

A meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** will be held in **THE CIVIC SUITE (LANCASTER/STIRLING ROOMS)**, **PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN** on **MONDAY**, **23RD JANUARY 2023** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

AGENDA

PLEASE NOTE THE ORDER OF THE AGENDA MAY CHANGE

APOLOGIES

1. MINUTES (Pages 5 - 8)

To approve as a correct record the Minutes of the meeting held on 19th December 2022.

2. MEMBERS' INTERESTS

To receive from Members declarations as to disclosable pecuniary, other registerable and non-registerable interests in relation to any Agenda item. See Notes below.

3. APPLICATIONS REQUIRING REFERENCE TO DEVELOPMENT MANAGEMENT COMMITTEE

To consider reports by the Planning Service Manager (Development Management).

(a) Hemingford Grey - 20/01621/FUL (Pages 9 - 40)

Construction of a boat slipway and access track, boat hut and jetty, part change of use of changing rooms and toilet block to café (Use Class E) and diversification of existing activities relating to the approved use of the site as a water-based activity centre (to include private use) - Liquid Skillz, Lake Ashmore, Gore Tree Road, Hemingford Grey, PE28 9BP.

(b) Hemingford Grey - 21/00044/FUL (Pages 41 - 66)

Construction of a second wakeboard line and associated control shed and viewing hut, and erection of a linked decked walkway (to include private use) - Liquid Skillz, Lake Ashmore, Gore Tree Road, Hemingford Grey, PE28 9BP.

(c) Godmanchester - 21/02060/FUL (Pages 67 - 82)

Change of use from existing garages/stores (C3) to holiday lets (C1) - 18 Post Street, Godmanchester, PE29 2BA.

(d) Godmanchester - 21/02573/LBC (Pages 83 - 94)

To convert the existing garages/stores (C3) to Holiday lets (C1) - 18 Post Street, Godmanchester, PE29 2BA.

(e) St Neots - 22/00747/FUL (Pages 95 - 118)

Public realm improvements to existing park, including resurfacing of existing paths, footpath widening, creation of new shared cycleway/footpath, works to existing bridges including replacement bridge, installation of new and relocated street furniture, landscaping and other associated works – Riverside Park, St Neots Road, Eaton Ford.

4. APPEAL DECISIONS (Pages 119 - 120)

To consider a report by the Planning Service Manager (Development Management).

LATE REPRESENTATIONS

11 day of January 2023

Head of Paid Service

Disclosable Pecuniary Interests and other Registrable and Non-Registrable Interests

Further information on <u>Disclosable Pecuniary Interests and other Registerable and</u> Non-Registerable Interests is available in the Council's Constitution

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Please contact Anthony Roberts, Democratic Services, Tel: 01480 388015 / email Anthony.Roberts@huntingdonshire.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 Committee/Panel.

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.

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. This page is intentionally left blank

Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held in THE CIVIC SUITE (LANCASTER/STIRLING ROOMS), PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN on Monday, 19th December 2022

PRESENT: Councillor D L Mickelburgh – Chair.

Councillors R J Brereton, E R Butler, S J Corney, L Davenport-Ray, D B Dew, I D Gardener, K P Gulson, P A Jordan, S R McAdam, S Mokbul, J Neish, T D Sanderson and C H Tevlin.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors R A Slade and S Wakeford.

31 MINUTES

The Minutes of the meeting of the Committee held on 21st November 2022 and of the reconvened meeting on 28th November 2022 were approved as correct records and signed by the Chair.

32 MEMBERS' INTERESTS

Councillor K P Gulson declared a non-statutory disclosable interest in Minute No 34 (c) by virtue of the fact that the application related to the Ward he represented.

Councillor S J Corney declared a non-statutory disclosable interest in Minute No. 34 (b) by virtue of the fact that the applicant was a close associate, left the room for the duration of the item and took no part in the discission or voting.

33 AGENDA ITEM 3 (A) - OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED FOR: CONSTRUCTION OF AN ADDITIONAL STOREY, IMPROVEMENTS TO THE FENESTRATION AND INSULATION, THE CREATION OF 3 FURTHER FLATS, BRINGING THE TOTAL TO 5. CONSTRUCTION OF A 2 BEDROOM DWELLING TO THE REAR WITH ACCESS FROM WEST STREET - 37 NEW STREET, ST NEOTS -22/01044/OUT

RESOLVED

that, as it has been withdrawn by the applicants, the application be not determined.

34 APPLICATIONS REQUIRING REFERENCE TO DEVELOPMENT MANAGEMENT COMMITTEE

The Planning Service Manager (Development Management) submitted reports (copies of which are appended in the Minute Book) on applications for development to be determined by the Committee. Members were advised of further representations, which had been received since the reports had been prepared. Whereupon, it was

RESOLVED

a) Application for Outline Planning Permission for the Erection of up to 16 Dwellings and Associated Infrastructure Works and Access (Appearance, Landscaping, Layout and Scale to be considered at reserved matters stage) – Land West of 26 to 34 High Street, Stilton - 21/01810/OUT

(Councillor M Kisbee, Stilton Parish Council, Councillor T Alban, Ward Member, and M Hare, agent, addressed the Committee on the application).

RESOLVED

that subject to the prior completion of a Section 106 Agreement relating to affordable housing, green space, green space maintenance, an ongoing commitment to establish and manage an off-site nature reserve to the west of the site, outdoor sports contribution and wheeled bin contribution, the application be approved subject to conditions to include those listed in paragraph 8 of the report now submitted together with an additional condition requiring drainage and surface water management to be aligned with the drainage and surface water management conditions attached to Planning Permission reference 18/02192/OUT, or refused in the event that the obligation referred to above has not been completed and the applicant is unwilling to agree to an extended period for determination, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

b) Erection of 28 dwellings and associated infrastructure and works including new pick-up and drop-off spaces and footpath provision – Informal Open Space East of 47 Farm Close, Upwood - 21/02139/FUL

(Councillor R Howe, Upwood and the Raveleys Parish Council, R Mashford, objector, and M Hare, agent, addressed the Committee on the application).

See Minute No 32 for Members' interests.

RESOLVED

that subject to the prior completion of a Section 106 Agreement relating to affordable housing, open space, open space maintenance, outdoors sports contribution, Upwood Meadows SSSI mitigation and management scheme, Upwood Meadows SSSI management contribution and wheeled bin contribution, the application be approved subject to conditions to include those listed in paragraph 8 of the report now submitted, or refused in the event that the obligation referred to above has not been completed and the applicant is unwilling to agree to an extended period for determination, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable. At this point Councillor D Dew left the meeting.

At 9.02 pm the meeting was adjourned.

At 9.09 the meeting resumed.

c) Retention of portable buildings for B1 (Business) and Sui Generis use (Car Sales) for a temporary period of 5 years – Portacabin at Station Bridge, Broadway, Yaxley - 20/00274/FUL

(Councillor A Wood, Yaxley Parish Council, addressed the Committee on the application).

See Minute No 32 for Members' interests.

RESOLVED

that the application be approved subject to conditions to be determined by the Planning Service Manager (Development Management) to include those listed in paragraph 8 of the report now submitted together with an informative on seeking a permanent permission before the temporary one has expired.

35 APPEAL DECISIONS

The Committee received and noted a report by the Planning Service Manager (Development Management), which contained details of four recent decisions by the Planning Inspectorate. A copy of the report is appended in the Minute Book.

RESOLVED

that the contents of the report be noted.

Chair

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DEVELOPMENT MANAGEMENT COMMITTEE 23rd JANUARY 2023

- Case No: 20/01621/FUL (FULL PLANNING APPLICATION)
- Proposal: CONSTRUCTION OF A BOAT SLIPWAY AND ACCESS TRACK, BOAT HUT AND JETTY, PART CHANGE OF USE OF CHANGING ROOMS AND TOILET BLOCK TO CAFÉ (USE CLASS E) AND DIVERSIFICATION OF EXISTING ACTIVITIES RELATING TO THE APPROVED USE OF THE SITE AS A WATER-BASED ACTIVITY CENTRE.
- Location: LIQUID SKILLZ LAKE ASHMORE GORE TREE ROAD HEMINGFORD GREY PE28 9BP
- Applicant: LIQUID SKILLZ
- Grid Ref: 529345 269739

Date of Registration: 09.09.2020

Parish: HEMINGFORD GREY

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) in accordance with the Scheme of Delegation as Hemingford Grey Parish Council's recommendation of refusal is contrary to the officer recommendation of approval and at the request of Cllr Dew, local member for Hemingford Grey and Houghton.

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The application site comprises the lake and surrounding shores of Lake Ashmore, located to the east of Gore Tree Road, approximately 1km to the southeast of the village of Hemingford Grey. The site is currently used by "Liquid Skillz" (the applicant). The lake forms part of a County Wildlife Site (Marsh Lane Gravel Pits County Wildlife Site) and is thought to have been created by mineral extraction with trees surrounding the lake. The area around the lake is generally flat, with the shore edge falling away slowly into the lake shallows. On the west shore is located the centre of the 'Liquid Skillz' activities approved by 19/01168/FUL Including, but not limited to a reception building and changing rooms, and storage building.
- 1.2 Vehicle access is directly off Gore Tree Road and leads to a parking area located to the rear of the reception area / changing

rooms. Public footpath No. 122/9 runs the length of the west boundary and provides access on foot from the application site into the heart of Hemingford Grey. The A14 runs parallel to the southern shore of the lake and is at a distance of approximately 400 metres.

- 1.3 Public Footpath 9 follows the route of this access before diverging and extending northwards along Long Lane and into the village.
- 1.4 In terms of constraints the site is not within a Conservation Area, there are no Listed Buildings in the immediate vicinity and no protected trees. The site lies within Flood Zone 3a, which have a high risk of flooding as identified in the Environment Agency Flood Risk Map.

Proposal

- 1.5 Planning permission is sought for the construction of a boat slipway and access track, boat hut and jetty, part change of use of changing rooms and toilet block to café (Use Class E) and diversification of existing activities relating to the approved use of the site as a water-based activity centre. This is an addition to the existing planning consent on the site, allowed at appeal on 5 May 2016 for the installation of a wakeboarding cable and proposed changing rooms together with retention of car park and access track. A retrospective permission was granted by the Council on 25 October 2019 for amendments to water-based activity centre; including alterations to approved changing rooms, and construction of a storage building, viewing hut and control shed.
- 1.6 The proposed concrete slipway would be constructed on the south shore at a distance of approximately 140m east of the reception block within a natural break in shore trees. The slipway would have external dimensions of 22.5m long by 3.3m deep and will terminate 1.4m below the water line. The proposal would require the reprofiling of the shoreline to accommodate the slipway and the existing perimeter track to the south of the will be extended to the slipway. According to the applicant, the slipway will provide essential access to ensure safe egress/ingress of boats into/out of the lake for servicing/repair/over winter storage. The proposed boat hut and jetty would be constructed almost midway between the proposed slipway and the reception area measuring 13.1m by 29.4m with some eaves and ridge heights of approximately 2.5m and 7.7m, respectively. The proposed boat hut would enable the safe boat storage and protection from inclement weather whilst the jetty will provide for short term mooring of boats and for visitors to embark / board craft. The proposal includes the diversification of the existing water-based activities to include use of the lake by open water swimmers and paddle boarders, which will be restricted although not exclusively

to the east of the lake. It is also proposed to utilize the existing (approved) wakeboarding line to pull small inflatables which could hold up four persons as well as the use of the lake for water-skiing focused mainly within the central spine of the lake.

- 1.7 The proposal is one of two planning applications for expansion and enhancement of the existing water-based or recreational activities on the site for Liquid Skillz. The other application is 21/00044/FUL.
- 1.8 The application was accompanied by:
 - Noise Impact Assessment
 - Arboricultural Impact Assessment
 - Ecological Impact Assessment and
 - Flood Risk Assessment
- 1.9 The application has been amended during the course of consideration by the request of the Wildlife Trust. As a result, the description of the development has been amended to remove the word 'to include private use'. No re-consultation has been carried out as the amendment is not considered to be significant and does not affect the substance of the application.
- 1.10 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (20th July 2021) (NPPF 2021) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2021 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'
- 2.2 The NPPF 2021 sets out the Government's planning policies for (amongst other things):
 - delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - achieving well-designed, beautiful and safe places;
 - conserving and enhancing the natural, built and historic environment
- 2.3 Planning Practice Guidance and the National Design Guide 2019 are also relevant and are material considerations.

