS3), in which moderate and minor scale development, together with infilling, may be appropriate within the built up area. Policy HL8 of the Local Plan Alteration 2002 classifies Fenstanton as a group village where groups of dwellings, and infilling, may also be acceptable on appropriate sites, and where the development is sensitive to the scale and character of the village. The land is “previously developed”, and its more efficient use would be consistent with one of the major requirements of PPS3, and with a

number of the policies referred to above insofar as securing a better use of land is concerned. The proposal is acceptable in principle, and is in accordance with policies CS3 and HL8.

### **Parking and Highway Issues**

- 7.3 The proposed dwelling would have no off-street parking facilities. The coach-arch access to the site is too narrow to be used by vehicles and there is only pedestrian access available.
- 7.4 A recent appeal decision in St Ives has emphasised that the Council has no parking policy justification for refusing planning permission if it considers that a development provides insufficient on-site parking. The car parking policy in the Local Plan 1995 is not 'saved' and is no longer part of the development plan. Policy T2 and Appendix 1 of the Interim Policy Statement set maximum parking standards so development which provides less parking than the standard, or no parking space at all, must be considered to comply. Government policy is not wholly clear or consistent: PPG13 'Transport' (2001) says that reducing the amount of parking in new development is essential to promote sustainable travel and developers should not be required to provide more spaces than they wish, other than in exceptional circumstances such as 'significant implications for road safety', which cannot be resolved through on-street parking controls. The more recent PPS3 'Housing' (2006) advises local authorities to develop residential parking policies for their areas, taking account of expected levels of car ownership, the importance of promoting good design and the need to use land efficiently.
- 7.5 The Council has previously taken a firm line in the absence of off-street parking by refusing planning permission for a two bedroom flat in the rear part of the shop (application 0702869FUL). The St Ives appeal decision has however focussed attention on the approach to this issue and it is clear that the only justification for refusing planning permission would be clear and demonstrable harm as a result of the level or absence of parking proposed in terms of highway safety, residential amenity or impact on landscape and townscape. In terms of highway safety and congestion, officers are not aware of any material change in circumstances since the refusal of planning permission in 2007. It is however now considered that the provision of additional accommodation on this site would not materially worsen highway safety or have significant implications for the congestion on High Street (a bus route) where on-street parking already takes place on the western side. The Parish Council and third party concerns about the impact of congestion and competition for parking space for visitors to the business premises are noted, but it is considered that in the absence of any recorded injury accidents on High Street an objection to the development on this issue could not be sustained. The proposal would comply with policy T1.

### **The effect of the development on the amenities of neighbouring property**

- 7.6 The proposal is modest in scale and, as a result, it would not have an overbearing impact on, nor would it lead to an unacceptable loss of light to, the adjoining properties. The amended plan shows it to be set 1m from the rear boundary of the guest house. This will limit the effect of the proposal on this latter property and, whilst visible from the

guest house, it would not restrict light to a degree where a refusal could be justified. All windows in the dwelling are in the west elevation, and will look into the courtyard. There should be no undue loss of privacy through overlooking. The rooflights in the east facing roof slope will provide light to a bathroom and a bedroom, but will not allow a view out other than of the sky.

- 7.7 The proposal is unlikely to be harmful to the amenities of the existing occupiers of the flats to the rear of no. 11, who share the access and courtyard, or to the residents of the Guest House (nos. 13-15), which backs onto the site. The proposal is acceptable within the terms of policies H31 and B4.

### **The effect on the setting of listed buildings and the character and appearance of the conservation area**

- 7.8 There are no objections to the demolition of the existing buildings as these are of no architectural merit. The subdivision of the curtilage of no. 11 and the proposed layout of the development, will result in a building within a small and confined plot, close to the site boundaries but it is considered that this form of development is compatible with the grouping of principal and ancillary structures in this part of the village centre. The design of the proposed dwelling is acceptable and its modest, uncomplicated form will benefit the rear range of buildings on the High Street. The proposal will not be detrimental to the listed building or Conservation Area, and it will, to a large extent, be hidden from public view. The proposal is acceptable in terms of policies En2, En5, En6, En25, B1, B7, B8 and HL5.

### **Other issues**

- 7.9 The other issues raised by the Parish Council, and by the neighbour have been noted, but none of them are material to the consideration of this application.
- 7.10 The objector comments that the proposal will result in a loss of view and loss of property value, are not considered to be material planning considerations. The legality of the shared access is a civil matter and is not relevant to determination of this application.
- 7.11 The objector comments that a lack of adequate drainage is proposed at this site, but given the negligible increase in impermeable surfacing the proposal would not unduly increase surface water runoff.

### **Conclusions**

- 7.12 The balance of factors is in favour of this proposal. 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 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:

<b>02003</b>	Time Limit (3yrs)
<b>05001</b>	Buildings
<b>Nonstand</b>	Various details
<b>Nonstand</b>	Garden improvement

**BACKGROUND PAPERS:**

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 Alterations (2002)  
Huntingdonshire Interim Planning Policy Statement 2007  
Huntingdonshire Local Development Framework Submission Core Strategy  
2008  
The SPD Huntingdonshire Design Guide (2007)

**CONTACT OFFICER:**

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

**Case No:** 0603872FUL (FULL PLANNING APPLICATION)

**Proposal:** ERECTION OF DORMER WINDOWS TO FORM ACCOMMODATION AT FIRST FLOOR AND PART DEMOLITION OF EXISTING DWELLING. ERECTION OF NEW DWELLING

**Location:** LAND AT AND INCLUDING 34 COMMON LANE

**Applicant:** MR R STRATTON

**Grid Ref:** 527887 271308

**Date of Registration:** 06.12.2006

**Parish:** HEMINGFORD ABBOTS

### RECOMMENDATION - REFUSAL

#### 1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This site is located on the northern side of Common Lane. It is occupied by a wide chalet bungalow which has garden on three sides. There are dwellings on all sides of the site. Development in the area is mixed with a variety of house types and plot sizes. Many of the plots in the area are very long but this plot is one of 5 shallow frontage plots, it has a depth of just less than 30m and a width at the building line of 28.5m.
- 1.2 The proposal is to demolish the eastern part of the existing dwelling, make substantial changes to the remaining structure and erect a new dwelling partly on the area cleared by the demolition and partly in the side garden to the east. A new vehicular access to Common Lane would be formed.
- 1.3 The application has been amended three times:

**The original scheme involved:**

- reducing the width of the existing chalet bungalow from 15.8m to 11m
- increasing its depth from 7.8m to 10.2m
- constructing substantial new flat roofed dormer windows
- constructing a new two storey house 11m wide and 7.3m deep, 2m away from the retained house
- constructing a double garage in front of the new house

**The first revision:**

- introduced a 'mansard' cross-section for the chalet bungalow
- the roofs of the new house and its double garage were hipped throughout
- materials were changed to full or part rendered elevations to both buildings and black boarding to the upper walls of the house.

**The second revision:**

- the mansard design for the chalet bungalow but with a ridge height of 7.3m and dormers with vertical proportions
- a revised design for the new dwelling with a width of 10.5m, a depth 6m and a height increased to 8m
- an attached garage on the side adjacent to the bungalow and a substantial, two storey central rear wing.

**The third and final** revision and the basis on which the application should be determined, features changes that were not requested by officers. It was submitted in response to advice that all previous schemes were unsatisfactory:

- the chalet bungalow reduced in width from 15.8m to 10m, with no change to its ridge height or roof style
- new rooflights on the front roof slope and a new flat roofed dormer window on the rear roof slope similar to the existing
- a new two storey dwelling 10.1m wide, 7.1m deep, with a gabled roof standing 5.4m from the retained chalet bungalow
- no garage is proposed but there is space to access the rear garden

- 1.4 The site is in within the village environmental limits and the built-up area and in the Conservation Area.

**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 **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 [www.communities.gov.uk](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 polices in deciding planning applications can also bee found at the following website: [www.communities.gov.uk](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 (2008). Policies viewable at <http://www.go-east.gov.uk> then follow the 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](http://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.
- **H33:** "Sub-division of large curtilages affecting protected buildings or features" states the subdivision of curtilages will not be supported where development will adversely affect the qualities of a Conservation Area or affect trees worthy of protection.
- **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.
- **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 Alteration 2002 Saved policies from the Huntingdonshire Local Plan Alteration 2002 are relevant and viewable at [www.huntingdonshire.gov.uk/localplan](http://www.huntingdonshire.gov.uk/localplan) then click on Local Plan Alteration 2002

- **STR2** - Provides definitions for housing development – Infilling: the filling of an undeveloped plot in an otherwise built-up frontage by no more than two dwellings. Subject to other Local Plan policies.
- **STR6** – Infill Villages – includes Hemingford Abbots

- **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.
- **HL9** – Infill Village Housing – will be restricted to infilling, where suitable sites exist within the village environmental limits.

3.5 Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://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.
- **B8** – Conservation Areas - states the criteria against which developments within or affecting a Conservation Area should be assessed.
- **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.

3.6 Policies from the Huntingdonshire Local Development Framework Submission Core Strategy are relevant and viewable at <http://www.huntsdc.gov.uk> click on environment and planning then click on planning 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.
- **CS3**: “The Settlement Hierarchy” – identifies Hemingford Abbots as a smaller settlement in which residential infilling will be appropriate within the built up area.

3.7 The SPG Design Guide (Parts 1, 2 and 4) is a material consideration.



- 3.8 The Hemingford Abbots Conservation Area Character Assessment is a material consideration
- 4. PLANNING HISTORY**
- 4.1 None relevant
- 5. CONSULTATIONS**
- 5.1 **Hemingford Abbots Parish Council – NO OBJECTION** (Copy attached)
- 6. REPRESENTATIONS**
- 6.1 Neighbours – 12 responses have been received to the neighbour consultation on both the original plans and the superseded amendments. The following comments have been made:-
1. The garage is too far forward and is not consistent with the general building line along the street. It will be too prominent in the street scene. As a consequence, the proposal would have an adverse impact on the character of the Conservation Area.
  2. The new dwelling is too large, and it will be cramped in its plot. The proposal is an over-development of the site.
  3. The style of the new building is out of keeping with other development in the area, and includes features which are alien to the village. The design is too modern for the locality.
  4. The accesses are too close together.
  5. The proposal would result in a loss of amenity though increased noise, disturbance, loss of view and loss of light.
  6. The proposal would result in the loss of a number of trees.
  7. There will be insufficient parking provision on site. Vehicles will therefore be forced to park on the road, causing an obstruction.
  8. The proposal could set a precedent for further development in the village.
  9. The alterations to the existing dwelling will detract from the character of the area.
  10. The local infrastructure cannot cope with any more development.
  11. The development is being done for speculative reasons only.
  12. The proposal would have an adverse impact on the adjacent listed buildings.
- 6.2 Objections to the final amended scheme have been made by or on behalf of 8 residents:
1. Overdevelopment – the site is not large enough to accommodate two dwellings other than in the form of a pair of semi-detached houses. Development in the area is generally open and less dense.
  2. The siting of the new dwelling still confirms the overdevelopment of the site and it is out of keeping.
  3. The alterations to the existing bungalow are unfortunate in terms of height and design.
  4. Harmful to the character and appearance of the area which is basically traditional dwellings in ample plots.
  5. Out of keeping with the scale and form of existing development and contrary to policies En5 and En6.
  6. Inadequate off-street parking for the new house, on street parking results in damage to verges.
  7. The new dwelling is too close to the road.

## **7. SUMMARY OF ISSUES**

- 7.1 The main issues in this case are the principle of an additional dwelling; the impact of development on the character and appearance of this part of the Conservation Area, the effect on the amenity of neighbouring properties, access and the impact on trees.

### **The principle of development**

- 7.2 The erection of a single dwelling on a site on an existing road frontage would be infilling development in accordance with policies STR2, STR6 and HL9 of the Local Plan Alteration and with policy CS3 of the Submission Core Strategy. It would also comply with policy HL7 which seeks to maximise the use of previously-developed land.

### **The impact of development on the character and appearance of the Conservation Area**

- 7.3 The final revised proposal still causes harm to the area which is characterised by single dwellings in ample plots. The adjacent semi-detached houses provide a slightly higher density but they too have ample space around them. This contributes to the loose fragmented character of the lane. The proposal is for two units relatively close to each other where there is little space around them. This density is atypical of the area and the lack of space for landscaping to the front will make the buildings unduly prominent in the street scene.
- 7.4 The design of the new dwelling is slightly better than the previous proposals and the character of Common Lane is varied but the quality of the design and the proportions of the fenestration would detract from the character of the area.
- 7.5 The design of the reduced dwelling results in a foreshortened building with little design integrity which appears too short and squat, with prominent rooflights and a box dormer at the rear which are not satisfactory.
- 7.6 Despite long negotiations the scheme is still not acceptable. The principle of an additional dwelling cannot be supported if the character and appearance of the Conservation Area are harmed. Officers have advised the applicant that the preferred way of accommodating two dwellings on the site would be a pair of semi detached dwellings. This would place a single structure in the centre of the site with sufficient space around it, mirroring the character of development on this side of the street.
- 7.7 The proposal would be contrary to policies ENV7, H32, H33, En5, En6, En25, HL5, B1 and B8.

### **The effect on the amenity of neighbouring properties**

- 7.8 The new dwelling will not have a significant adverse impact on the amenities of adjacent properties. There would be some overlooking of the houses opposite but this is a common situation and does not

warrant the refusal of planning permission. The proposal would comply with policies H31 and B4.

### **Access**

- 7.9 The development does not raise any fundamental highway issues, and the amount of traffic generated will not have an adverse impact on the safety of existing road users. The revised proposal make provision for 2 parking spaces for the chalet bungalow and 1 space for the new dwelling, although more space could be provided. This accords with (i.e. is less than) the maximum standard set out in policy T2. The proposal accords with policy T1.

### **The impact on trees**

- 7.10 None of the trees on the site made a significant contribution to the character of the conservation area. The garden has now been cleared of vegetation.
- 7.11 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.

### **8. RECOMMENDATION – REFUSE, for the following reason:**

- 8.1 The proposal to alter an existing chalet bungalow and erect a new two storey dwelling would be harmful to the character and appearance of the Hemingford Abbots Conservation Area because the two dwellings in relatively close proximity within the plot would be out of keeping with the loose, fragmented character of the area. The designs of both buildings are also unsatisfactory in that the alterations to the chalet bungalow result in a foreshortened building of poor proportions, with unduly prominent rooflights and rear dormer window. In combination with the poorly proportioned fenestration of the new house this exacerbates the over-developed appearance of the site. The proposal would be contrary to policy ENV7 of the East of England Plan; H32, H33, En5, En6 and En25 of the Huntingdonshire Local Plan 1995; HL5 of the Huntingdonshire Local Plan Alteration 2002 and B1 and B8 of the Huntingdonshire Interim Planning Policy Statement 2007. The proposal does not accord with the design guidance in the Huntingdonshire Design Guide SPD 2007.

### **BACKGROUND PAPERS:**

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 Alterations (2002)  
Huntingdonshire Interim Planning Policy Statement 2007  
Huntingdonshire Local Development Framework Submission Core Strategy 2008

### **CONTACT OFFICER:**

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

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**Case No:** 0803236FUL (FULL PLANNING APPLICATION)  
0803242FUL (FULL PLANNING APPLICATION)

**Proposal:** ALTERATIONS AND SUB-DIVISION OF DWELLING INTO TWO DWELLINGS

**Location:** 45 HIGH STREET PE28 9BJ

**Applicant:** MR N GRAY

**Grid Ref:** 529309 270654

**Date of Registration:** 11.11.2008

**Parish:** HEMINGFORD GREY

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**RECOMMENDATION - APPROVE**

**1. DESCRIPTION OF SITE AND APPLICATION**

- 1.1 This is a combined report for two applications relating to different parts a two storey terraced house on the road frontage of the site which is on the north side of High Street, to the East of The Cock public house/restaurant. Within the same ownership, but not part of the application site, there is a single storey rear wing which contains manager's accommodation/reception and kitchen facilities for a further building at the rear providing seven guest bedrooms. There is a private garden to the side/rear of the guest bedrooms and a separate parking area for guests with seven spaces. At the end of the terrace closest to the public house there is a further cottage, number 45a, which was also part of the house but is now a separate dwelling in other ownership. Beyond this there is the vehicular access to the site, adjoining the public house car park.
- 1.2 The proposal is to convert the terraced house into two dwellings, each of which is the subject of a separate application. The accommodation, which is not used at present, consists of two ground floor rooms and three bedrooms and a study on the first floor.
- 1.3 Application 0803236FUL relates to the western part of the building. It would become a two bedroom unit with a ground floor lounge/diner/kitchen. It would have a small rear patio garden, approximately 3m wide and 7m deep, leading to a single car parking space.
- 1.4 Application 0803242FUL relates to the eastern part of the building. It would become a one bedroom unit with a ground floor lounge/diner/kitchen. Because this part of the building has the rear wing behind it, it only has a small rear yard, approximately 2m by 1m. The amended plans show a parking space for this unit at the side of the vehicular access.

- 1.5 The site is within the village environmental limit and the built-up area. It is also in the Conservation Area, High Street is classified (C121) and the site is in a Flood Risk Area.

## 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 of housing completions needed in England.
- 2.3 **PPG13 “Transport” (2001)** provides guidance in relation to transport and particularly the integration of planning and transport.
- 2.4 **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.
- 2.5 **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](http://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 that support will be offered only where the resultant dwelling and its curtilage are of a size and form sympathetic to the locality.
- **H33** – “Sub-division of large curtilages affecting protected buildings and features states that the subdivision of large curtilages will not be supported where development will adversely affect the qualities of a Conservation Area or trees worthy of protection.
- **En5:** “Conservation area character” - development within or directly affecting Conservation Areas will be required to preserve or enhance their character or appearance.
- **CS9:** Flooding. The Council will normally refuse development proposals that prejudice schemes for flood water management.

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](http://www.huntingdonshire.gov.uk/localplan) - Then click on "Local Plan Alteration (2002)

- **STR6** – Hemingford Grey is an infill village
- **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, and support the re-use of empty properties.
- **HL9** – Infill villages housing – will be restricted to infilling where suitable sites existing within the village environmental limit.

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

- **P10** – Flood Risk. Development should not take place in areas of flooding or increase the risk of flooding elsewhere. Flood risk assessments are required where appropriate. Sustainable drainage systems should be used where appropriate.

- **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.
- **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.

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.
- **CS3** – settlement strategy. Hemingford Grey is a smaller settlement in which residential infilling will be appropriate in the built up area.

3.7 The Hemingford’s Conservation Area Character Statement is a material consideration.

#### 4. **PLANNING HISTORY**

- 4.1 90/1788 - Permission granted for an extension at the rear of the property to provide guest accommodation (five bedrooms).
- 4.2 92/0097 – Permission granted for two additional guest rooms in the roof space above the existing guest accommodation.
- 4.3 0202582FUL - Staff accommodation to the rear of the guest accommodation. Refused on grounds of inadequate privacy, amenity and parking for the new dwelling and flooding.
- 4.4 0502190FUL - Related to the adjoining property (now known as 45a) and was to convert this to a separate dwelling (it was also originally part of no 45). Planning permission was granted and the work has been carried out.

#### 5. **CONSULTATIONS**

- 5.1 **Hemingford Grey Parish Council – OBJECTION** (both the original plan and the amended plan copies attached).



5.2 **Environment Agency** – The submitted Flood Risk Assessment is inadequate.

5.3 **Transport Planning Officer** – The amended plan is acceptable.