For full details visit the government website <u>National Guidance</u>

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
 - LP2: Strategy for Development
 - LP4: Contributing to Infrastructure Delivery
 - LP5: Flood Risk
 - LP6: Waste Water Management
 - LP9: Small Settlements
 - LP10: The Countryside
 - LP11: Design Context
 - LP12: Design Implementation
 - LP14: Amenity
 - LP15: Surface Water
 - LP16: Sustainable Travel
 - LP17: Parking Provision and Vehicle Movement
 - LP23: Tourism and Recreation
 - LP30: Biodiversity and Geodiversity
 - LP31: Trees, Woodland, Hedges and Hedgerows
 - LP34: Heritage Assets and their Settings
 - LP38: Water Related Development
- 3.2 Supplementary Planning Documents/ Guidance
 - Landscape and Townscape SPD (2022) (adopted 17 March 2022)
 - Cambridgeshire Flood and Water SPD (2017) (adopted 20 April 2017)
 - Huntingdonshire Design Guide SPD (2017) (adopted 16 March 2017) and Huntingdonshire's Design Guide SPD 2017 – Compatibility Statement (2021)
 - Developer Contributions SPD (2011)
 - Developer Contributions: Updated Costs 2019/20
 - Huntingdonshire Tree Guidance Note 3
 - Noise Policy Statement for England (NPSE) 2010
- 3.3 No Neighbourhood Plans are relevant to this site.

Local For full details visit the government website Local policies

4. PLANNING HISTORY

- 4.1 1201122FUL Change of use of land for camping and caravanning, erection of boat house and two holiday chalets and erection of zip wire for water skiing Refused, Appeal Dismissed.
- 4.2 1300002FUL Installation of wakeboarding cable and proposed changing rooms together with retention of car park and access track. Refused, Appeal Allowed.
- 4.3 1400719FUL Retention of access to lake Approved.

- 4.4 18/80055/COND Condition information for 1300002FUL C5 (make and model of rescue boat), C6 (scheme of landscaping works), C8 (ecological management plan), C9 (flood contingency plan) Part Approved.
- 4.5 19/01168/FUL Amendments to water-based activity centre allowed by appeal; including alterations to approved changing rooms, and construction of a storage building, viewing hut and control shed. (Approved 25 October 2019)

5. CONSULTATIONS

- 5.1 Hemingford Grey Parish Council Objects to the proposal on the following grounds summarised below:
 - The application is contrary to LP10 and LP23.
 - The noise impact on residents a new independent noise assessment is needed as the readings were taken before the A14 was relocated.
 - There are inconsistencies in the application it is not clear what exactly is being applied for and what the hours of operation will be.
 - The impact on wildlife including wintering birds and nightingales, as set out be the Wildlife Trust that no development is to take place unless the previous ecological management plan has been implemented.
 - Toilet facilities are insufficient.
 - The outdoor gym has been installed but not applied for
 - There should be safety standards to separate different users (either physical or timing).
 - More planting is needed to mitigate noise across open fields
 - The Parish Council would like the application to go the DMC and District Cllr Keane to speak on behalf of the Parish Council.
- 5.2 HDC Environmental Health No objection Updated comments as follows:

Following subsequent discussions with the applicants, the submission of the additional noise impact assessment dated 28th July 2021, and site visit. The 'Addendum Report to Noise Impact Assessment of Water-Skiing Activity' dated 28th July 2021 provides further information to demonstrate the potential impact of the proposal, as previously requested. There are several core aspects to these application(s), and these are considered in turn: Additional wakeboarding line - The operational noise of this activity is low and is unlikely to impact on the nearest sensitive properties. There is potential for an adverse impact from people noise, which is covered below.

Water Skiing - Whilst it is understood the site has a history of water-skiing use, the main concern for this aspect was regarding the potential noise from the boat. It is noted that the boat has an

inboard motor with silencer. The boat operation was witnessed during a site visit and the noise was not considered to be intrusive, both subjectively and as monitored during the demonstration.

Use of inflatables - This activity has already been occurring on the current wakeboard line, and as far as I am aware officers have not received any noise complaints regarding this activity to date. However, noise from customers using this equipment could cause an adverse noise impact at the nearest property if not controlled and minimised. This aspect therefore requires careful consideration with regard to numbers, timings, locations, equipment and management practices. It is considered that a condition requiring a noise management plan could be utilised to control this aspect as well as other noise sources on the site.

Café - If the applicants are intending to cook on the premises we will need details of the extraction/ventilation, and this will be dependent on the type of food being prepared and will need to meet the requirements within the EMAQ Guidance on the Control of Odour and Noise from Commercial Kitchens.

Other aspects - Due to the times and seasons of use, it is assumed no external lighting is proposed with the applications. If the applicants do want to instal new lighting we would request details are submitted and agreed prior to installation.

Conditions that were utilised on the previous permission will again be required including no amplification of music and/or voice; hours of use for the wakeboarding and commercial skiing not be used outside the period 21 March to 31 October and outside the hours of 1000 to 2000. The site shall not be open to users of the development outside the hours of 1000 and 2100 including limiting the number of event days to 6 per year with no more than one event per calendar month.

Officer Comments: It is noted that the above comments relates to the two applications for the site (20/01621/FUL and 21/00044/FUL).

5.3 Wildlife Trust – (Updated comments) - No objection - The submitted ecological report covers relevant species issues and makes appropriate avoidance and mitigation recommendations as regards the direct impacts of the new wakeboard cable and associated infrastructure. The assessment of ecological impacts from the current application is appropriate, though it should be realised that the winter bird survey did not coincide with cold weather conditions, which is when the lake will be most valuable for wintering birds, so inevitably has underestimated the potential value of the lake for wintering birds. This does not however affect the assessment of the summer only use of the wakeboard facility and other water recreational activities proposed. The proposal is acceptable subject to the imposition of condition relating to the provision of ecological management plan for an additional period of 10 years, should the application be approved.

- 5.4 Environment Agency No objection
- 5.5 HDC Landscape recommends seeking a reduction in winter use of the lake as mitigation for intensification of use in other periods.
- 5.6 HDC Conservation Officer no objection as the proposals does not affect any listed buildings or heritage assets.
- 5.7 Cambridgeshire County Council Highways No objection The proposal would be remote from the highway and unlikely to increase vehicle movements.
- 5.8 Cambridgeshire County Council Lead Local Flood Authority (LLFA) No objection in principle to the proposed development as the Flood Risk Assessment demonstrates the proposal is a small area of water compatible with development within the footprint of a lake, and that surface water will likely drain naturally into the lake and surface water is not a material consideration within the site.
- 5.9 Cambridgeshire Constabulary No objection but advised that the applicant should ensure that the security measures for the buildings are sufficient for the property being stored in them.

6. **REPRESENTATIONS**

6.1 48 letters of representations have been received with 23 in support and 25 raising objections to the proposal as summarised below. Full details of the representations can be inspected via the comments section on the public access application file.

6.2 Support: (Summary of the key points)

• The development will be a great asset to the community and will provide a safe environment for people to enjoy outdoor activities.

• Proposal improves the facilities and will increase the sustainability of the business/facility

• Business provides activities for local families, children and youth and provides a positive space for the local community.

• Proposal would increase number of activities on site offering opportunities for new jobs and supporting tourism in the area

• Proposal would further support local sports clubs and teams

• There is a huge lack of facilities like this within the Cambridgeshire area, so this planned proposal is a positive step forward to help more people become fit and active.

• The site is safe, fun and family friendly outdoor activity in a perfect location in respect of the village being tucked away on the edge.

6.3 Objection: (Summary of the key points)

• Café has been in operation for several years without permission, suggesting change of use has already been implemented.

• The development already adversely impacts a public footpath and bridleway, reducing safety due to vehicles accessing site without separation and the impact of the gate at Gore Tree Road which does not have level access for those with limited mobility. Users currently gain entry to site via Long Lane, a part of which is unmade road leading onto a bridle path, contrary to permitted permissions and potentially dangerous to the public.

• There is already an excess of parking at the site, however no additional parking will be added.

• The above scheme has been slowly and steadily submitted in stages for Planning Approval so that over a short period the content of the site has been steadily and incrementally increased with the addition of constructions such as Zip Wire towers and buildings.

• Disposition of foul sewage needs to be addressed and potential increase in water pollution.

• Opening hours and private use are too 'broad' and without policing effectively provide unlimited use. Further clarification required regarding the term 'private use'.

• Application contrary to LP10 and LP23

Noise impact on residents

• Impact on wildlife including on neighbouring Marsh Lane Pitts Lake

• Request site be added to Cambridgeshire's system of designated ponds and clean grass areas to protect wild newts.

• Request a survey be carried out to ensure noisy evening parties with lights and fireworks do not change and impact the conservation island and water lakes.

• Independence of Noise Impact Assessment (NIA) has been called into question. Equally, the opening of the new A14 has led to a change of situation with regards to background noise levels, with the more locally generated sounds now having a greater impact. Measurements were not taken from all potentially impacted zones (including residents' gardens), and the amplifying effect of open water on sound was not taken into consideration.

• Impact on other leisure users such as anglers.

• Proposal should be looked at in conjunction with the adjacent Hemingford Grey Quarry, in particular with regards to protected bird species' breeding territories

• Proposed café would be in direct competition with existing village community café which is run by volunteers.

• The current red-line area at the western end of the lake was to ensure the safeguarding of ecology to meet the recommendations of an ecological survey by the Wildlife Trust. The Inspector (appeal of 1300002FUL) imposed the red-line boundary to ensure certainty in that respect. • Previous application 1300002FUL had in excess of 600 neighbour objections, and on that basis this new application should have been notified much more widely.

• Inspector on 1300002FUL appeal imposed a condition whereby a mixed hedge must be planted about 10m from the lake edge along its western boundary. This appears not to have been implemented and the area designated for the screening and wild-life friendly hedge cover has been incorporated into the activity area.

• Applicant's operation is no longer approved and overseen by British Water Ski and Wakeboard.

7. ASSESSMENT

- 7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.
- 7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".
- 7.3 In Huntingdonshire the Development Plan consists of:
 - Huntingdonshire's Local Plan to 2036 (2019)
 - Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
 - St Neots Neighbourhood Plan (2016)
 - Godmanchester Neighbourhood Plan (2017)
 - Houghton and Wyton Neighbourhood Plan (2018)
 - Huntingdon Neighbourhood Plan (2019)
 - Bury Neighbourhood Plan (2021)
 - Buckden Neighbourhood Plan (2021)
 - Grafham and Ellington Neighbourhood Plan (2022)
- 7.4 The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material

consideration and significant weight is given to this in determining applications.

- 7.5 The main issues to consider in assessing this application are whether there is any conflict with Development Plan Policies and if there is any conflict, whether the application can be considered to be in accordance with the Development Plan when taken as a whole.
- 7.6. Where an application is not in accordance with the Development Plan, it must be considered whether there are any material considerations, including local and national guidance, that indicate that planning permission should be granted.
- 7.7 With this in mind, the report addresses the principal, important and controversial issues which in this case are:
 - The Principle of Development
 - Impact upon the Character of the Area
 - Impact upon Residential Amenity
 - Highway Safety, Parking Provision and Access
 - Ecology and Biodiversity
 - Flood Risk
 - Other issues

The Principle of Development

- 7.8 The principle of water-based activities for recreational purposes on the site had been established by the grant of planning permission on appeal in May 2016 for the installation of wakeboarding cable and proposed changing rooms together with retention of car park and access track. The proposed development seeks to add further facilities (expansion and enhancement) to the existing facilities on the site, which would lead to the increase of water sports use on the site. The question therefore in this instance is whether the increase in water sport activities on the site would comply with policies LP10 and LP23 of HDC Local Plan to 2036 and paragraph 84 of the National Planning Policy Framework 2021.
- 7.9 The site is located outside of the Small Settlement of Hemingford Grey and within the open countryside as identified in Policy LP10 of the Local Plan to 2036 which states that development within the countryside will be restricted to the limited and sporadic opportunities as provided for in other policies of the plan. Amongst other requirements, development must protect the intrinsic character and beauty of the countryside and not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others.

7.10 Policy LP23 of the Huntingdonshire Local Plan to 2036: states a proposal for a new or expanded tourism, sport or leisure use within the countryside will be supported where it is:

• Well related to a defined settlement unless there are robust operational or sustainability reasons why it needs to be located elsewhere

• Does not cause harm to, and where appropriate enhances ecological, landscape and heritage significance of the proposed location

The impact of the scale, character and location of the development on both its immediate surroundings and wider landscape are minimised

Adequate servicing can be provided including water supply, electricity and for sewage and waste disposal

It would not have an adverse impact on a designated wildlife site through increased visitor pressure.