## 6. REPRESENTATIONS

6.1 Neighbours – Three neighbours, together with the Hemingford Grey Preservation Association have replied. The following comments have been made on the original plans:-

1. Only one car parking space is being provided for two dwellings. The lack of parking spaces on site will increase the need for road side parking in an area where there is already a considerable demand and a shortage of spaces. This will have a knock on effect on neighbours who do not have on site spaces, and on the whole parking situation in general. There is land within the ownership of the applicant to the rear of the property which could be used.

2. The increased use of the access will increase hazards to existing road users. Visibility at the junction is poor and is often blocked.

3. The subdivision of the property, including the permission already implemented, will result in an overdevelopment of the site.

4. Neither of the two new properties will have any amenity space. Such space should be provided, especially as the site is in the Conservation Area.

5. The properties need to have fire escapes in accordance with the current regulations.

6.2 Neighbours and the Preservation Association have been notified of the amended plans showing the additional car parking space. One neighbour has commented that the parking space adjacent to the pavement appears to be too tight, and that it would be better to have the parking space at the rear to improve highway safety.

## 7. SUMMARY OF ISSUES

7.1 The issues are: the principle of the development; access and parking; the amenity of new and existing dwellings; the effect on the character and appearance of the Conservation Area, and flood risk.

7.2 The principle of the development

7.3 Hemingford Grey is a village in which additional residential development is normally permitted: up to two dwellings under policy HL9 of the Local Plan Alteration 2002 but up to 3 dwellings under policy CS3 of the Submission Core Strategy 2008. The proposal is an acceptable scale of development for the village and both applications would accord with these policies.

### Access and parking

7.4 The concerns about parking expressed by the Parish Council and others raise highway safety issues but also amenity and conservation issues which are considered below. Significant on-street parking already takes place because of properties in the area that have no off-street parking facilities, or insufficient spaces, and the presence of commercial uses.

- 7.5 One off-street parking space is to be provided for the western dwelling. Policy T2 and Appendix 1 of the HIPPS set a maximum of 2 spaces on average across the development for dwellings outside town centres but no minimum limit. There is therefore no policy justification for insisting on more than the proposed one space to the rear of the western unit.
- 7.6 The amended plans show a short (4.5m long) car parking space at the side of the vehicular access to the site for the use of the eastern unit. This space has no pedestrian visibility and a car parked on it would reduce or obscure pedestrian visibility for the access. It is therefore considered to be unsatisfactory and the use of this area should be prevented by condition. That would leave this unit without an off-street parking space. For the reasons set out above it is not considered that there is policy objection in terms of the amount of car parking provided. Because of the amount of on-street parking that already takes place it is not considered that the additional parking resulting from this development would materially worsen highway safety. The proposal therefore complies with policy T1.

### **The amenity of new and existing dwellings**

- 7.7 Achieving good quality housing is one of the objectives of PPS3. New housing should be functional and, particularly where family housing is proposed, access to a private garden is important. The western unit which would have two bedrooms has an adequate private area, suitable for amenity use and bin storage. The eastern unit would have no garden but is unlikely to be occupied by a family so the absence of a private amenity area is not in this instance considered to be sufficient justification to refuse planning permission. Provision can be made for a bin store within the site. The small curtilages that both would have would not in this case be detrimental to the amenities of neighbouring properties. The applications would comply with policies H31, H32, H33, HL5 and B4 and with policy HL7 which requires the Council to maximise the use of previously developed land and buildings.
- 7.8 Irrespective of the number of off-street parking spaces provided, it is not considered that the impact on amenity of two additional dwellings would be serious enough to warrant planning permission being refused.

### **The effect on the character and appearance of the Conservation Area**

- 7.9 External changes to the building are very limited, and will not affect the character or appearance of the Conservation Area. The proposals comply with policies En5 and B8. The sub-division of the original curtilage will also not harm the character or appearance of the Conservation Area and will comply with policy H33. The impact of additional on-street parking is not considered to harm the character or appearance of the Conservation Area.

### **Flooding**

- 7.10 The site is in an area at risk of flooding. The Environment Agency has advised that the property is in an area which is now defended to the appropriate standard of protection of 1 in 100 years. It has further

advised that the Flood Risk Assessment needs to be revised prior to determination using River levels to assess the future flood risk. The river level is 7.59mAOD but the floor levels are 7.2 to 7.3mAOD so there is a potential risk to the property and the FRA needs to consider mitigation and recommendations to minimise damage so that any permission can be subject to appropriate conditions. Further information will be provided at or before the meeting.

## Conclusions

- 7.11 Subject to satisfactory amendment of the Flood Risk Assessment these applications are acceptable and conform to the policies referred to above. There are no material considerations which suggest that planning permission should be refused.
- 7.12 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.

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:

<b>02003</b>	Time Limit (3yrs)
<b>03022</b>	Parking
<b>Nonstand</b>	No parking on west side of access
<b>Nonstand</b>	Bin Storage

### BACKGROUND PAPERS:

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  
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:** 0803318S73 (RENEWAL OF CONSENT/VARY CONDITIONS)  
**Proposal:** REMOVAL OF CONDITION 9 OF RESERVED MATTERS APPROVAL 0702174REM TO ALLOW FLOODLIGHTING  
**Location:** LAND AT GIFFORDS FARM NEEDINGWORTH ROAD ST IVES  
**Applicant:** TRUSTEES OF ST IVES GOLF CLUB  
**Grid Ref:** 533200 272799  
**Date of Registration:** 24.11.2008  
**Parish:** HOLYWELL CUM NEEDINGWORTH

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**RECOMMENDATION - APPROVE**

**1. DESCRIPTION OF SITE AND APPLICATION**

- 1.1 This site is located on the northern side of the A1123, north of its junction with the Needingworth road, and approximately 2km north east of St Ives. The land is relatively open, and is part of the undulating central clay lands which lie to the north of St Ives and Huntingdon. The land rises gentle to the north, and the entire site extends towards the St Ives to Somersham Road. Development in the area is generally scattered, and the land is largely in agricultural use. There is a newly constructed access to the site from the roundabout on the A1123.
- 1.2 The proposal is to remove condition 9 of the reserved matters planning permission, ref no 0803318REM, dated 21st November 2007, to allow floodlighting. The condition stated that "The hereby permitted practice bays shall not be floodlit". The reason was to protect the character and appearance of the countryside. The practice bays are located towards the southern end of the site, approximately 420m from the roundabout. The driving range extends from the bays towards the road. The proposal is to install eight lights on the bays themselves, facing down the driving range, and to have five parallel rows of lights across the range at intervals of 50m from the bays. These lights will be at ground level and set into low mounds. They will face south away from the bays. The lights will be used between 1600hrs and 2100hrs, depending on the season, with a maximum of five hours in the winter. The driving range is set within a landscaped area, which will provide some screening from the A1123, and from the adjacent properties.
- 1.3 The site is in the open countryside 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 **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.
- 2.3 **PPG17 – Open Space, Sport and Recreation (2002)** – considers matters relating to the provision of recreational facilities in towns and 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 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
  - None relevant
- 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](http://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.
  - **En17** “Development in the countryside” – development in the countryside will be restricted to that which is essential to the efficient operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services.

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](http://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

- **P8** – Development in the Countryside – Outside the defines limits of the Key Centres (limited or potential growth) 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.
- **B4** – Amenity - developments should not have an unacceptable impact upon amenity of existing or future occupiers.
- **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.

- None relevant

3.7 The SPG "External Artificial Lighting" is a material consideration.

#### **4. PLANNING HISTORY**

4.1 0602938OUT. Erection of golf clubhouse with associated parking, access and erection of maintenance building. Approved

4.2 0602937FUL. Change of use of land from agriculture to form golf course. Approved

4.3 0702174REM. Approval of access, landscaping and scale for erection of golf clubhouse etc. Approved 21st November 2007.

#### **5. CONSULTATIONS**

5.1 **Holywell cum Needingworth Parish Council – OBJECTION** (copy attached).

- 5.2 **HDC Environmental Management** – Lighting Engineer - The Institute of Lighting Engineers has no best practice guidance on lighting golf driving ranges. The issues are light pollution, glare and light nuisance. A typical range would have eight 2kw metal halide floodlights on the top of the driving bays to light the ball from behind so that the golfer can track its flight for distances of up to 300m. The back rather than the front or sides of the ball needs to be illuminated for the golfer to do this. With the traditional approach it is virtually impossible to avoid upward light at a shallow angle because of the orientation and high intensity of the lamps and this causes light pollution, glare and possible light nuisance. This proposal takes a different approach. It uses 400w lamps, starting on top of the range bays, behind the golfer and then in a series of ground mounted groups of floodlights every 50m. The peak intensity of the ground mounted lights, which make up the majority of the scheme, is at 60 degrees above the horizontal, which gives good illumination of the golf ball as it passes through each zone of lights. Light pollution (sky glow) is caused by reflection of light off moisture and dust particles in the atmosphere. This is worst when the light beam is at shallow angle above the horizontal because the reflections bounce back down over a wide area. The steeper angle proposed in this case means that these reflections come back to the ground closer to the source and the extensive glow associated with traditional upward and outward facing lighting mounted on top of the driving range bays is significantly reduced. Mounting the floodlights at ground level also significantly reduces glare which is experienced when looking straight at the light source. Light nuisance occurs when stray light falls beyond the site boundaries and affects a highway or property. The scheme has been designed to minimise light nuisance. When it matures the new landscaping should reduce the impact of the lighting even further.

## **6. REPRESENTATIONS**

- 6.1 Neighbours – One letter has been received. The following points have been raised:-
1. The proposal will result in a loss of privacy and peaceful habitat to the neighbouring properties by reason of light pollution.
  2. The lighting could be on for longer periods than stated in the application.