- 7.11 The current proposal seeks the construction of a boat slipway and access track, boat hut and jetty, part change of use of changing rooms and toilet block to café (Use Class E) and diversification of existing activities relating to the approved use of the site as a water-based activity centre. The plan accompanying the application illustrates that the jetty/boat hut and slipway all fall within the existing operational site of Liquid Skillz, which encompasses the lake and its adjacent shores. Although, the proposal would significantly increase water sports activities on the site the additional facilities proposed are considered to be related to the development allowed at appeal and would enhance and improve the recreational use of the site.
- 7.12 The proposal is therefore considered to be in accordance with Policy LP23 of the Huntingdonshire Local Plan to 2036 and the relevant parts of the NPPF as identified above. In land use terms, there is also not considered to be a material change of use compared to what was allowed on appeal.
- 7.13 The proposal is considered to be acceptable in principle subject to the detailed material considerations below.

Impact upon the Character of the Area

7.14 Policies LP11 and LP12 of the Local Plan and the Huntingdonshire Design Guide SPD (2017) set out key principles of good design to support proposals that respond positively to their context, integrate successfully with the surrounding built form and create well designed and sustainable developments that are functional to meet the needs of present and future occupiers. The above policies are reinforced by Paragraphs 124 (d) and (e) and Paragraph 130 (c) of the NPPF that seek to maintain an area's prevailing character and ensure development is sympathetic to local character.

- 7.15 From the above, the main issue for consideration is whether the additional water sports facilities to those existing on the site together with the associated works would respond positively to the context, integrate successfully with the surrounding built form and create well designed and sustainable development that are functional to meet the needs of present and future users.
- 7.16 The application site forms a transition between the edge of the settlement of Hemingford Grey to the north and the A14 to the south. There are trees around the margins of the existing lake and beyond and an agricultural hay barn adjacent to the car park.
- 7.17 In relation to the design and scale the proposed jetty/boat hut and slip way will be located within a secluded area on the south shore, which would be screened almost exclusively by existing trees. The structures are restricted to an extent in scale and massing and would be constructed of natural materials allowing them to assimilate into the existing landscape setting. In terms of the location of the proposed development, the structures would be set back from the wider site boundary and screened by almost the existing boundary landscaping features and as such limit views to and out of the site. The structures are also, of modest size and scale, single storey in height and are not considered to impact adversely on the openness of the countryside or the rural character of the area. Furthermore, the café building and the changing room, which would be altered to create additional facilities will have no additional visual bearing on the sounding landscape. As the proposal would service only users of the facility, it would have no greater impact on the character of the area than the existing use of the facility. The additional water-based activities, particularly the open water swimming and paddle boarding, which would be limited to the east end of the lake would have no discernible impact on the landscape.
- 7.18 Overall, the proposal is considered to respond positively to its context within the surrounding built form and contributes positively to the areas character and identity. Subject to the imposition of a condition relating to external materials, particularly (colour) of the boat hut being of neutral (dark green), the proposal is considered to accord with the NPPF and policies LP11, LP12 and LP23 of the Huntingdonshire Local Plan to 2036.

Impact on Residential Amenity

7.19 Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings. A site visit was carried out by the case officer during the consultation period of the application. A large number of the objections received relate to the impact of the development in terms of noise, nuisance and disturbance.

- 7.20 In terms of the location of the proposed development (boat slipway and access track, boat hut and jetty and toilet block), would be set back from the wider site boundary and screened by almost the existing boundary landscaping features and would be at a significant distance from views from neighbours. The structures are also, of modest size and scale, single storey in height and are not considered to generate any significant overlooking, overbearing or loss of light impacts on amenities of nearby residents.
- 7.21 Whilst the area does not have any formal status in relation to tranguillity, paragraph 130(f) of the National Planning Policy Framework 2021(NPPF) states that planning proposals should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. This is reinforced by paragraph 174(e) and 185(a) of the NPPF, which seeks decisions to mitigate and reduce development to a minimum potential adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life. This advice is reflected in the Noise chapter of the Planning Practice Guidance (the PPG), which stresses the need for decision taking to take account of the existing acoustic environment and assess whether a significant adverse effect is likely to occur and whether a good standard of amenity can be achieved (Paragraph: 001 Reference ID: 30-001-Policy LP14 of the HDC Local Plan to 2036 is 20190722). consistent with this advice.
- 7.22 The residential properties nearest to the application site are Mulberry Farm (approximately 100m from the western boundary of the site) and Long Lane Cottage (the second nearest property at more than 150m). It is acknowledged that there is potential for noise to be generated by the activities undertaken, for example noise generally from the shouts, screams and splashes of participants and that the additional facilities could increase noise generation. It is therefore imperative that any additional noise does not impact adversely on the current level of amenity enjoyed by the neighbouring residential occupiers. It must also be emphasised that noise and disturbance amongst others is one of the main concerns raised in the representations received.
- 7.23 The application was accompanied by a Noise Impact Assessment prepared by Spectrum Acoustic Consultants. The report has concluded that the total levels of noise from both already permitted activity of wakeboarding and use of rescue boat together with the proposed water-skiing activity, will generate levels of noise at the two nearest sensitive residential

receptors of Mulberry Farm (P1) and Long Lane Cottage (P2) of LAeq,1hr 43dB and 41dB respectively. The report goes further and acknowledges that the subjective impact of very loud shouting and screaming can be disturbing and annoying if audible and it is normal practice for planning authorities to require 'behavioural noise' matters to be controlled by good management and supervision of the activities on site by the Operators.

- 7.24 The Environmental Health Officer has assessed the noise impact assessment report and has advised that noise generated from the recreational activities on the lake and the activities on the site itself would not have an unacceptable impact on the nearest residential property Mulberry Cottage over 100m away from the site or any other residential property. The Environmental Health Officer has gone further and indicated that conditions that were utilised on the previous permission will again be required including no amplification of music and/or voice; hours of use for the wakeboarding and commercial skiing not be used outside the period 21 March to 31 October and outside the hours of 1000 to 2000. The site shall not be open to users of the development outside the hours of 1000 and 2100 including limiting the number of event days to 6 per year with no more than one event per calendar month. (see paragraph 5.2 above). The Environmental Health Officer also recommends the imposition of a noise management plan.
- 7.25 It is Officer's view that the appeal permission remains valid and that the operators of the site have a responsibility to comply with those conditions, as well as the conditions recommended here (should planning permission be granted). Furthermore, the permission granted on appeal reference APP/H0520/W/15/3132500 had a number of conditions imposed with regards to limiting the proposed wakeboarding and recreational use and also prohibited external broadcasting of music. The current application seeks to add facilities in association with the lawful use of the site (water sport); it is therefore necessary to re-apply and include additional conditions to mitigate the potential impacts. It is considered that the conditions proposed are reasonable, necessary and relevant to the development and accord with paragraph 56 of the NPPF 2021.
- 7.26 With regard to the noise Management Plan, although it is normal practice for planning authorities to require 'behavioural noise' matters to be controlled by good management and supervision of the activities on site by the Operators it appears unreasonable and difficult to difficult to enforce and as such would not meet the tests specified at paragraph 56 of the NPPF 2021. In this instance, it is the expectation and the responsibility of the Operator of the site to do whatever necessary including the placements of signs on the site or advise or warn customers of

excessive shouting taking into account the amenities of nearby residents.

7.27 Overall, it is considered that a high standard of amenity would be provided for all users of the development and maintained for neighbours. The development is considered acceptable in terms of noise and would not have a significant detrimental impact upon residential amenity. It is further considered that the proposal would not generate any significant overlooking, overbearing or loss of light impacts on amenities of nearby residents. The proposal is therefore considered to be in accordance with Policy LP14 of the Local Plan to 2036 and paragraph 130(f) of the NPPF (2021) subject to the imposition of the above conditions.

Flood Risk

- 7.28 The application is for further ancillary development to an existing site within Flood Zone 3a as designated by the Councils 2017 Strategic Flood Risk Assessment. The application site forms part of flood zone 3a and is liable to flooding. The land has a 1 in 100 years or greater annual probability of river flooding; or a 1 in 200 years or greater annual probability of sea flooding. There are also flood defences in place. In such locations, the National Planning Policy Framework states under Paragraph 159 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. The NPPF goes further at paragraphs 161 and 162 and aim to steer development to land with the lowest risk of flooding using the sequential test.
- 7.29 The proposal requires the Sequential Test to be applied and for the exception test to be passed it should be demonstrated that:
 a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 7.30 Given the recreation nature of Liquid Skillz and the existing wakeboarding activity, it would therefore be unreasonable for the Council to expect the applicant to find alternative sites within the district which has limited other opportunities for water compatible development therefore the sequential and exception tests will be based on the application site itself. It should also be noted that the proposed development is for ancillary buildings and facilities in support of a water compatible land use, and for water-based recreation. In principle in terms of flood risk, development is therefore considered appropriate.

- 7.31 A Flood Risk Assessment (FRA) has been submitted and the Environment Agency has no objection on flood risk grounds subject to the imposition of recommended condition. In terms of the exception test, it is Officers' view that the uses of the respective buildings and facilities can be classed as 'less vulnerable' in a flood risk context, as such the site would be safe in terms of flooding. In terms of sustainability, the site provides a unique opportunity locally for water-based recreation for local people to both have fun and to learn new skills. Furthermore, it is Officer's view that the imposition of the recommended condition by the Environment Agency relating to flood contingency plan in addition to the existing condition relating to the previous consent 19/01168/FUL, which contains flood proofing measures within the FRA would be sufficient to prevent the increased risk of flooding.
- 7.32 Overall, the proposal is considered to be in accordance with the NPPF and Policy LP5 of the Huntingdonshire Local Plan to 2036.

Ecology and Biodiversity

- 7.33 Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated. Policy LP30 of the Local Plan to 2036 also requires development proposals to ensure no net loss in biodiversity and provide a net gain in biodiversity where possible.
- 7.34 The application site is within Marsh Lane Gravel Pits County Wildlife Site (CWS) and therefore in line with local and national planning policy, it is important that the potential impacts on the CWS are adequately assessed and mitigated and that proposed management and enhancements are appropriate to the CWS.
- 7.35 An Ecological Appraisal (PEA) was submitted with the application. The Wildlife Trust has assessed the application and indicated that the report covers relevant species issues and makes appropriate avoidance and mitigation recommendations as regards to the direct impacts of the new wakeboard cable and associated infrastructure. The assessment of ecological impacts from the current application is appropriate, though it should be realised that the winter bird survey did not coincide with cold weather conditions, which is when the lake will be most valuable for wintering birds, so inevitably has underestimated the potential value of the lake for wintering birds. This does not however affect the assessment of the summer only use of the wakeboard facility and other water recreational activities proposed.
- 7.36 This was relayed to the applicant who has agreed to remove the 'all-year round use' as previously stated in the description of the application and the imposition of condition to limit the period of

use between 21 March to 31 October during any year. This is to avoid disturbance to wintering water birds for which the lake can be an important refuge, particularly at times of cold weather. It must also be noted that this would be consistent with the previous planning permission, where the inspector made reference to the ecology and the fact that the wakeboarding use would be confined to a relatively small proportion of the lake. Given, that the proposal represents significant increase of recreational uses on the site and the fact that the CWS mainly covers the lake itself rather than the land to the west and south where the buildings are and would be sited and no objection has been raised by the Wildlife Trust, it is considered that it would be appropriate to impose similar conditions (ecological management plan) including, restricting the periods of use to mitigate the impact on ecology.

- 7.37 The submitted ecological appraisal prepared by Skilled Ecology Consultancy indicates that enhancement measures in the form of the provision of Bat and Bird boxes positioned high on trees (above 4m) and spread around the site in guiet areas in the east and south. The bat boxes would be positioned facing a southerly directly with the bird boxes facing a northerly direction. Soft landscaping would be provided in the areas disturbed by including wildflower construction activities seed mix. Furthermore, the applicant has indicated that all of the biodiversity enhancements will be included within a Long-term Ecological Management Plan to cover the entire site management. This can be conditioned should permission be granted.
- 7.38 Overall, the proposed works and increase in activity is considered to be relatively small scale and unlikely to cause significant direct or indirect impact to the County Wildlife Site or notable wildlife using the site. It is further considered that the proposed biodiversity enhancements are considered acceptable and would provide a net gain in biodiversity and geodiversity of the site. Subject to conditions the proposed development is considered to accord with Policy LP30 of the Local Plan to 2036 and paragraph 174 d) of the NPPF (2021).

Trees

- 7.39 Policy LP31 of the Huntingdonshire Local Plan to 2036 requires proposals to demonstrate that the potential for adverse impacts on trees, woodland, hedges and hedgerows has been investigated and that a proposal will only be supported where it seeks to conserve and enhance any existing tree, woodland, hedge or hedgerow of value that would be affected by the proposed development.
- 7.40 The application was accompanied by an arboricultural report prepared by Skilled Ecology Consultancy Limited which identifies

trees on or near the site which have the potential to be impacted by the development and further considers the constraints of the proposed development upon them. The report indicates that the development will result in the removal of 8 Category C trees (consisting of 3 groups of trees) to enable the construction of a new boat hut, jetty and slipway on the southern bank of Lake Ashmore, and associated extension of the existing gravel track to the proposed slipway location. This would also include the proposed facilities as in application 21/00044/FUL (control shed and viewing hut). The report states that a supplementary tree planting programme would be implemented to adequately compensate for proposed tree removals.

7.41 Subject to the imposition of condition requiring suitable replacement trees on the site in accordance with the submitted arboricultural details, the proposal is considered to be in accordance with Policy LP31 of the Huntingdonshire Local Plan to 2036 and paragraph 174 b) of the NPPF (2021) in this regard.

Access and Transport

- 7.42 The site will continue to be serviced by the existing access off Gore Tree Road. The nature and scale of the proposal is such that it will not significantly increase daily traffic movements to and from the site, relative to existing site uses. There is sufficient onsite parking in the form of the visitor parking area to ensure vehicles are not displaced onto adjacent highways. The applicant has indicated that the scheme would provide more than sufficient space to park for those wishing to arrive at site on bike and if it is considered prudent, by agreement with CCC Highways, will be willing to provide cycle stands to enable bikes to be safely locked.
- 7.43 The Cambridgeshire County Council Local Highway Authority has advised that all of that proposal would be internal and remote from the highway. The café element is indicated to provide limited choice and aimed at the existing clientele/users of the activity centre. This would therefore be unlikely to increase vehicle movements to and from the site.
- 7.44 Overall, it is considered that matters of a highway and access nature would not be a constraint to the proposed development. The additions proposed are unlikely to result in any significant increase to the daily traffic movements to and from the site. For these reasons, the proposed scheme is considered to accord with Local Plan Policies LP16 and LP17 of the Huntingdonshire Local Plan to 2036 subject to the imposition of access condition in line with the appeal ref APP/H0520/W/15/3132500. This is considered reasonable.

Public Rights of Way

- 7.45 Public Footpath 9 follows the route of this access before diverging and extending northwards along Long Lane and into the village. The County Council's Definitive Mapping team has not commented or raised an objection to the proposal with regards to the impact on the adjacent public right of way (Public Footpath 9). However, it is noted that the County Council's Definitive Mapping team did not raise an objection to the recent application reference 19/01168/FUL approved on 25 October 2019. Furthermore, the proposed structures and additional facilities would not be in proximity to the location of the footpath.
- 7.46 A neighbour representation has been received in respect of the impact of the existing development on the adjacent Public Footpath 9 reducing safety due to vehicles accessing site without separation and the impact of the gate at Gore Tree Road which does not have level access for those with limited mobility.
- 7.47 Overall, it is Officer's view that an informative identical to permission reference 19/01168/FUL will inform the applicant that members of the public on foot have the dominant right of passage along the public footpath and that private vehicular users must 'give way' to them.

Other Matters

- 7.48 Representations received from the local residents appear varied. The concerns raised by local residents have been addressed in the report either directly or indirectly. Other concerns raised by residents, which are not covered in the report are addressed below.
- A comment made relating to the attitude of the owners or the 7.49 operator(s) of the site are not matters best dealt with in planning however, any concerns relating to owners not complying with conditions imposed on existing consents are matters that can be investigated by the regulatory department of the Council and appropriate action taken. A comment has been made about development of the site being slowly and steadily submitted in stages for planning approval so that over a short period the content of the site has been steadily and incrementally increased with the addition of constructions such as Zip Wire towers and buildings. The submission of separate or individual planning applications are matters of choice of the applicant and out of the Council's planning control; as in this case, the Council have received two applications dealing with various development proposals on the same site. In this instance, the Council can only determine each application on its own merits taking into account the relevant development plan policies and any other material considerations.

7.50 Other representation includes the use of the café would be in direct competition with existing village community café which is run by volunteers. It is Officers view that the use of the café, which would be seasonal in conjunction with the hours of use of the site would not be in any direct competition with the community café. Competition is also not a matter best dealt with in planning and as such, does not constitute a material consideration in the determination of this application.

Community Infrastructure Levy (CIL):

7.51 The development will be CIL liable in accordance with the Council's adopted charging schedule; CIL payments will cover footpaths and access, health, community facilities, libraries and lifelong learning and education.

Conclusion and Planning Balance

- 7.52 This proposal seeks permission for the construction of a boat slipway and access track, boat hut and jetty, part change of use of changing rooms and toilet block to café (Use Class E) and diversification of existing activities relating to the approved use of the site as a water-based activity centre. This is an addition to the existing planning consent on the site, allowed at appeal on 5 May 2016 for the installation of a wakeboarding cable and proposed changing rooms together with retention of car park and access track.
- 7.53 The application must be determined in accordance with the statutory tests in section 38(6) of the Planning and Compulsory Purchase Act 2004, namely, in accordance with the Development Plan unless material considerations indicate otherwise. Policies set out above that are the most important for determining the application are considered to be up-to-date and are afforded full weight.
- 7.54 In this instance, the development lies in the open countryside whereby the principle of water-based activities for recreational purposes on the site had been established by the grant of planning permission on appeal in May 2016. The development proposed is for additional of facilities to enhance and diversify those existing on the site.
- 7.55 The NPPF has at its heart the presumption in favour of sustainable development. To be sustainable, development must, as noted in paragraph 6 of the NPPF, strike a satisfactory balance between the economic, environmental and social considerations.
- 7.56 In terms of the economic dimension of sustainable development, the proposal would contribute towards economic growth, by providing paid and volunteer jobs and importantly will assist jobseekers in preparing for work and finding employment in a

similar field, it will have multiplier or knock-on effect in employment terms. It will also contribute to the Councils Business rate revenue stream.

- 7.57 In terms of the environmental dimension of sustainable development and having regard to the appeal decision and a previously discharged condition, the proposal is considered to preserve and enhance biodiversity and not adversely impact the rural character of the area.
- 7.58 In terms of the social dimension, the site offers an outdoor recreation facility that has the potential to improve health and well-being.
- 7.59 The proposed development is considered to be compliant with relevant national and local planning policy as it:
 - Is an appropriate expansion of a recreational activity
 - Is acceptable in terms of highway safety
 - It would not have a significant detrimental impact on the amenity of neighbours.
 - Acceptable in terms of Flood Risk
 - Acceptable in terms of ecology and biodiversity
 - There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.
- 7.60 Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

8. RECOMMENDATION - APPROVAL subject to conditions to include the following

- Time limit
- Approved Plans
- Materials of boat hut
- Landscaping
- No broadcasting of music
- Wakeboarding limitations
- Rescue boat details
- Access details
- FRA compliance
- Ecology management plan
- External lighting
- Extraction or ventilation flue

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CONTACT OFFICER:

Enquiries about this report to **Richard Sakyi**, **Senior Development** Management Officer. Email <u>richard.sakyi@huntingdonshire.gov.uk</u> From: Sent: To: Subject: developmentcontrol@huntingdonshire.gov.uk 13 October 2020 16:14 DevelopmentControl Comments for Planning Application 20/01621/FUL

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 13/10/2020 4:13 PM from Mrs Gail Stoehr.

Application Summary

Address:Liquid Skillz Lake Ashmore Gore Tree Road Hemingford Grey Huntingdon PE28 9BPProposal:Construction of a boat slipway and access track, boat hut and jetty, part change of use of
changing rooms and toilet block to café (Use Class E) and diversification of existing activities
relating to the approved use of the site as a water-based activity centre (to include private use)Case Officer:Tim Hartley

Click for further information

Customer Details

Name:	Mrs Gail Stoehr	
Email:	parish.clerk@hemingfordgreyparishcouncil.gov.uk	
Address:	30 West Drive, Highfields Caldecote, Caldecote, Cambridgeshire CB23 7NY	

Comments Details

Commenter Type:	Town or Parish Council
Stance:	Customer objects to the Planning Application
Reasons for comment:	
Comments:	 The Parish Council objects to the application and recommends refusal on the following grounds: 1) The application is contrary to LP10 and LP23. 2) The noise impact on residents - a new independent noise assessment is needed as the readings were taken before the A14 was relocated. 3) There are inconsistencies in the application - it is not clear what exactly is being applied for and what the hours of operation will be. 4) The impact on wildlife including wintering birds and nightingales, as set out be the Wildlife Trust that no development is to take place unless the previous ecological managment plan has been implemented.

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5) Toilet facilities are insufficient.

6) The outdoor gym has been installed but not applied for.7) There should be safety standards to separate different users (either physical or timing).

8) More planting is needed to mitigate noise across open fields

9) The Parish Council would like the application to go the the DMC and District Cllr Keane to speak for the Parish Council.

Kind regards

Development Management Committee

Scale = 1:7,500 Date Created: 04/01/2023 Application Ref: 20/01621/FUL

Location: Hemingford Grey



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Area highlighted for water-skiing to be kept clear of wakeboard cable

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DEVELOPMENT MANAGEMENT COMMITTEE 23rd JANUARY 2023

- Case No: 21/00044/FUL (FULL PLANNING APPLICATION)
- Proposal: CONSTRUCTION OF A SECOND WAKEBOARD LINE AND ASSOCIATED CONTROL SHED AND VIEWING HUT, AND ERECTION OF A LINKED DECKED WALKWAY.
- Location: LIQUID SKILLZ LAKE ASHMORE GORE TREE ROAD HEMINGFORD GREY PE28 9BP
- Applicant: LIQUID SKILLZ
- Grid Ref: 529345 269739
- Date of Registration: 07.01.2021
- Parish: HEMINGFORD GREY

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) in accordance with the Scheme of Delegation as Hemingford Grey Parish Council's recommendation of refusal is contrary to the officer recommendation of approval and at the request of Cllr Dew, local member for Hemingford Grey and Houghton.

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The application site comprises the lake and surrounding shores of Lake Ashmore, located to the east of Gore Tree Road, approximately 1km to the southeast of the village of Hemingford Grey. The site is currently used by "Liquid Skillz" (the applicant). The lake forms part of a County Wildlife Site (Marsh Lane Gravel Pits County Wildlife Site) and was created by mineral extraction with trees surrounding the lake. The area around the lake is generally flat, with the shore edge falling away slowly into the lake shallows. On the west shore is located the centre of the 'Liquid Skillz' activities approved by 19/01168/FUL Including, but not limited to a reception building and changing rooms, and storage building.
- 1.2 Vehicle access is directly off Gore Tree Road and leads to a parking area located to the rear of the reception area / changing rooms. Public footpath No. 122/9 runs the length of the west boundary and provides access on foot from the application site into the heart of Hemingford Grey. The A14 runs parallel to the

southern shore of the lake and is at a distance of approximately 400 metres.

- 1.3 Public Footpath 9 follows the route of this access before diverging and extending northwards along Long Lane and into the village.
- 1.4 In terms of constraints the site is not within a Conservation Area, there are no Listed Buildings in the immediate vicinity and no protected trees. The site lies within Flood Zone 3a, which have a high risk of flooding as identified in the Environment Agency Flood Risk Map.