## **7. SUMMARY OF ISSUES**

- 7.1 The linked issues in this case are the impact of the lighting on the character of the countryside and the effect on neighbours.
- 7.2 In the report on the 2007 reserved matters application, the comment was made that “any scheme for the floodlighting of the practice bays would have to demonstrate that it would not detract from the visual amenities of the area.” Condition 9 was imposed to protect the character of the country side, but also to enable the Local Planning Authority to control any lighting in the future.
- 7.3 As explained in detail in the Council’s Lighting Engineers’ comments, the proposed lighting scheme takes a different approach from many golf driving range lighting schemes in that it uses lower powered



lights, the majority of which will be set at ground level. The traditional approach using a small number of higher intensity lights can cause problems of light pollution, glare and light nuisance which can be experienced over a wide area and result in a significant loss of amenity to the locality. The site is close to the urban area in countryside which is neither particularly dark nor subject to any national protection designation. The proposed scheme has been assessed by the Council's Lighting Engineer and it is considered that in this context it will not lead to unacceptable levels of pollution, glare or light nuisance. The objector's property is approximately 270m from the nearest lights which will be pointing away from their property and should not be significantly adversely affected. The hours of illumination proposed are to enable the range to be used during the hours of darkness by local commercial sponsors and club members. They are considered to be acceptable and should be controlled by condition. The proposal is considered to be acceptable and it complies with policies B4 and G2 of the Interim Policy Statement.

- 7.4 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:

<b>02003</b>	Time Limit (3yrs)
<b>Nonstand</b>	Hours of lighting
<b>Nonstand</b>	No change to specification
<b>Nonstand</b>	reserved matters approval 0702174REM

**BACKGROUND PAPERS:**

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 Alterations (2002)  
Huntingdonshire Interim Planning Policy Statement 2007  
Huntingdonshire Local Development Framework Submission Core Strategy 2008

**CONTACT OFFICER:**

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

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**Case No:** 0802744FUL (FULL PLANNING APPLICATION)

**Proposal:** RETENTION OF USE OF LAND AS A CARAVAN SITE FOR GYPSY AND TRAVELLER RESIDENTIAL PURPOSES

**Location:** PUMPING STATION, PAXTON ROAD OFFORD DARCY

**Applicant:** MR B LAMB

**Grid Ref:** 521802 265932

**Date of Registration:** 16 September 2008

**Parish:** THE OFFORDS

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**RECOMMENDATION - APPROVE**

**1. DESCRIPTION OF SITE AND APPLICATION**

- 1.1 The site extends to approximately 0.1 hectares and comprises the former Anglian Water Pumping Station brick built building and associated land surrounding. The site has been unused for a number of years. There is an existing vehicular access to the site which is gated.
- 1.2 The site is located on the southern edge of Offord D'Arcy. This site is in the open countryside beyond the defined environmental limits of the village, and the road is classified.
- 1.3 The proposal is for the retention of the use of the land as a caravan site for gypsy and traveller residential purposes and the application is retrospective in that the single mobile dwelling is already in situ.

**2. NATIONAL GUIDANCE**

- 2.1 **PPS1 – ‘Delivering Sustainable Development’.**
- 2.2 **PPS3 – ‘Housing’** provides guidance on the provision of new housing, making more efficient use of land, and other related issues.
- 2.3 **PPS7 – ‘Sustainable development in rural areas’.** Contains advice on a wide range of development in the countryside.
- 2.4 **PPG13 – ‘Transport’**
- 2.5 **PPS25 – ‘Flooding’**

- 2.6 **Circular 1/2006 – Planning for Gypsy and Traveller Caravan Sites**  
– gives advice both the local planning authorities and gypsies and travellers on the planning process and dealing with gypsy and traveller caravan sites. Advice is given on how to make assessments for gypsy and traveller accommodation and the transitional arrangements in advance of such assessments.

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.
- **H3:** “Provision for Gypsies and Travellers” – Provision should be made for sites/pitches to meet the identified needs of Gypsies and Travellers living within or resorting to their area.
- **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.

The Single Issue Report was released in December 2008 and recommends that the additional pitch requirement for Huntingdonshire be increased from 20 to 25 for the period from 2006 – 2011.

#### 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](http://www.huntingdonshire.gov.uk/localplan95)

- **En17** – development in the countryside will be restricted to that which is essential to the efficient operation of local agriculture and other rural uses.
- **H23** - there is a general presumption against new houses in the open countryside unless it is required for the efficient management of agriculture etc.
- **H41** – residential caravans will normally be permitted on a temporary basis where a special justification is established.
- **H44** – the Council will monitor the need for additional gypsy sites.

### 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](http://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

- **H11** – Accommodation for gypsies, travellers and travelling show people – a development proposal within or adjoining a settlement for gypsies, travellers or travelling show people will be permitted where a local need is demonstrated, where community facilities are within a reasonable travelling distance, the site is served by water and sewerage, there would be no adverse effect on amenity of nearby residents, impact upon the character and appearance of the countryside is minimised, the development can be assimilated into its surroundings and it is not in an area at high risk of flooding.
- **G2** – Landscape character.

### 3.6 **Gypsy and Traveller DPD** – the Council have produced the Issues and Options Stage 1 which is currently out to public consultation. It is expected that Stage 2 Site Alternatives will be published for consultation in summer 2009.

#### 4. PLANNING HISTORY

- 4.1 00/00603/OUT – Erection of a dwelling – Refused.
- 4.2 06/00258/FUL – Extension to building and Change of Use to Builders Store – Refused.

#### 5. CONSULTATIONS

- 5.1 **Offord Cluny and Offord D’Arcy Parish Council – Recommends REFUSAL (copy attached).**
- 5.2 **Local Highway Authority – NO OBJECTIONS** subject to conditions.
- 5.3 **Environment Agency – Initial OBJECTION** due to lack of Flood Risk Assessment. A Flood Risk Assessment has now been submitted and they have confirmed that this is **ACCEPTABLE** subject to a condition relating to minimum floor levels.

#### 6. REPRESENTATIONS

- 6.1 **TEN** letters of **OBJECTION** have been received which make the following points:

- Dangerous access as it makes a T junction with Orchard Gardens;
- Application should be described as retrospective;
- Enforcement action should have been taken immediately;
- Applicant told Parish Council he wished to keep horses which is not true;
- Previous application for builders store rejected;
- Work has been carried out and therefore permission a foregone conclusion;
- Decline in value of property;
- Query whether Council tax has been paid;
- Fear of site being expanded to include other gypsy or travellers
- Fear of crime;
- Offords already have to contend with the A14;
- Visual condition of the site;
- A landfill site would not be as bad as in 20 years time it would be landscaped;
- Query about lack of yellow advertisement notice of application;
- Query about the correct number of residents notified of the application;
- Sets a precedent;
- Mobile home established on site before planning permission granted which makes a mockery of the system and prejudices the non gypsy community;
- How many people and vehicles will be on the site?
- The mobile home was delivered from Orchard Way;
- Not appropriate site for a gypsy mobile home;
- Council should pay compensation to local residents;
- The site is in the wrong location as it is within the village boundaries; and,
- Fear of more caravans on the site.

## **7. SUMMARY OF ISSUES**

- 7.1 The main issues for consideration are the acceptability of the proposed land use in this location; the impact on the character and appearance of the locality; and highway safety.

### **The Acceptability of the Proposed Land Use**

- 7.2 Policy En17 of the Local Plan states that development outside of village limits should be restricted to that which is essential for the efficient operation of local agriculture, horticulture and forestry etc., with Policy H23 of the Local Plan stating that there is a general presumption against new dwellings in the countryside. The application does not seek consent for the erection of any new dwellings within this open countryside location, but does constitute residential development.
- 7.3 The applicant has confirmed his gypsy status in the application documents and further information relating to this will be reported at the meeting.
- 7.4 Whilst clear from the above assessment of the relevant Local Plan policies, development outside of the village limits should normally be resisted, regard must be given to government guidance, particularly Circular 1/2006, which whilst not superseding all aspects of the Council's Local Plan, is the most up to date guidance from Central Government in relation to Gypsies and Travellers. Additionally regard must be given to Development Plan policy, in particular, Policy H3 of the Regional Spatial Strategy and H11 of the Interim Planning Policy Statement, both of which encourage the Local Planning Authority to permit development proposals that meet the accommodation needs of gypsies or travellers where a local need for the scale and nature of development proposed is demonstrated and where (amongst other criteria) adequate schools, shops and other community facilities are within reasonable distance and can be reached by foot, cycle or public transport; and the development is not in an area at risk of flooding.
- 7.5 In order, therefore, to assess the acceptability of this land use in this location, regard must be given to the assessment of local need, assessing the existing level of provision, the need for sites in the area, the availability or lack of accommodation for the appellant and whether the use of the site would be sustainable in terms of access to community facilities, accessibility and flooding.

### **Local Need**

- 7.6 To assess local need regard must be had to the criteria as set out within paragraph 45 of Circular 01/06. A Gypsy and Traveller Accommodation Assessment (GTAA) covering Huntingdonshire as part of a wider study of part of the Cambridgeshire sub-region was published in May 2006. This presents the level of need for Huntingdonshire as an additional 15 - 25 pitches up until the end of 2010.