Proposal

- 1.5 Planning permission is sought for the construction of a second wakeboard line and associated control shed, a viewing hut, and erection of a linked decked walkway. This is an addition to the existing planning consent on the site, allowed at appeal on 5 May 2016 reference 1300002FUL for the installation of a wakeboarding cable and proposed changing rooms together with retention of car park and access track. Retrospective permission was granted by the Council on 25 October 2019 for amendments to water-based activity centre; including alterations to approved changing rooms, and construction of a storage building, viewing hut and control shed.
- 1.6 The proposed second wakeboard line would be constructed at a distance of approximately 20m to the northeast of the existing line and would be parallel to it. The line would be supported on either shore of the lake by lattice towers measuring 9m in height, anchored via cables buried in concrete blocks. The proposed control shed would be constructed to the northwest of the proposed southern shore wakeboard tower to house the motor used to pull the line. The control shed would have a footprint of 13m2 with some eaves and ridge heights of approximately 2.0m and 2.8m respectively. The proposal includes the erection of a viewing hut to the east of the wakeboard tower to provide shelter for customers waiting to use the proposed line. The proposed wooden walkway would be constructed along the shoreline to link the wakeboard line and viewing hut facilities with the existing amenities approved by 19/01168/FUL, to the west, and those proposed by 20/01621/FUL, to the east.
- 1.7 The proposal is one of two planning applications submitted for the expansion and enhancement of the existing water-based or recreational activities on the site for Liquid Skillz. The other application is 20/01621/FUL.
- 1.8 The application was accompanied by:
 - Noise Impact Assessment
 - Arboricultural Impact Assessment

- Ecological Impact Assessment and
- Flood Risk Assessment
- 1.9 The application has been amended during the course of consideration by the request of the Wildlife Trust. As a result, the description of the development has been amended to remove the word 'to include private use'. No re-consultation has been carried out as the amendment is not considered to be significant and does not affect the substance of the application.
- 1.10 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (20th July 2021) (NPPF 2021) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2021 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'
- 2.2 The NPPF 2021 sets out the Government's planning policies for (amongst other things):
 - delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - achieving well-designed, beautiful and safe places;
 - conserving and enhancing the natural, built and historic environment
- 2.3 Planning Practice Guidance and the National Design Guide 2019 and the Noise Policy Statement for England are also relevant and material considerations.

For full details visit the government website National Guidance

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
 - LP2: Strategy for Development
 - LP4: Contributing to Infrastructure Delivery
 - LP5: Flood Risk
 - LP6: Waste Water Management
 - LP9: Small Settlements
 - LP10: The Countryside
 - LP11: Design Context
 - LP12: Design Implementation
 - LP14: Amenity
 - LP15: Surface Water
 - LP16: Sustainable Travel

- LP17: Parking Provision and Vehicle Movement
- LP23: Tourism and Recreation
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows
- LP34: Heritage Assets and their Settings
- LP38: Water Related Development
- 3.2 Supplementary Planning Documents/ Guidance
 - Landscape and Townscape SPD (2022) (adopted 17 March 2022)
 - Cambridgeshire Flood and Water SPD (2017) (adopted 20 April 2017)
 - Huntingdonshire Design Guide SPD (2017) (adopted 16 March 2017) and Huntingdonshire's Design Guide SPD 2017 – Compatibility Statement (2021)
 - Developer Contributions SPD (2011)
 - Developer Contributions: Updated Costs 2019/20
 - Huntingdonshire Tree Guidance Note 3
 - Noise Policy Statement for England (NPSE) 2010
- 3.3 No Neighbourhood Plans are relevant to this site.

Local For full details visit the government website Local policies

4. PLANNING HISTORY

- 4.1 1201122FUL Change of use of land for camping and caravanning, erection of boat house and two holiday chalets and erection of zip wire for water skiing Refused, Appeal Dismissed.
- 4.2 1300002FUL Installation of wakeboarding cable and proposed changing rooms together with retention of car park and access track. Refused, Appeal Allowed.
- 4.3 1400719FUL Retention of access to lake Approved.
- 4.4 18/80055/COND Condition information for 1300002FUL C5 (make and model of rescue boat), C6 (scheme of landscaping works), C8 (ecological management plan), C9 (flood contingency plan) Part Approved.
- 4.5 19/01168/FUL Amendments to water-based activity centre allowed by appeal; including alterations to approved changing rooms, and construction of a storage building, viewing hut and control shed. (Approved 25 October 2019)

5. CONSULTATIONS

5.1 Hemingford Grey Parish Council – Objects to the proposal on the following grounds summarised below:

- It is in the same area as pending applications for the site and should be considered in conjunction with the other applications for the expansion of this site.
- There will be double the number of spectators and traffic movements.
- Private use unknown
- In conjunction with the fishing lake, it will increase traffic movements in the area.
- There is still an outstanding planning enforcement issue.
- Noise issues from the users of the site.
- 5.2 HDC Environmental Health (EHO) Updated comment as follows:

Following subsequent discussions with the applicants, the submission of the additional noise impact assessment dated 28th July 2021, and site visit. The 'Addendum Report to Noise Impact Assessment of Water-Skiing Activity' dated 28th July 2021 provides further information to demonstrate the potential impact of the proposal, as previously requested. There are several core aspects to these application(s), and these are considered in turn: Additional wakeboarding line - The operational noise of this activity is low and is unlikely to impact on the nearest sensitive properties. There is potential for an adverse impact from people noise, which is covered below.

Water Skiing - Whilst it is understood the site has a history of water-skiing use, the main concern for this aspect was regarding the potential noise from the boat. It is noted that the boat has an inboard motor with silencer. The boat operation was witnessed during a site visit and the noise was not considered to be intrusive, both subjectively and as monitored during the demonstration.

Use of inflatables - This activity has already been occurring on the current wakeboard line, and as far as I am aware officers have not received any noise complaints regarding this activity to date. However, noise from customers using this equipment could cause an adverse noise impact at the nearest property if not controlled and minimised. This aspect therefore requires careful consideration with regard to numbers, timings, locations, equipment and management practices. It is considered that a condition requiring a noise management plan could be utilised to control this aspect as well as other noise sources on the site.

Café - If the applicants are intending to cook on the premises we will need details of the extraction/ventilation, and this will be dependent on the type of food being prepared and will need to meet the requirements within the EMAQ Guidance on the Control of Odour and Noise from Commercial Kitchens.

Other aspects - Due to the times and seasons of use, it is assumed no external lighting is proposed with the applications. If the applicants do want to instal new lighting we would request details are submitted and agreed prior to installation.

Conditions that were utilised on the previous permission will again be required including no amplification of music and/or

voice; hours of use for the wakeboarding and commercial skiing not be used outside the period 21 March to 31 October and outside the hours of 1000 to 2000. The site shall not be open to users of the development outside the hours of 1000 and 2100 including limiting the number of event days to 6 per year with no more than one event per calendar month.

Officer Comments: It is noted that the Environmental Health Officer's comments relate to both applications 21/00044/FUL and 20/01621/FUL.

- 5.3 Wildlife Trust – (Updated comments) - No objection - The submitted ecological report covers relevant species issues and makes appropriate avoidance and mitigation recommendations as regards the direct impacts of the new wakeboard cable and associated infrastructure. The assessment of ecological impacts from the current application is appropriate, though it should be realised that the winter bird survey did not coincide with cold weather conditions, which is when the lake will be most valuable for wintering birds, so inevitably has underestimated the potential value of the lake for wintering birds. This does not however affect the assessment of the summer only use of the wakeboard facility and other water recreational activities proposed. The proposal is acceptable subject to the imposition of condition relating to the provision of ecological management plan for an additional period of 10 years, should the application be approved.
- 5.4 Environment Agency No objection The site lies in Flood Zone 3 (high risk) on our flood maps and within an area benefitting from flood defences, subject to the imposition of a condition to ensure the safe evacuation of the site in the event of breach of flood defences.
- 5.5 HDC Landscape No representation received.
- 5.6 Cambridgeshire County Council Highway Authority No objection Commented as follows: Following a careful review of the documents provided to the Highway Authority as part of the above planning application it was noted that no information has been provided regarding the additional numbers of visitors to the site that the proposal will generate. However, the access to the site from Gore Tree Road is adequate for any increase in vehicle movements generated by the proposal. Therefore, no significant adverse effect upon the Public Highway should result from this proposal should it gain benefit of Planning Permission.

6. **REPRESENTATIONS**

- 6.1 Eighteen letters of representations have been received with 8 in support and 10 raising objections to the proposal as summarised below and are addressed within the proceeding sections of this report. Full details of the representations can be inspected via the comments section on the public access application file.
- 6.2 Support:

• The development will be a great asset to the community and will provide a safe environment for people to enjoy outdoor activities.

• There is a huge lack of facilities like this within the Cambridgeshire area, so this planned proposal is a positive step forward to help more people become fit and active.

• A second cable and the supporting facilities would be an excellent addition to the current provision.

• The existing wakeboard line has proved to be very quiet despite concerns from residents.

• The addition of an extra line will mean more people can enjoy this exciting (but very quiet) activity.

• Already an established community business. Will open up more jobs in a much -needed time.

• The site is safe, fun and family friendly outdoor activity in a perfect location in respect of the village being tucked away on the edge.

6.3 Objection:

• The proposal represent a substantial increase to the activity levels well beyond the original approval.

• All of the concerns raised in the original planning application process when the business was established still stand.

• When the approval was given, after a lengthy appeals process, there were well-designed restrictions put in place that meant that the water-based activity centre could go ahead but without adverse impact on the local population and wildlife - a good compromise.

• This proposal would double the number of participants and therefore lead to increased noise levels and potential disruption to wildlife; particularly water birds.

• Excessive noise - potential to increase human and mechanical noise further;

• The proposal will be a recipe for disaster if zip wire participants start racing each other, especially if they bring alcohol with them as evidenced last year by discarded beer cans and bottles along the track and in the ditch.

• Nuisance and disturbance.

• Noise pollution from vehicles and likely accidents.

• The conclusions arrived by the applicant's consultants in their Noise Impact Assessment is not clear. Perhaps a second assessment should be conducted using a different methodology. • The proposal will impact severely on the peace and quiet of the village and personal life. If granted, stringent noise conditions should be imposed.

• The owners of the site are just a law unto themselves and make a mockery of the Planning Processes.

• Previous noise and disturbance have occurred outside normal working hours and indeed late into the night impacting on residents.

• The above scheme has been slowly and steadily submitted in stages for Planning Approval so that over a short period the content of the site has been steadily and incrementally increased with the addition of constructions such as Zip Wire towers and buildings.

Increased traffic movement.

7. ASSESSMENT

- 7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.
- 7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".
- 7.3 In Huntingdonshire the Development Plan consists of:
 - Huntingdonshire's Local Plan to 2036 (2019)
 - Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
 - St Neots Neighbourhood Plan (2016)
 - Godmanchester Neighbourhood Plan (2017)
 - Houghton and Wyton Neighbourhood Plan (2018)
 - Huntingdon Neighbourhood Plan (2019)
 - Bury Neighbourhood Plan (2021)
 - Buckden Neighbourhood Plan (2021)
 - Grafham and Ellington Neighbourhood Plan (2022)
- 7.4 The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97

(Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

- 7.5 The main issues to consider in assessing this application are whether there is any conflict with Development Plan Policies and if there is any conflict, whether the application can be considered to be in accordance with the Development Plan when taken as a whole.
- 7.6. Where an application is not in accordance with the Development Plan, it must be considered whether there are any material considerations, including local and national guidance, that indicate that planning permission should be granted.
- 7.7 With this in mind, the report addresses the principal, important and controversial issues which in this case are:
 - The Principle of Development
 - Impact upon the Character of the Area
 - Impact upon Residential Amenity
 - Highway Safety, Parking Provision and Access
 - Ecology and Biodiversity
 - Flood Risk
 - Other issues

The Principle of Development

- 7.8 The principle of water-based activities for recreational purposes on the site had been established by the grant of planning permission on appeal in 2016 for the installation of wakeboarding cable and proposed changing rooms together with retention of car park and access track. The proposed development seeks to add further facilities (expansion and enhancement) to the existing facilities on the site, which would lead to the increase of water sports use on the site. The question therefore in this instance is whether the increase in water sport activities on the site would comply with policies LP10 and LP23 of HDC Local Plan to 2036 and paragraph 84 of the National Planning Policy Framework 2021.
- 7.9 The site is located outside of the Small Settlement of Hemingford Grey and within the open countryside as identified in Policy LP10 of the Local Plan to 2036 which states that development within the countryside will be restricted to the limited and sporadic opportunities as provided for in other policies of the plan. Amongst other requirements, development must protect the intrinsic character and beauty of the countryside and not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others.

- 7.10 Policy LP23 of the Huntingdonshire Local Plan to 2036: states a proposal for a new or expanded tourism, sport or leisure use within the countryside will be supported where it is:
- "a. Well related to a defined settlement unless there are robust operational or sustainability reasons why it needs to be located elsewhere;
- b. Does not cause harm to, and where appropriate enhances ecological, landscape and heritage significance of the proposed location;
- c. The impact of the scale, character and location of the development on both its immediate surroundings and wider landscape are minimised;
 Adequate servicing can be provided including water supply, electricity and for sewage and waste disposal; and It would not have an adverse impact on a designated wildlife site through increased visitor pressure."
- 7.11 The current proposal seeks to add a second wakeboard line and associated control shed, a viewing hut, and erection of a linked decked walkway. Although, the proposal would increase water sports activities on the site, the additional facilities proposed are considered to be related to the development allowed at appeal and would enhance and improve the recreational use of the site.
- 7.12 The proposal is therefore considered to be in accordance with Policy LP23 of the Huntingdonshire Local Plan to 2036 and the relevant parts of the NPPF as identified above. In land use terms, there is also not considered to be a material change of use compared to what was allowed on appeal.
- 7.13 The proposal is considered to be acceptable in principle subject to the detailed material considerations below.

Impact upon the Character of the Area

- 7.14 Policies LP11 and LP12 of the Local Plan and the Huntingdonshire Design Guide SPD (2017) set out key principles of good design to support proposals that respond positively to their context, integrate successfully with the surrounding built form and create well designed and sustainable developments that are functional to meet the needs of present and future occupiers. The above policies are reinforced by Paragraphs 124 (d) and (e) and Paragraph 130 (c) of the NPPF that seek to maintain an area's prevailing character and ensure development is sympathetic to local character.
- 7.15 From the above, the main issue for consideration is whether the additional water sports facilities to those existing on the site together with the associated works would respond positively to the context, integrate successfully with the surrounding built form

and create well designed and sustainable development that are functional to meet the needs of present and future users.

- 7.16 The application site forms a transition between the edge of the settlement of Hemingford Grey to the north and the A14 to the south. There are trees around the margins of the existing lake and beyond and an agricultural hay barn adjacent to the car park.
- 7.17 In relation to the design and scale of the wakeboard line, this appears to be broadly similar to the approved wakeboard line. Similarly, the design and scale of the proposed motor shed and viewing hut would reflect those considered acceptable and approved by the Council in respect of application reference In terms of the location of the proposed 19/01168/FUL. development, the structures would be set back from the wider site boundary and screened by almost the existing boundary landscaping features and as such limit views to and out of the site. The structures are also, of modest size and scale, single storey in height and are not considered to impact adversely on the openness of the countryside or the rural character of the area. Cumulatively, the proposed development including those currently existing on the site are considered acceptable and would not lead to the erosion of the character of the site.
- 7.18 Overall, the proposal is considered to respond positively to its context within the surrounding built form and contributes positively to the areas character and identity. Subject to the imposition of a condition relating to external materials, particularly (colour) of the shed and viewing hut being of neutral (dark green), the proposal is considered to accord with the NPPF and policies LP11, LP12 and LP23 of the Huntingdonshire Local Plan to 2036.

Impact on Residential Amenity

- 7.19 Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings. A large number of the objections received relate to the impact of the development in terms of noise, nuisance and disturbance.
- 7.20 In terms of the location of the proposed development (control shed, a viewing hut, and linked decked walkway), would be set back from the wider site boundary and screened by almost the existing boundary landscaping features and would be at a significant distance from views from neighbours. The structures are also, of modest size and scale, single storey in height and are not considered to generate any significant overlooking,

overbearing or loss of light impacts on amenities of nearby residents.

- 7 21 Whilst the area does not have any formal status in relation to tranquillity, paragraph 130(f) of the National Planning Policy Framework 2021(NPPF) states that planning proposals should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. This is reinforced by paragraph 174(e) and 185(a) of the NPPF, which seeks decisions to mitigate and reduce development to a minimum potential adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life. This advice is reflected in the Noise chapter of the Planning Practice Guidance (the PPG), which stresses the need for decision taking to take account of the existing acoustic environment and assess whether a significant adverse effect is likely to occur and whether a good standard of amenity can be achieved (Paragraph: 001 Reference ID: 30-001-20190722). Policy LP14 of the HDC Local Plan to 2036 is consistent with this advice.
- 7.22 The residential properties nearest to the application site are Mulberry Farm (approximately 100m from the western boundary of the site) and Long Lane Cottage (the second nearest property at more than 150m). It is acknowledged that there is potential for noise to be generated by the activities undertaken, for example noise generally from the shouts, screams and splashes of participants and that the additional facilities could increase noise generation. It is therefore imperative that any additional noise does not impact adversely on the current level of amenity enjoyed by the neighbouring residential occupiers. It must also be emphasised that noise and disturbance amongst others is one of the main concerns raised in the representations received.
- 7.23 The application was accompanied by а noise impact assessment, which conclude that the total levels of noise from both already permitted activity of wakeboarding and use of rescue boat together with the proposed water-skiing activity, will generate levels of noise at the two nearest sensitive residential receptors of Mulberry Farm (P1) and Long Lane Cottage (P2) of LAeq,1hr 43dB and 41dB respectively. The report goes further and acknowledges that the subjective impact of very loud shouting and screaming can be disturbing and annoying if audible and it is normal practice for planning authorities to require 'behavioural noise' matters to be controlled by good management and supervision of the activities on site by the Operators.
- 7.24 The Environmental Health Officer has assessed the noise impact assessment report and has advised that noise generated from the recreational activities on the lake and the activities on the site

itself would not have an unacceptable impact on the nearest residential property Mulberry Cottage over 100m away from the site or any other residential property nearby. The Environmental Health Officer has gone further and indicated that conditions that were utilised on the previous permission will again be required including no amplification of music and/or voice; hours of use for the wakeboarding and commercial skiing not be used outside the period 21 March to 31 October and outside the hours of 1000 to 2000. The site shall not be open to users of the development outside the hours of 1000 and 2100 including limiting the number of event days to 6 per year with no more than one event per calendar month. (see paragraph 5.2 above). The Environmental Health Officer also recommends the imposition of a noise management plan.

- 7.25 It is Officer's view that the appeal permission remains valid and that the operators of the site have a responsibility to comply with those conditions, as well as the conditions recommended here (should planning permission be granted). Furthermore, the permission granted on appeal reference APP/H0520/W/15/3132500 had a number of conditions imposed with regards to limiting the proposed wakeboarding and recreational use and also prohibited external broadcasting of The current application seeks to add facilities in music. association with the lawful use of the site (water sport); it is therefore necessary to re-apply and include additional conditions to mitigate the potential impacts. It is considered that the conditions proposed are reasonable, necessary and relevant to the development and accord with paragraph 56 of the NPPF 2021.
- 7.26 With regard to the noise Management Plan, although it is normal practice for planning authorities to require 'behavioural noise' matters to be controlled by good management and supervision of the activities on site by the Operators it appears unreasonable and difficult to difficult to enforce and as such would not meet the tests specified at paragraph 56 of the NPPF 2021. In this instance, it is the expectation and the responsibility of the Operator of the site to do whatever necessary including the placements of signs on the site or advise or warn customers of excessive shouting taking into account the amenities of nearby residents.
- 7.27 Overall, it is considered that a high standard of amenity would be provided for all users of the development and maintained for neighbours. The development is considered acceptable in terms of noise and would not have a significant detrimental impact upon residential amenity. It is further considered that the proposal would not generate any significant overlooking, overbearing or loss of light impacts on amenities of nearby residents. The proposal is therefore considered to be in

accordance with Policy LP14 of the Local Plan to 2036 and paragraph 130(f) of the NPPF (2021) subject to the imposition of the above conditions.

Flood Risk

- 7.28 The application is for further ancillary development to an existing site within Flood Zone 3a as designated by the Councils 2017 Strategic Flood Risk Assessment. The application site forms part of flood zone 3a and is liable to flooding. The land has a 1 in 100 years or greater annual probability of river flooding; or a 1 in 200 years or greater annual probability of sea flooding. There are also flood defences in place. In such locations, the National Planning Policy Framework states under Paragraph 159 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. The NPPF goes further at paragraphs 161 and 162 and aim to steer development to land with the lowest risk of flooding using the sequential test.
- 7.29 The proposal requires the Sequential Test to be applied and for the exception test to be passed it should be demonstrated that:
 a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 7.30 Given the recreation nature of Liquid Skillz and the existing wakeboarding activity, it would therefore be unreasonable for the Council to expect the applicant to find alternative sites within the district which has limited other opportunities for water compatible development therefore the sequential and exception tests will be based on the application site itself. It should also be noted that the proposed development is for ancillary buildings and facilities in support of a water compatible land use, and for water-based recreation. In principle in terms of flood risk, development is therefore considered appropriate.
- 7.31 A Flood Risk Assessment (FRA) has been submitted and the Environment Agency has no objection on flood risk grounds subject to the imposition of recommended condition. In terms of the exception test, it is Officers' view that the uses of the respective buildings and facilities can be classed as 'less vulnerable' in a flood risk context, as such the site would be safe in terms of flooding. In terms of sustainability, the site provides a unique opportunity locally for water-based recreation for local people to both have fun and to learn new skills. Furthermore, it is Officer's view that the imposition of the recommended condition

by the Environment Agency relating to flood contingency plan in addition to the existing condition relating to the previous consent 19/01168/FUL, which contains flood proofing measures within the FRA would be sufficient to prevent the increased risk of flooding.

7.32 Overall, the proposal is considered to be in accordance with the NPPF and Policy LP5 of the Huntingdonshire Local Plan to 2036.

Ecology and Biodiversity

- 7.33 Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated. Policy LP30 of the Local Plan to 2036 also requires development proposals to ensure no net loss in biodiversity and provide a net gain in biodiversity where possible.
- 7.34 The application site is within Marsh Lane Gravel Pits County Wildlife Site (CWS) and therefore in line with local and national planning policy, it is important that the potential impacts on the CWS are adequately assessed and mitigated and that proposed management and enhancements are appropriate to the CWS.
- 7.35 An Ecological Appraisal (PEA) was submitted with the application. The Wildlife Trust has assessed the application and indicated that the report covers relevant species issues and makes appropriate avoidance and mitigation recommendations as regards to the direct impacts of the new wakeboard cable and associated infrastructure. The assessment of ecological impacts from the current application is appropriate, though it should be realised that the winter bird survey did not coincide with cold weather conditions, which is when the lake will be most valuable for wintering birds, so inevitably has underestimated the potential value of the lake for wintering birds. This does not however affect the assessment of the summer only use of the wakeboard facility and other water recreational activities proposed.
- 7.36 This was relayed to the applicant who has agreed to remove the 'all-year round use' as previously stated in the description of the application and the imposition of condition to limit the period of use between 21 March to 31 October during any year. This is to avoid disturbance to wintering water birds for which the lake can be an important refuge, particularly at times of cold weather. It must also be noted that this would be consistent with the previous planning permission, where the inspector made reference to the ecology and the fact that the wakeboarding use would be confined to a relatively small proportion of the lake. Given, that the proposal represents significant increase of recreational uses on the site and the fact that the CWS mainly covers the lake itself rather than the land to the west and south where the buildings are and would be sited and no objection has

been raised by the Wildlife Trust, it is considered that it would be appropriate to impose similar conditions (ecological management plan) including, restricting the periods of use to mitigate the impact on ecology.

- 7.37 The submitted ecological appraisal prepared by Skilled Ecology Consultancy indicates that enhancement measures in the form of the provision of Bat and Bird boxes positioned high on trees (above 4m) and spread around the site in guiet areas in the east and south. The bat boxes would be positioned facing a southerly directly with the bird boxes facing a northerly direction. Soft landscaping would be provided in the areas disturbed by construction activities including wildflower seed mix. Furthermore, the applicant has indicated that all of the biodiversity enhancements will be included within a Long-term Ecological Management Plan to cover the entire site management. This can be conditioned should permission be granted.
- 7.38 Overall, the proposed works and increase in activity is considered to be relatively small scale and unlikely to cause significant direct or indirect impact to the County Wildlife Site or notable wildlife using the site. It is further considered that the proposed biodiversity enhancements are considered acceptable and would provide a net gain in biodiversity and geodiversity of the site. Subject to conditions the proposed development is considered to accord with Policy LP30 of the Local Plan to 2036 and paragraph 174 d) of the NPPF (2021).

Trees

- 7.39 Local Plan Policy LP31 requires proposals to demonstrate that the potential for adverse impacts on trees, woodland, hedges and hedgerows have been investigated and that a proposal will only be supported where it seeks to conserve and enhance any existing tree, woodland, hedge or hedgerow of value that would be affected by the proposed development.
- 7.40 The application was accompanied by an arboricultural report, which identifies trees on or near the site which have the potential to be impacted by the development and further considers the constraints of the proposed development upon them. The report indicates that the development will result in the removal of 8 Category C trees (consisting of 3 groups of trees) to enable the construction and siting of the viewing hut, control shed and the proposed wakeboard tower including the decked walkway. This would also include the proposed facilities as in application 20/01621/FUL (boat hut and slipway). The report states that a supplementary tree planting programme would be implemented to adequately compensate for proposed tree removals.