- 7.7 The Regional Spatial Strategy (RSS) Single Issue Review on consultation period closed on the 16 May 2008, the document was tested at the Examination in Public which commenced on the 20 October 2008. The Panel Report was released in December 2008 and recommends that the additional pitch requirement for Huntingdonshire be increased from 20 to 25 for the period 2006 – 2011. This is considered to be a material planning consideration in the determination of this application.
- 7.8 The Council have produced a Gypsy and Traveller Sites DPD Issues and Options Stage 1 – Principles and Processing document and this is currently out to public consultation, Stage 2 – Site Alternatives is anticipated to be published for consultation by summer 2009.
- 7.9 The Bi-Annual Gypsy and Traveller Count shows that Huntingdonshire has a very small number of Gypsy and Travellers with few changes annually. The July 2007 Count shows there is one local authority site at St Neots with 20 pitches and 38 caravans, 7 sites on Gypsy owned land (a total of 16 caravans), and 3 roadside encampments. Other than the St Neots' site, families are distributed in rural locations, usually in traditional agricultural areas near the fen, but near larger settlements with facilities like Somersham (where there are currently 3 families). With the exception of the County Council owned site at St Neots, local Gypsy and Traveller families in this area have one or two families or extended family, living on sites with a maximum of 4 pitches housing up to 8 caravans.
- 7.10 Until such time as the final number of pitches required in Huntingdonshire by the RSS is finally confirmed and a site specific Gypsy and Traveller Site Allocation DPD has been adopted, the District Council is conscious of the need to make transitional arrangements for Gypsies and Travellers and the advice found in Circular 01/2006 advises that Local Planning Authorities should give consideration to granting temporary permissions where there is unmet need but no available alternative gypsy and traveller site provision in an area. This is not however considered to mean that every proposal and site should be supported.
- 7.11 Accordingly, the Local Planning Authority needs to make transitional provision on appropriate sites until such time as appropriate site allocations are made in the DPD. In this regard, a three year temporary permission was granted in May 2007 for 4 pitches at a site on Somersham Road, St Ives (planning reference 0700959FUL) and a three year temporary permission for one pitch was granted In November 2007 on land at corner of St Ives Road and Pidley Sheep Lane, Pidley. (reference 0701841FUL). A temporary permission was given on appeal in 2008 for 10 pitches at Brington (reference 0700273FUL) Transitional arrangements have therefore been made for 15 pitches to date.
- 7.12 From this brief summary of the current need within Huntingdonshire as a whole, it cannot be denied that there is a need for gypsy and traveller sites. However, due to the current status of Local and Regional policy it is not considered that a permanent planning permission should be forthcoming. Careful regard should however be given to the potential use of this site as a transitional arrangement, by virtue of granting a temporary planning permission.



### **Availability of Alternative Accommodation for the Applicant**

- 7.13 When assessing this element, regard must not only be given to the availability of alternative accommodation, but also the suitability of that alternative accommodation, the particular need of the applicant and families involved and financial resources available.
- 7.14 The applicant is currently living on the site and has stated that if planning permission were to be refused then he would have no alternative but to live on the roadside to the detriment of the health and education needs of his children.
- 7.15 No other information has been submitted regarding the availability and adequacy of any alternative accommodation.

### **Sustainability**

- 7.16 At the heart of planning policy is sustainable development. In terms of rural areas, Circular 01/2006 indicates that whilst rural settings are acceptable in principle as gypsy and traveller sites, in assessing the suitability of such sites, local planning authorities should be realistic about the availability, or likely availability, of alternatives to the car in accessing local services. To this end, the Circular advises that sites on the outskirts of built-up areas may be appropriate and local planning authorities should first consider locations in or near existing settlements with access to local services, e.g. shops, doctors and schools. Circular 01/06 makes it clear that access to GPs and schools, as well as the promotion of peaceful and co-existence between the site and the local community and the provision of a settled base, are also an important part of sustainability considerations.
- 7.17 In this case the site, although defined as being within the countryside, is located on the edge of the village adjacent to the built up area. The Offords have local facilities including a school, and shop. It is therefore considered that the site is relatively sustainable and meets the advice within Circular 01/2006.

### **Flooding**

- 7.18 When assessing sustainability regard must also be given to the issue of flooding. In this instance, the site is located within Flood Zone 2 and the Environment Agency considers the type of development proposed to be 'more vulnerable' and therefore required a flood risk assessment. A Flood Risk Assessment has now been submitted and the Environment Agency have confirmed that a mobile home is acceptable in this location and the floor level is set no lower than 15.63 metres ODN. The submitted Flood Risk Assessment confirms that the floor level of the mobile home is at 15.63 metres ODN. This should be imposed as a condition and they also recommend that the mobile home be anchored to the new concrete base.

## **Impact on the Character and Appearance of the Locality**

- 7.19 The site is within the Ouse Valley character area in the Huntingdonshire Landscape Assessment. There are no particular features on the site other than the small pumping station building. Since this site is on the very edge of the village, when approaching from the south it will be seen against the backdrop of the village. When approaching from the north the use of the site is only apparent when you are opposite the site due to significant vegetation by the sides of the road. It is therefore considered that the impact of the use upon the character of the area is not so adverse that a temporary consent should not be granted for this reason.

## **Highway Safety**

- 7.20 The County Council Highways Authority does not object to the continuing use of this access subject to conditions which would require turning for vehicles, the entrance gates being set further back and the provision of a metalled/sealed surface for the access. The existing gates are set back 4 metres from the edge of the highway and the access is 4.5 metres wide. The width of the access is adequate, although the gates would need to be set back an additional 1 metre in order to allow vehicles to wait clear of the highway whilst opening the gate. Following additional consultation with the County Council Highways they have confirmed that this would be acceptable. A condition would therefore be required to ensure that the gates are set back 5 metres from the edge of the carriageway.

## **Other Matters**

- 7.21 Some objections including a detailed objection from the Parish Council have been received; these objections raise a number of issues, many of which have been addressed in the assessment above. The loss of property value is not a material planning considerations.
- 7.22 Additionally concerns have been raised as to whether the correct number of people were notified about the application and whether the application was advertised correctly. A total of 7 properties on the other side of the High Street opposite the site have been notified of the proposal; the application was not advertised as there was no legal requirement for this. The fear of crime has been raised but there is no evidence to support such an objection. There is a fear that additional gypsy homes may be put on the site, but it should be noted that only one pitch has been applied for and this could be controlled with the imposition of an appropriate condition. Comments have been expressed about the application being retrospective and whilst this is regrettable, the application must still be considered on its merits. The improvements to the A14 are unrelated to the consideration of this application. The consideration of a planning application against all the relevant policies and in the correct procedure would not generate the requirement for the payment of compensation.
- 7.23 There is no evidence to suggest that the use would have a significant adverse effect on the amenity of nearby residents or operations of adjoining land uses.

- 7.24 The Government is committed to ensuring that gypsies and travellers have the same rights and responsibility as every other citizen, and, in this respect, Human Rights provisions should be an integral part of the decision making process. Local Authorities should consider the consequences of granting or refusing planning permission on all involved. This issue has been taken into account in this case and the applicant has stated that the consequence of a refusal would be that he would have no alternative but to live on the roadside to the detriment of the health and education needs of his children.

### **Conclusion**

- 7.25 In conclusion, an accessible location for gypsy/traveller accommodation in the countryside may be considered suitable for a temporary period as part of transitional arrangements until such time as an appropriate up to date local Gypsy and Traveller policy is in place. By virtue of its location adjacent to the edge of the village, it is considered that the application site is sustainable. Given the comments with respect to visual impact and other issues above and having regard to the guidance in Circular 01/2006, and Policy H11 of the Huntingdonshire Interim Planning Policy Statement 2007, it is considered that a temporary 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 -** Temporary 3 years
- Nonstand -** Occupation restricted to gypsy traveller
- Nonstand -** Restricted to 1 pitch and 1 caravan
- Nonstand -** Minimum Floor levels
- Nonstand -** The mobile home shall be anchored to the concrete base.
- Nonstand -** Parking and Turning to be provided and retained
- Nonstand -** Entrance gates shall be set back
- Nonstand -** Details of Access Construction

### **Background Papers:**

Planning Application File Reference: 0802744FUL  
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

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

**Case No:** 0802744FUL Full Planning Application

**Proposal:** Retention of use of land as a caravan site for Gypsy and  
traveller residential purposes

**Location:** Pumping Station, Paxton Road Offord Darcy

**Applicant:** Mr B Lamb

**Grid Ref:** 521802 265932

# Agenda Item 4

AGENDA ITEM NO.

DEVELOPMENT CONTROL PANEL

23 FEBRUARY 2009

## APPEAL DECISIONS (Report by Development Control Manager)

### PUBLIC INQUIRY

1.     **Appellant:**     Olive Green Group  
       **Agent:**         Planning Potential
- Erection of 10 flats                             **Dismissed**  
                          4 St Audrey Lane, St Ives                             **27.11.08**

### WRITTEN REPRESENTATIONS

2.     **Appellant:**     PJ Andrew and SA Johnson  
       **Agent:**         Headley Stokes Associates
- Extension to dwelling                             **Dismissed**  
                          1 London Road                                     **29.12.08**  
                          Godmanchester
3.     **Appellant:**     Mr and Mrs Campbell  
       **Agent:**         Maddersons Solicitors
- Certificate of lawfulness for use                     **Dismissed**  
                          as a dwelling in breach of                             **30.12.08**  
                          agricultural occupancy condition  
                          Rushey Bungalow, Moor Road  
                          Great Staughton
4.     **Appellant:**     Property Lease Developments  
       **Agent:**         Matrix Planning Ltd
- Erection of four bungalows                         **Dismissed**  
                          Rear of 63 Broadway                                 **19.01.09**  
                          Yaxley

## **PUBLIC INQUIRY**

1. **0702539FUL**                      **Erection of 10 flats**  
**4 St Audrey Lane**  
**St Ives**  
**Olive Green Group**

Planning permission was refused under delegation agreement in accordance with the recommendation of the Town Council for the following reasons:

1. The design and height of the building creates an alien building form within the context of this modest street scene resulting in an intrusive feature to the detriment of the street scene appearance and contrary to Development Plan Policy.
2. The height and massing of the proposed building would have an unneighbourly and detrimental effect upon the amenities of the adjacent residential occupiers by reason of an unacceptable degree of overlooking and overbearingness contrary to Development Plan Policy.
3. The proposed development does not provide adequate facilities for:-  
a) the parking of vehicles b) cycle provision c) turning of vehicles and  
d) loading and unloading of vehicles contrary to Policy T2 of HIPPS 2007.
4. The proposal fails to provide for the necessary education and children's equipped and casual playspace infrastructure needs arising from the development contrary to Development Plan Policy.

### **A Public Inquiry was held on 6 November 2008**

#### **The Inspector's Reasons**

- It was confirmed in the statement of Common Ground that reasons for refusal 3b, c, d and 4 had been withdrawn by the Council.
- The site is currently occupied by a large bungalow and garage. The property faces north onto St Audrey Lane which is the main east west road through St Ives. The Inspector considered that this section of St Audrey Lane has a pleasant, tree lined appearance with a wide parkland space running parallel on the northern side of the road. The built form is generally two or single storey residential development of fairly conventional design in brick and tile. Against this modest, suburban environment, the two/three storey proposal, with its timber cladding and its curved metal clad roofs surmounted by five large wind cowls would, in the Inspector's opinion, be in marked contrast in terms of scale and appearance.
- The uninterrupted southern aspect across the public open space provides an excellent opportunity to maximise solar gain. All ten flats would have a glassed in sunspace running the width of the flat. This area of glass would afford oblique views into the gardens and possibly the rear windows of properties in Queens Close and Stanpoint Way. Although the appellants argued that these conservatory like spaces would be too hot in summer and too cold

in winter the Inspector thought these spaces would be popular areas for occupants at most times of the year and overlooking would be inevitable despite some intervening trees. There would be no windows in either side elevation and therefore the occupants of the properties immediately to the east and west of the site would suffer no loss of privacy. However, the Inspector considered that the rear and side garden of the neighbouring house and its rear windows would be dominated by the overbearing presence of a 5m high blank wall. He concluded that the living conditions of the occupants of some of the neighbouring properties would be harmed by the proposed development.

- Policy T2 of the HIPPS allows for a maximum of 2 parking spaces per dwelling. Due to the proximity to the town centre and public transport the Council considered 13 or 14 spaces to be the minimum and argued concerns about parking in nearby streets and on the grass verge. However, the Inspector could find no policy justification for insisting on more than one space per dwelling and concluded that 10 spaces would comply with Policy T2 of the HIPPS and the provisions of PPG13.

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

**WRITTEN REPRESENTATIONS**

- 2. 0800889FUL                      Extension to dwelling  
1 London Road, Godmanchester  
PJ Andrew and SA Johnson**

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

1. The single storey forward projection of the extension does not reflect the form and design of the existing dwelling owing to the flat fronted design and simplicity of the main dwellinghouse. This would have a detrimental impact on the character and appearance of the area contrary to Development Plan Policy.

**The Inspector's Reasons**

- The appeal site is within a residential area characterised by a mixture of traditional and modern property types and designs. The Inspector considered that the existing property's architectural style contributes to the character and appearance of the wider Godmanchester Conservation Area. Although the proposed extension would be subservient to the main dwelling, due to its lower ridgeline, the single storey element would be sited in front of No 1's elevation and he considered that the width, projection and horizontal emphasis would be out of keeping with the flat-fronted, traditional style dwelling. The Inspector concluded that the development would have a materially harmful impact on the

character and appearance of the existing dwelling and that of the Conservation Area.

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

- 3. 0603945CLED Certificate of lawfulness for use as a dwelling in breach of agricultural occupancy condition  
Rushey Bungalow, Moor Road  
Great Staughton  
Mr and Mrs Campbell**

A certificate was refused under delegation agreement for the following reasons. The Parish Council recommended approval but gave no reason(s) for its recommendation.

1. Based on the information provided it is considered, on the balance of probability, that the property has not been continuously occupied in breach of the agricultural occupancy condition for 10 years and is not therefore deemed to be lawful.

**The Inspector's Reasons**

- For the appeal to succeed the appellant must demonstrate that there was a continuous breach of the occupancy condition throughout the 10 year period prior to the date of the LDC application, that is to say, since 14 December 1996. The main issue in this instance is whether the period of vacancy of just over 4 months amounted to one breach and the beginning of a new breach or whether it was a case of very temporary stopping and starting which can sensibly be ignored as being *de minimis*. It is apparent from case law that there are no guidelines as to what is a *de minimis* period of vacancy. In each case it is a judgement on the basis of fact and degree. The Inspector found that it is the actual period of vacancy, during which no enforcement action could be taken that is significant and considered that the breach of condition came to an end on the departure of Mr Broom and a new breach began when Mr & Mrs Campbell moved in. During this 4 month period of vacancy the Council would not have been in a position to issue an enforcement notice as there was no "non-compliant" person living in the bungalow and there was no breach of condition. A fresh breach of the occupancy condition began on 4 August 2006 which was within the relevant 10-year period. The breach of the condition has not been continuous throughout the relevant period and the appeal cannot succeed.

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



**4. 0800921FUL                      Erection of four dwellings  
Rear of 63 Broadway, Yaxley  
Property Lease Developments**

Planning permission was refused under delegation agreement for the following reasons. The Parish Council recommended approval but gave no material reason(s) for its recommendation.

1. The proposal constitutes an undesirable form of backland development in that it would result in unneighbourly form of development and a poor standard of amenity for both existing and proposed occupiers by reason of noise and disturbance associated with the proposed means of access and direct overlooking. The proposal would therefore be contrary to Development Plan Policy.
2. The proposal would constitute a cramped form of development within a backland site of a restricted size, where the resultant dwellings and their curtilages would be out of keeping with and of harm to the established character of the locality. The development would therefore be contrary to Development Plan Policy.

**The Inspector's Reasons**

- The irregularly shaped site is reached via a metalled drive between the existing house and No.59. The Inspector considered that with the additional strip of landscaping proposed the occupiers of No. 59 would not be unacceptably disturbed by comings and goings to the proposed dwellings. However, the widened drive would pass a metre or so from No. 63 and he considered that the quality of life there would be reduced by noise of vehicles associated with these large bungalows.
- The Inspector considered that in contrast to the surrounding area Plots 2 and 3 would have modest private gardens on this quite shallow site. Plot 2 would, uncharacteristically for these surroundings, be hemmed in by the three surrounding fences. The associated level and concentration of activity in the gardens of Plots 2 and 3 would harmfully change the character and environment of the area for those living nearby.

**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](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.

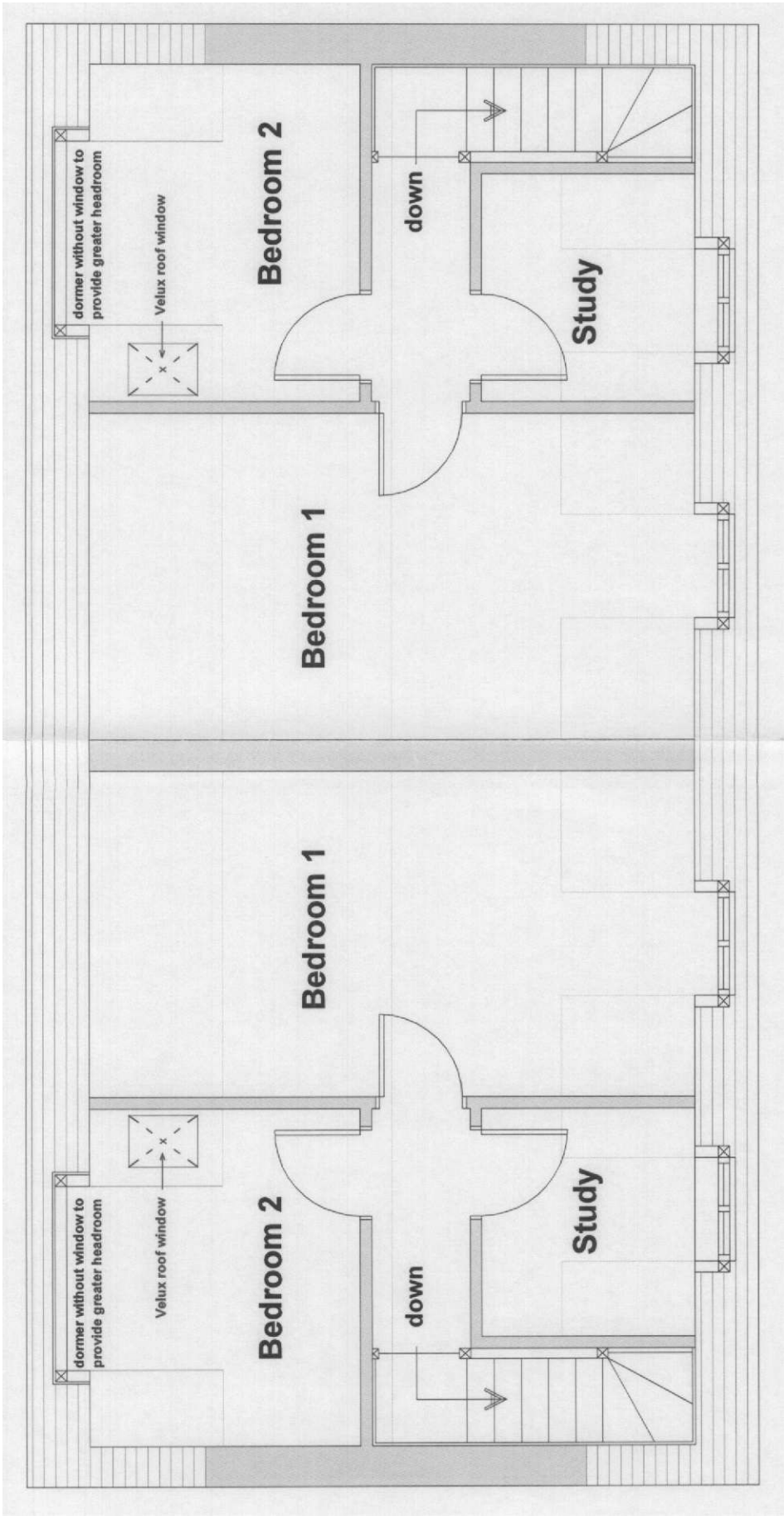
**FORTHCOMING APPEALS**

**PUBLIC INQUIRY**

**31 March 2009**

**The Paddock, Waresley Road, Great Gransden**

# Agenda Item 5 Proposed Second Floor Plan



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12/5

3.	0900062S73 21.01.2009	Variation of condition 2 in respect of permission 0802104FUL to permit trading on Sundays and Bank Holidays 2 Steeple Court, Cambridge Street St Neots Applicant – Mr Luke Demetriou	Section 73 Variation of Condition Application CLRD, LLF, GASP	Recommend Approval.
4.	0800530FUL 23.01.2009	Erection of perimeter fencing St Neots Community College, Barford Road, Eynesbury, St Neots PE19 2SH (Amended Plans) Applicant – The Governors of St Neots Community College	Full Planning Application	Recommend Approval.
5.	0803231FUL 23.01.2009	Erection of three townhouses and 5 apartments Land rear of 12-22 Mill Hill Road, Eaton Ford, St Neots Cambridgeshire (Amended Plans) Applicant – AJB Homes Ltd	Full Planning Application	Recommend Refusal. Due to conflict with the pedestrian access and public right of way. Health and Safety Issues.
6.	0900061FUL 23.01.2009	Erection of dwelling Land rear of 11 Berkley Street Eynesbury, St Neots Cambridgeshire Applicant – Mr and Mrs L Branch	Full Planning Application CLRD, CA, GASP	Recommend Approval.