7.41 Subject to the imposition of condition requiring suitable replacement trees on the site in accordance with the submitted arboricultural details, the proposal is considered to be in accordance with Policy LP31 of the Huntingdonshire Local Plan to 2036 and paragraph 174 b) of the NPPF (2021) in this regard.

Access and Transport

- 7.42 The site will continue to be serviced by the existing access off Gore Tree Road. The nature and scale of the proposal is such that it will not significantly increase daily traffic movements to and from the site, relative to existing site uses. There is sufficient onsite parking in the form of the visitor parking area to ensure vehicles are not displaced onto adjacent highways. The applicant has indicated that the scheme would provide more than sufficient space to park for those wishing to arrive at site on bike and if it is considered prudent, by agreement with CCC Highways, will be willing to provide cycle stands to enable bikes to be safely locked.
- 7.43 The Cambridgeshire County Council Local Highway Authority has assessed the application and advised that following a careful review of the documents provided as part of the planning application it was noted that no information has been provided regarding the additional numbers of visitors to the site that the proposal will generate. However, the access to the site from Gore Tree Road is adequate for any increase in vehicle movements generated by the proposal. Therefore, no significant adverse effect upon the Public Highway should result from this proposal should it gain benefit of Planning Permission.
- 7.44 It is considered that matters of a highway and access nature would not be a constraint to the proposed development. The additions proposed are unlikely to result in any significant increase to the daily traffic movements to and from the site. For these reasons, the proposed scheme is considered to accord with Local Plan Policies LP16 and LP17 of the Huntingdonshire Local Plan to 2036 subject to the imposition of access condition in line with the appeal ref APP/H0520/W/15/3132500. This is considered reasonable.

Other Matters

- 7.45 Representations received from the local residents appear to vary. The concerns raised by local residents have been addressed in the report either directly or indirectly. Other concerns raised by residents, which are not covered in the report are addressed below.
- 7.46 A comment made relating to the attitude of the owners or the operator(s) of the site are not matters best dealt with in planning however, any concerns relating to owners not complying with conditions imposed on existing consents are matters that can be

investigated by the regulatory department of the Council and appropriate action taken. A comment has been made about development of the site being slowly and steadily submitted in stages for planning approval so that over a short period the content of the site has been steadily and incrementally increased with the addition of constructions such as Zip Wire towers and buildings. The submission of separate or individual planning applications are matters of choice of the applicant and out of the Council's planning control; as in this case, the Council have received two applications dealing with various development proposals on the same site. In this instance, the Council can only determine each application on its own merits taking into account the relevant development plan policies and any other material considerations.

Community Infrastructure Levy (CIL):

7.47 The development will be CIL liable in accordance with the Council's adopted charging schedule; CIL payments will cover footpaths and access, health, community facilities, libraries and lifelong learning and education.

Conclusion and Planning Balance

- 7.48 This proposal seeks permission for the for the construction of a second wakeboard line and associated control shed and viewing hut, and erection of a linked decked walkway. This is an addition to the existing planning consent on the site, for the installation of a wakeboarding cable and proposed changing rooms together with retention of car park and access track.
- 7.49 The application must be determined in accordance with the statutory tests in section 38(6) of the Planning and Compulsory Purchase Act 2004, namely, in accordance with the Development Plan unless material considerations indicate otherwise. Policies set out above that are the most important for determining the application are considered to be up-to-date and are afforded full weight.
- 7.50 In this instance, the development lies in the open countryside whereby the principle of water-based activities for recreational purposes on the site had been established by the grant of planning permission on appeal on 5 May 2016. The development proposed is for additional of facilities to enhance and diversify those existing on the site.
- 7.51 The NPPF has at its heart the presumption in favour of sustainable development. To be sustainable, development must, as noted in paragraph 6 of the NPPF, strike a satisfactory balance between the economic, environmental and social considerations.

- 7.52 In terms of the economic dimension of sustainable development, the proposal would contribute towards economic growth, by providing paid and volunteer jobs and importantly will assist jobseekers in preparing for work and finding employment in a similar field, it will have multiplier or knock-on effect in employment terms. It will also contribute to the Councils Business rate revenue stream.
- 7.53 In terms of the environmental dimension of sustainable development and having regard to the appeal decision and a previously discharged condition, the proposal is considered to preserve and enhance biodiversity and not adversely impact the rural character of the area.
- 7.54 In terms of the social dimension, the site offers an outdoor recreation facility that has the potential to improve health and well-being.
- 7.55 The proposed development is considered to be compliant with relevant national and local planning policy as it:
 - Is an appropriate expansion of a recreational activity
 - Is acceptable in terms of highway safety
 - It would not have a significant detrimental impact on the amenity of neighbours.
 - Acceptable in terms of Flood Risk
 - Acceptable in terms of ecology and biodiversity
 - There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.
- 7.56 Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

8. RECOMMENDATION - APPROVAL subject to conditions to include the following

- Time limit
- Approved Plans
- Materials of viewing hut
- Landscaping
- No broadcasting of music
- Limitations of use
- Rescue boat details
- Access details
- FRA compliance
- Ecology management plan
- External lighting

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

CONTACT OFFICER:

Enquiries about this report to **Richard Sakyi, Senior Development** Management Officer. Email <u>richard.sakyi@huntingdonshire.gov.uk</u> From: Sent: To: Subject: developmentcontrol@huntingdonshire.gov.uk 09 March 2021 12:15 DevelopmentControl Comments for Planning Application 21/00044/FUL

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 09/03/2021 12:14 PM from Mrs Gail Stoehr.

Application Summary

Address:	Liquid Skillz Lake Ashmore Gore Tree Road Hemingford Grey Huntingdon PE28 9BP
Proposal:	Construction of a second wakeboard line and associated control shed and viewing hut, and erection of a linked decked walkway (to include private use)
Case Officer:	Tim Hartley

Click for further information

Customer Details

Name:	Mrs Gail Stoehr
Email:	katie@lgs-services.co.uk
Address:	30 West Drive, Highfields Caldecote, Caldecote, Cambridgeshire CB23 7NY

Comments Details

Commenter Type:	Town or Parish Council
Stance:	Customer objects to the Planning Application
Reasons for comment:	
Comments:	Hemingford Grey Parish Council object on the following grounds: It is in the same area as pending applications for the site and should be considered in conjunction with the other applications for the expansion of this site. There will be double the number of spectators and traffic movements. Private use unknown. In conjunction with the fishing lake, it will increase traffic movements in the area. There is still an outstanding planning enforcement issue. Noise issues from the users of the site.

Kind regards

Development Management Committee

Scale = 1:5,000 Date Created: 04/01/2023

Application Ref: 21/00044/FUL

Location: Hemingford Grey

Huntingdonshire

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	Suite 2, Clare Ho St Ives Business F Parsons Green, St Ives.	all, Park,	
	Cambs, PE27 4V	VY PARTNERS	
	Email: enquiries@planningandarchitecture.co.uk Web: www.planningandarchitecture.co.uk PROJECT Proposed Wakeboard Cable and Associated Works		
	Water Activity Lake Ashmore, Hemingford Gre	Centre Gore Tree Road, ey	
	Liquid Skillz DRAWING TITLE Proposed Block Plan		
	DRAWN BY SD DATE 14 09 20	SCALE 1:500 @ A1 DWG. No. DH2018 00 202	REV.
	17.03.20	2012010.03.203	



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Agenda Item 3c

DEVELOPMENT MANAGEMENT COMMITTEE 23rd JANUARY 2022

Case No: 21/02060/FUL

- Proposal: CHANGE OF USE OF GARAGE/ STORES (USE CLASS C3) TO HOLIDAY LETS (USE CLASS C1)
- Location: 18 POST STREET, GODMANCHESTER, HUNTINGDONSHIRE PE29 2BA
- Applicant: MR CHATOUPIS AND MS VANE PERCY
- Grid Ref: 524392 270788

Date of Registration: 8 SEPTEMBER 2021

Parish: GODMANCHESTER

RECOMMENDATION - REFUSE

This application is referred to the Development Management Committee (DMC) because the Officer recommendation is contrary to the Parish Council recommendation.

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

- 1.1 The application site is located within Godmanchester (Post Street) Conservation Area within the curtilage of the Grade II Listed Island Hall.
- 1.2 The application site is a building comprising a pitched roofed garage and a flat roofed store building abutting the front and southern flank boundaries of the site. It comprises three garages of differing sizes and the store on the western end of the building. The three storey dwelling on the site is Grade II listed and is set back in the plot with a large, gravelled parking and turning area to the front of it. The plot extends to the rear down to the River Great Ouse.
- 1.3 The surrounding area comprises detached and terraced dwellings, predominantly abutting the back edge of the pavement. A public car park is located a short distance to the south of the site.

Proposal

- 1.4 The application seeks planning permission for the change of use of the garages and store to 2 holiday lets (use class C1). The works would involve the insertion of full height glazed panels and doors in place of the existing garage and store doors and openings. The doors would only be located in the central opening in the garages and in the opening to the store; the remaining openings would comprise full height fixed glazed panels. The works would also involve the insertion of six rooflights in the rear roofslope of the building. Internally, the proposal would involve the provision of two en-suite bathrooms in the central element of the garages and the raising of the floor level by 150mm. The proposal would include parking within the red line.
- 1.5 There is an associated listed building consent 21/02573/LBC.
- 1.6 The adjacent building was granted planning permission to change to holiday let accommodation under 20/00645/FUL. However, the external and internal works to accommodate the use were granted under 84/00485/FUL.
- 1.7 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.
- 1.8 The application is supported by the following documents;
 - Design, Access and Heritage Statement
 - Flood Risk Assessment
 - Flood Map
 - Flood Resilience Sheet
 - Proposed drawings

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (20th July 2021) (NPPF 2021) sets out the three objectives economic, social and environmental of the planning system to contribute to the achievement of sustainable development. The NPPF 2021 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).
- 2.2 The NPPF 2021 sets out the Government's planning policies for (amongst other things):
 - delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - achieving well-designed, beautiful and safe places;
 - conserving and enhancing the natural, built and historic environment

2.3 Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website <u>National Guidance</u>

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
 - LP1: Amount of Development
 - LP2: Strategy for Development
 - LP4: Contributing to Infrastructure Delivery
 - LP5: Flood Risk
 - LP7: Spatial Planning Areas
 - LP11: Design Context
 - LP12: Design Implementation
 - LP14: Amenity
 - LP15: Surface Water
 - LP16: Sustainable Travel
 - LP17: Parking Provision and vehicle movement
 - LP25: Accessible and adaptable homes
 - LP30: Biodiversity and Geodiversity
 - LP31: Trees, Woodland Hedges and Hedgerows
 - LP34: Heritage Assets and their Settings
- 3.2 Supplementary Planning Documents (SPD) and Guidance:
 - Huntingdonshire Design Guide Supplementary Planning Document (2017):
 - Developer Contributions SPD (2011)
 - Huntingdonshire Landscape and Townscape Assessment (2007)
 - Cambridgeshire Flood and Water SPD 2017
 - Huntingdonshire Tree Guidance Note 3
 - Annual Monitoring Report Part 1 (Housing) 2019/2019 (October 2019)
 - Annual Monitoring Report Part 2 (Non- Housing) 2018/2019 (December 2019)
 - RECAP CCC Waste Management Design Guide (CCC SPD) 2012
 - Godmanchester (Post Street) Conservation Area Character Assessment (October 2002)
- 3.3 The National Design Guide (2021)

* C1 - Understand and relate well to the site, its local and wider context

- * I1 Respond to existing local character and identity
- * I2 Well-designed, high quality and attractive

* B2 - Appropriate building types and forms

*M3 - Well-considered parking, servicing and utilities infrastructure for all users

* H1 - Healthy, comfortable and safe internal and external environment

For full details visit the government website Local policies

4. PLANNING HISTORY

- 4.1 84/00426/LBC Part demolition and alterations to the cottage and outbuildings Granted 8 February 1985
- 4.2 84/00485/FUL Alterations and conversion of the garage and outbuilding to tearoom Approved 13 September 1984
- 4.3 20/00645/FUL Change of use of from Tea Room (Use Class A3) at Island Hall to holiday let accommodation Approved 26 August 2020
- 4.4 20/00646/LBC Internal alterations and insertion of rooflights and escape window Approved 26 August 2020
- 4.5 21/02573/LBC Change of use of the garage and store to holiday lets Concurrent application

5. CONSULTATIONS

- 5.1 Godmanchester Town Council Approval.
- 5.2 Local Highway Authority Supports. The size of the holiday lets indicates that it's likely that they would only have one vehicle associated with each let. The additional vehicle movements would therefore be negligible. Also, the application form states that there are 8 parking spaces within the property so there should be no impact on the local on-street parking or the adjacent public car park. Therefore, no objections.
- 5.4 Conservation Officer Object.