CA Conservation Area  
LLF Land liable to Flood  
CA ADJ Adj Cons Area  
LB ADJ Adj to Listed Building

GASP Gas Pipeline  
CLRD Classified Road  
LB1/2 Grade 1/2 Listed Building  
TPO Tree Preservation Order

OILP Oil Pipeline  
PATH Footpath/ROW  
TRRD Trunk Road

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**Land at Mill Hill Road, Eaton Ford, St Neots**  
**Planning application ref 08-3231FUL**



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**DEVELOPMENT CONTROL PANEL  
INFORMATION TO BE INCLUDED IN FRIDAY LETTER INCLUDING  
CONSULTATIONS/REPRESENTATIONS RECEIVED AFTER REPORT WAS  
COMPILED**

**DATE OF PANEL:** 23<sup>rd</sup> March 2009

**ITEM NO.** 3. (f)

**APPLICATION NO:** 0803128FUL & 0803129CAC

**OFFICER INITIALS:** EF

**ITEM DESCRIPTION AS AGENDA:**

**Erection of Post Office with flat over.**

Erection of two houses.

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**INFORMATION TO BE INCLUDED IN FRIDAY LETTER INCLUDING  
CONSULTATIONS/REPRESENTATIONS RECEIVED AFTER REPORT WAS  
COMPILED**

(Copies if appropriate attached – consultations/representations to be conveyed as would have been the case if the consultation/representation was included in the report i.e. Town/Parish Council comments copied and attached and all other consultations/representations summarised)

6 additional representations have been received making the following comments in support of the application: -

- Local residents do not think there is a need for a very large shop particularly considering the number of elderly people in the village
- If the application is not approved there will be no facilities left in Alconbury
- The proposal enhances the street scene and provide a shop with accommodation of such size which could be financially sustainable.
- The local community accept the existing proposals as being in the best interests of the village
- The village has never flooded since the entrance was changed
- Concerned about the delays in dealing with the application

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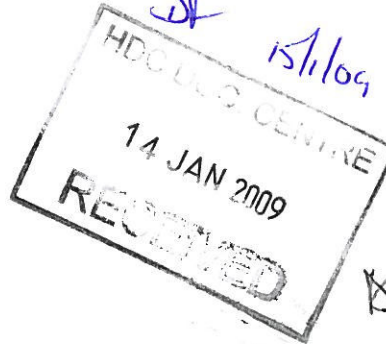
# FENSTANTON PARISH COUNCIL

12 Dove Close, Fenstanton, Huntingdon, Cambs PE28 9LX

Telephone (01480) 465300

Email: [s.dartford@ntlworld.com](mailto:s.dartford@ntlworld.com)

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Mr A Moffat  
Development Control Manager  
Huntingdonshire District Council  
Pathfinder House  
St Mary's Street  
Huntingdon  
Cambs PE29 3TN

5<sup>th</sup> January 2009

Dear Mr Moffat

## Re : Planning Application 0702876FUL

The Planning Committee have considered the amended plans for the above described application and cannot recommend approval.

The amended plan does not address the issues the Parish Council raised initially. A copy of the of the objections as previously stated is attached for information.

Yours sincerely

Mr S L Dartford  
Clerk to Fenstanton Parish Council

**PLANNING APPLICATION : 0702870 LBC & 0702869 FUL**

**PROPOSAL : CHANGE OF USE AND ALTERATIONS TO SHOP STORAGE  
AREA TO CREATE DWELLING**

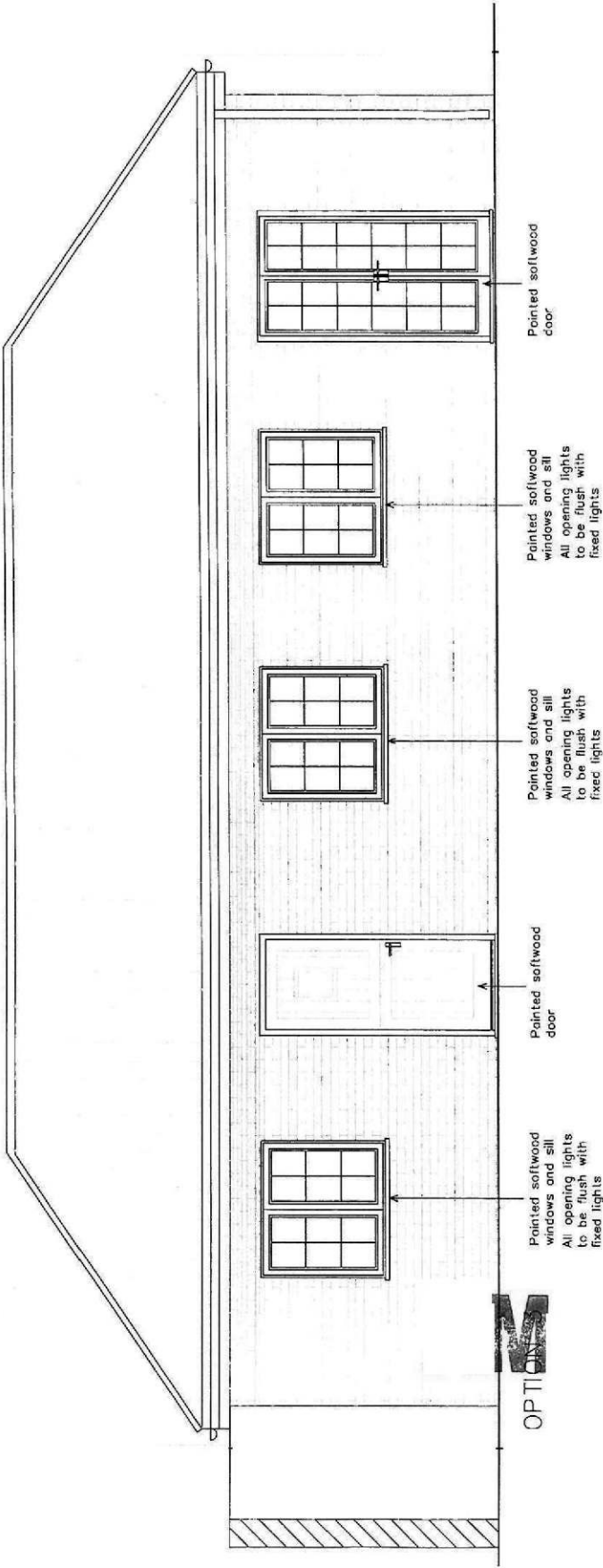
**LOCATION : 11 HIGH STREET FENSTANTON**

Fenstanton Parish Council recommend refusal of this application because, until such time as the environmental works to the existing shop front are complete, to agree to such major alterations could leave the building in its current condition for an indeterminate period. The current condition of the building is to the detriment of the street scene in a conservation area.

Potential future traffic / parking in this area will be exacerbated by this development. The existing building has an off road parking facility and this should be utilised by the new development. To quote the Design and Access Statement "a car free lifestyle is easily achievable and is desirable in this location". Is this a material planning consideration?

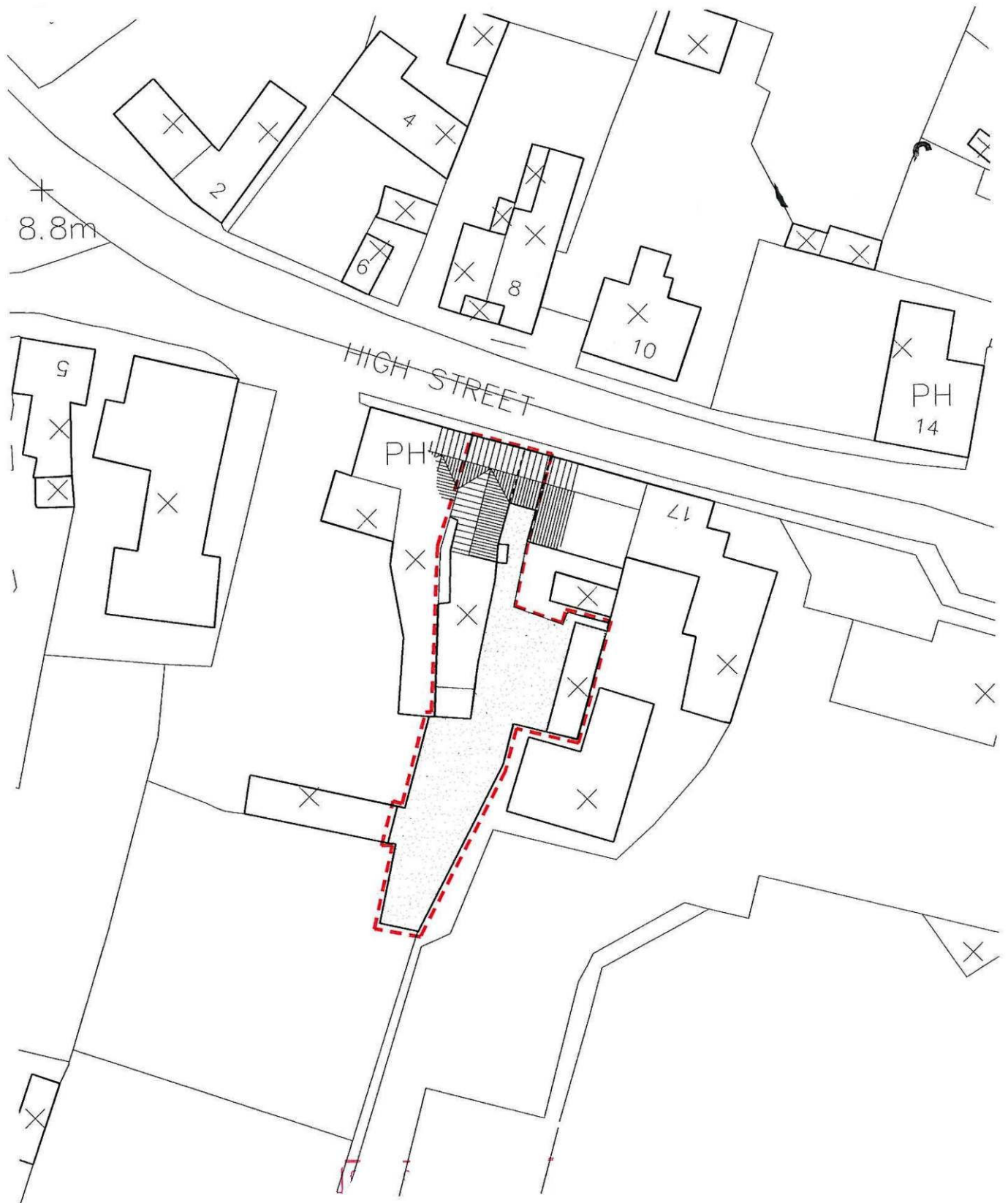


# Window and Door Proposal



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# Existing Block Plan



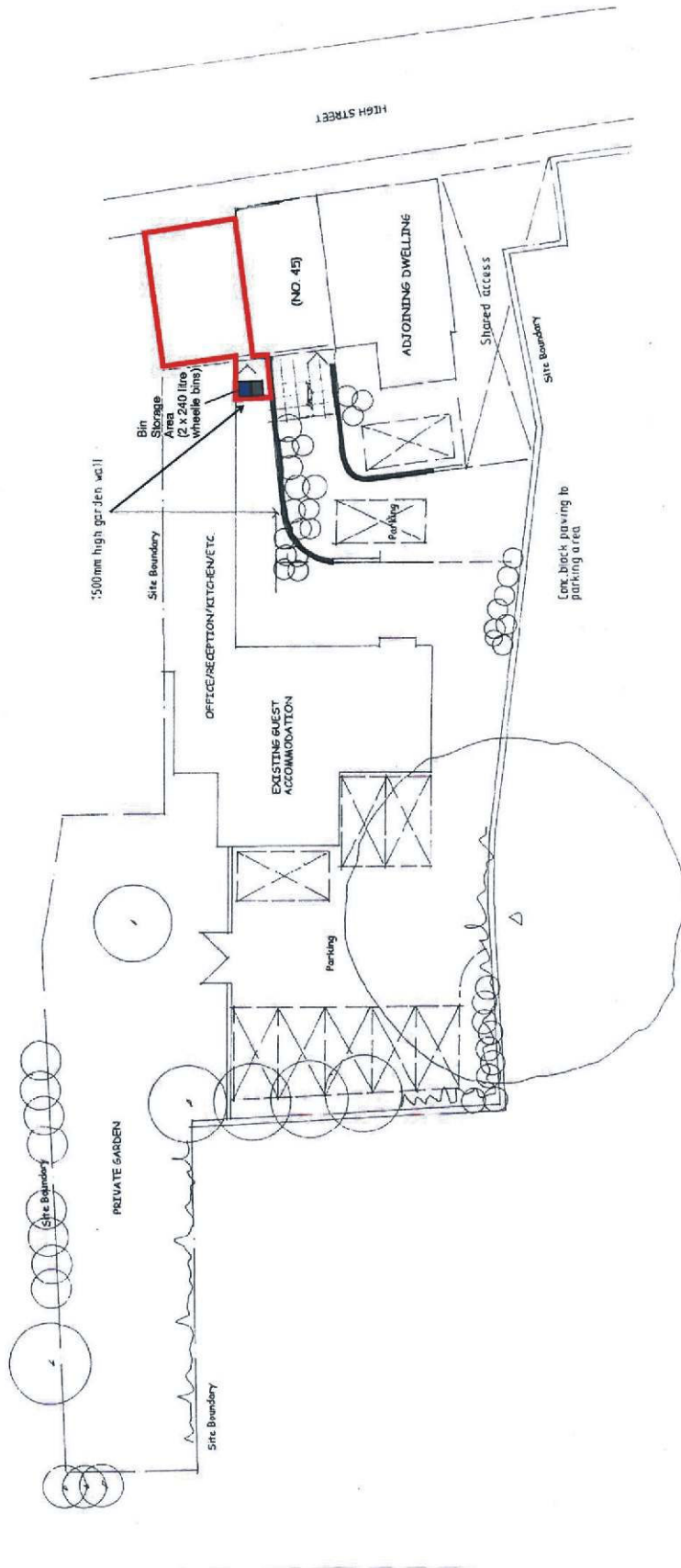
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0803242FUL

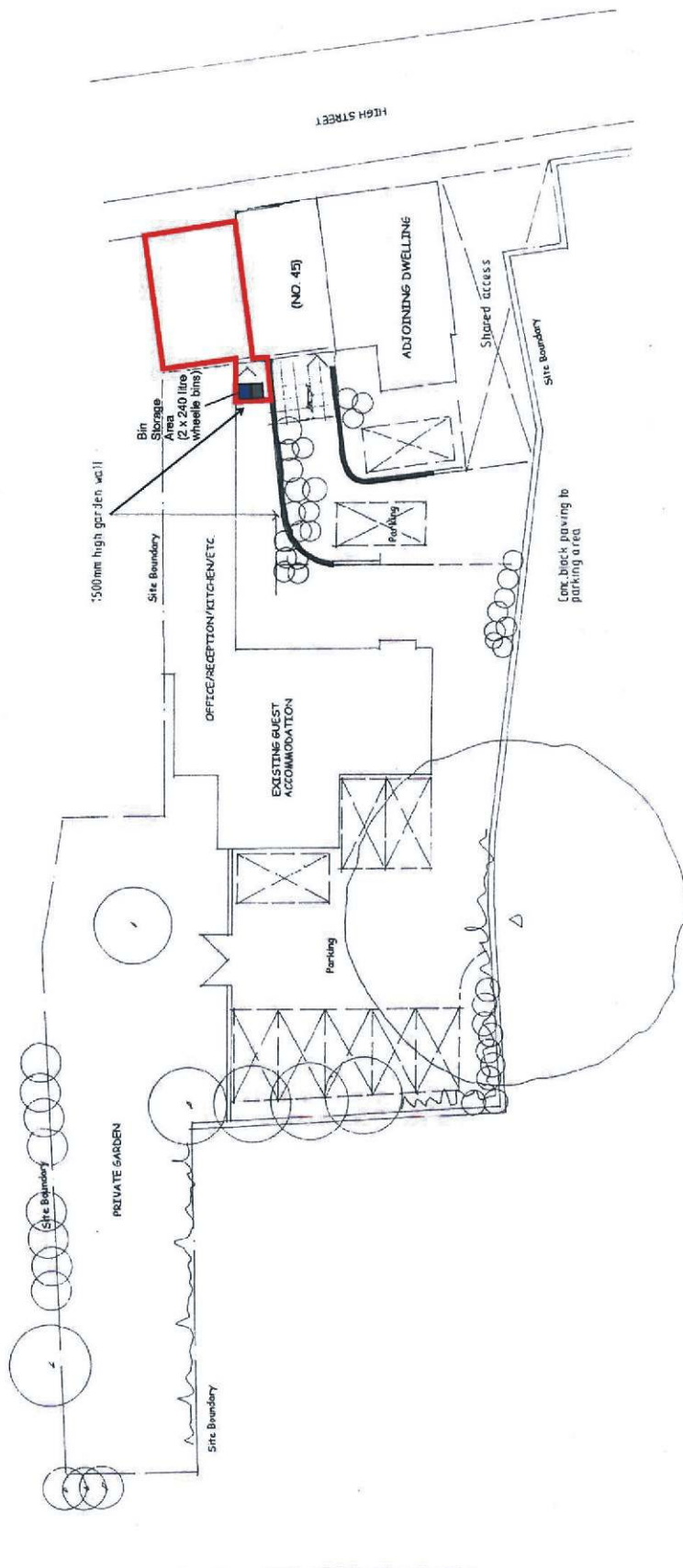


PROPOSED SUB-DIVISION OF EXISTING PROPERTY TO FORM 2 NO NEW DWELLINGS  
(1 NO 1 BED AND 1 NO 2 BED).  
AT 45, HIGH STREET, HEMINGFORD GREY, HUNTINGDON, CAMBS. PE29 9BT.

DRAWING NO. 2008/09/06  
DATE: APRIL 2008  
SCALE: 1/200

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0803242FUL



PROPOSED SUB-DIVISION OF EXISTING PROPERTY TO FORM TWO NEW DWELLINGS  
(NO. 1 BED AND NO. 2 BED).  
AT 45, HIGH STREET, HEMINGFORD GREY, HUNTINGDON, CAMBS. PE29 9BT.

DRAWING NO. 2008/09/06  
DATE: APRIL 2008  
SCALE: 1/200

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