Removal of both pairs of double doors and infilling all the apertures with glazing would remove much of the special interest for which the building was listed. There would also be harm to the grouping and therefore to the significance of Island Hall. It is likely there would be harm to the remaining features within the interior of the building but the level of harm cannot be determined due to lack of information on proposed internal alterations. The proposed changes to elevations and the rooflights would have an adverse impact on the character and appearance of the conservation area mitigated to a degree by the building's secluded location.

Under the Planning (LBs and CAs) Act 1990, the proposed scheme would fail to preserve the special interest of the Coach House (Grade II listed); the proposal would fail to preserve the setting of Island Hall (Grade II* listed) and would fail to preserve the character and appearance of the Godmanchester (Post Street) Conservation Area. The applications do not conform to the

policies of the NPPF or the Local Plan. The applications should be refused consent and permission.

- 5.5 Environment Agency No comment
- 5.6 Emergency Planner Advisor (Received 5 October 2021)– As the proposed development lies within flood zone 2 and 3, I would need to see a full flood risk assessment (FRA) for the development which would need to include how non- residents who would be occupying the development would be informed of any potential flooding incident. The flood resilience details provide no information on any flood defence measures proposed for the development such as non- return valves on sewers, flood defences for openings such as doors and air vents, this information should also be incorporated into the FRA.
- 5.7 Historic England No comment.

6. **REPRESENTATIONS**

6.1 The application was advertised by means of a site notice and a press notice. 3 neighbouring properties were notified. No comments have been received.

7. ASSESSMENT

- 7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.
- 7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".
- 7.3 In Huntingdonshire the Development Plan consists of:
 - Huntingdonshire's Local Plan to 2036 (2019)
 - Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
 - Godmanchester Neighbourhood Plan (2017)
- 7.4 The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land:

Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

- 7.5 The main issues to consider as part of this application are:
 - Principle of Development
 - Design, Visual Amenity and impact on Heritage Assets
 - Residential Amenity
 - Parking Provision and Highway safety
 - Flood Risk
 - Biodiversity
 - Planning Obligations
 - Other Matters

Principle of Development

- 7.6 The site is within the built-up area of Godmanchester, part of the Huntingdon Spatial Planning Area in LP7 of Huntingdonshire's Local Plan to 2036, with good access to a range of sustainable travel modes. The site is in a sustainable location with good access to the nearby services including shops, bus route, a primary school, a doctors and nearby public parking.
- 7.7 The application seeks planning permission for the creation of 2 holiday let units (use class C1). The C1 use class covers hotels, guest houses and boarding houses. There isn't a set policy for a C1 use within a built up area either within the Local Plan or within the Godmanchester Neighbourhood Plan. Therefore, given the sustainable location of the proposal, officers consider the principle of development to be considered acceptable subject to the below considerations.

Design, Visual Amenity and impact on Heritage Assets

- 7.8 The proposal falls within Godmanchester (Post Street) Conservation Area and is also sited within the curtilage of the Grade II Listed Island Hall.
- 7.9 Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 7.10 Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.11 The respective national policy guidance is set out in paragraphs 199-208 of the NPPF. Para. 199 of the NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, "great weight" should be given to the asset's conservation (meaning the more important the asset, the greater the weight should be). Para. 200 makes it clear that any harm to, or loss of significance of a heritage asset should require clear and convincing justification. Para. 202 of the NPPF states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal, including its optimum viable use. Para. 206 makes it clear that local planning authorities need to look for opportunities for new development within Conservation Areas, World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals which make a positive contribution to the asset or better reveals its significance should be treated favourably.
- 7.12 Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.13 Policy LP11 of the Local Plan states that proposals will be supported where it is demonstrated that they positively respond to their context and draw inspiration from the key characteristics of their surroundings, including the natural, historic and built environment.
- 7.14 Policy LP12 of the Local Plan states that proposals will be supported where they contribute positively to the area's character and identity and where they successfully integrate with adjoining buildings, topography and landscape.
- 7.15 The proposal includes external alterations to the front elevation such as the removal of the coach doors and the replacement of the coach door and infill of other openings with double glazed doors. A line of six roof lights are proposed on the rear roof slope.
- 7.16 The Conservation Team have objected to the application on the grounds of the removal of both pairs of double doors would be the loss of a key element of special interest for a coach house. The proposal would also fail to preserve the character and appearance of the Conservation Area through the proposed domestic appearance of an ancillary building, due to the proposed works and glazing, having a particular function linked to an important building within the streetscape. It is considered that the harm is likely to be less than substantial because it is screened to a degree by the front wall of Island Hall.
- 7.17 The proposed removal of both pairs of double doors, and the infilling of the openings with glazed doors and the insertion of the rooflights on the rear roofslope would remove much of the special

interest of the building. The proposal would therefore adversely affect the character and special interest of the Coach House Grade II Listed Building, and harm the character and appearance of the Godmanchester (Post Street) Conservation Area. The level of harm would be less than substantial. The public benefits arising from the scheme, which would include investment in the repair of the building and in helping to secure future use for the building, do not outweigh the level of harm to the heritage assets identified. The proposal is therefore contrary Policies LP11, LP12 and LP34 parts) f, g, h, i and j of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD (2017), the National Design Guide and the NPPF (2021) in this regard paragraphs 199, 202 and 203 of the NPPF 2021.

- 7.18 It is unclear what internal alterations will need to be undertaken due to a lack of detailing in the application or whether conversion is possible.
- 7.19 Insufficient information has been submitted with the application to demonstrate that the building is capable of being converted without the need for structural works or significant internal works. It is not clear therefore whether the building can accommodate the proposals without any structural works, and depending upon how extensive these may be, whether they would be tantamount to rebuilding. The proposed development is therefore contrary to Policy LP34 of the Huntingdonshire Local Plan to 2036.

Residential Amenity

- 7.20 Policy LP14 states that a proposal will be supported where a high standard of amenity is maintained for all occupiers of neighbouring land and buildings.
- 7.21 Due to the scale and siting of the proposed development, the proposal is not considered to have an adverse impact upon residential amenity in accordance with Policy LP14 of the Huntingdonshire Local Plan to 2036. Parking is addressed in the below section.

Parking Provision and Highway Safety

Parking

- 7.22 Policy LP17 states that a proposal will be supported where it incorporates adequate parking for vehicles and cycles.
- 7.23 The submitted drawings and documents do not identify parking for the proposed holiday lets. The application form states there is 8 car parking spaces on the site. The adjacent approved Holiday Let under reference 20/00645/FUL allocated a parking space within the 8. To the south of the site there is a public car park, Post Street Car Park and there is also unrestricted on street car parking in the

immediate vicinity of the site. The Local Highway Authority has not raised any concerns about the impact of parking upon highway safety. Officers therefore consider that the parking for the proposal can either be accommodated within the site or within the local vicinity without increasing parking pressures on nearby streets to an unacceptable degree and would not be detrimental to the amenity of nearby residents. The proposal would be in accordance with Policy LP17 of the Huntingdonshire Local Plan to 2036

Highway Safety

- 7.24 The proposal would use the existing access arrangements for the site. The Local Highway Authority have been consulted as part of the application and raise no objection the proposal as the generated vehicle movements for the proposed development would be negligible.
- 7.25 Taking the above into account, the proposed development is considered to provide satisfactory parking and access and would comply with Policy LP17 of the Huntingdonshire Local Plan to 2036.

Flood Risk

- 7.26 The application site is within Flood Zone 2 and is therefore liable to flooding. The proposed development is considered 'minor development' and therefore is not subject to the Sequential or Exception Tests as detailed in the NPPF.
- 7.27 In accordance with Paragraph 164 of the National Planning Policy Framework, applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for sitespecific flood risk assessments set out in footnote 50 of the NPPF. This states a site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3.
- 7.28 The application should however meet the requirements for site specific flood risk assessments. The site is located in Flood Zone 2. The Design, Access and Heritage Statement and the Flood Risk Assessment submitted with the application states that with the proposed raising of the floor by 150mm and the submitted flood resilience measures, it is not considered that any flooding of the garages or area of the site in the vicinity would occur in a 1 in 100 year plus climate change event. The Householder and Other Minor Extensions in Flood Zones 2 and 3 sheet submitted with the application indicates the floor levels within the proposed development will be set no lower than the existing levels and flood proofing of the proposed development will be incorporated where appropriate.

- 7.29 The applicant has submitted a Flood Risk Assessment that outlines the details of the flood resilience for the proposed development. This includes:
 - All electrical sockets will be located at least 600mm above floor level;
 - Either a waterproof render/plaster or a sacrificial section of plasterboard will be used for at least 600mm above floor level to minimize reconstruction costs in the event that water does enter the ground floor of the building during any flood event;
 - All ground floor walls will be constructed using materials which keep their shape in the event of a flood;
 - The use of the building will be restricted to holiday short let only and will not be for permanent residence;
 - A Flood Warning and Evacuation Plan will be implemented to ensure that occupants are not present in the holiday accommodation should a flood occur;
- 7.30 If the application were to be recommended for approval, the inclusion of a condition regarding the floor proofing/resilience and resistance measures alongside the inclusion of a condition for A Flood Warning and Evacuation Plan would have been recommended.
- 7.31 Subject to the above conditions, the proposed development would be in compliance with Policy LP5 of Huntingdonshire's Local Plan to 2036, Policy GMC16 of the Godmanchester Neighbourhood Plan 2017 – 2036, the Cambridgeshire Flood and Water Supplementary Planning Document (2017) and the National Planning Policy Framework (2021).

Biodiversity

- 7.32 Policy LP30 of Huntingdonshire's Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated. Policy LP30 also requires development proposals to ensure no net loss in biodiversity and provide a net gain in biodiversity where possible.
- 7.33 The garages and store building the subject of this application are historic and there is at least one opening where bats could access the building. It is therefore considered a possibility that bats could be present in the buildings.
- 7.34 Insufficient information has been submitted with the application to demonstrate that the proposal would not result in harm to protected species or wildlife. The proposal is therefore contrary to policy LP30 of the Huntingdonshire's Local Plan to 2036, The Wildlife and Countryside Act (1981), the Habitats and Protected Species Regulations (2017) and the National Planning Policy Framework (2021).

Planning Obligations

7.35 Part H of the Developer Contributions Supplementary Planning Document (2011) and Policy LP4 of the Local Plan to 2036 require adequate provision to be made for refuse bins for new development. A Unilateral Undertaking securing funding for the provision of wheeled bins to serve the development was not submitted with the application. The proposal therefore fails to meet the requirements of Policy LP4 of the Local Plan to 2036 and the Developer Contributions SPD (2011).

Other Matters

- 7.36 The associated listed building consent 21/02573/LBC is also recommended for refusal as per refusal reason 1 and 2.
- 7.37 The applicant should note that unauthorised works have been undertaken at the site. Please refer to the Conservation comments on the file for more detail.

Conclusion

- 7.38 Officers have considered the submitted information and have taken into account the potential public benefits of the scheme, but these do not override the fundamental issues with the proposal in respect of the harm to the significant of the heritage assets identified. Officers are also unable to assess whether the building is capable of conversion and unable to determine whether bats are present due to insufficient information with the application.
- 7.39 Having regard to all relevant material considerations, it is concluded that the proposal would not accord with local and national planning policy. Therefore, it is recommended that planning permission be refused.

8. RECOMMENDATION - REFUSAL for the following reasons:

1. The proposed removal of both pairs of double doors, and the infilling of the openings with glazed doors and the insertion of the rooflights on the rear roofslope would remove much of the special interest of the building. The proposal would therefore adversely affect the character and special interest of the Coach House Grade II Listed Building, and harm the character and appearance of the Godmanchester (Post Street) Conservation Area. The level of harm would be less than substantial. The public benefits arising from the scheme, which would include investment in the repair of the building and in helping to secure future use for the building, do not outweigh the level of harm to the heritage assets identified. The proposal is therefore contrary Policies LP11, LP12 and LP34 parts) f, g, h, i and j of Huntingdonshire's Local Plan to 2036, the Huntingdonshire

Design Guide SPD (2017), the National Design Guide and the NPPF (2021) in this regard paragraphs 199, 202 and 203 of the NPPF 2021.

- 2. Insufficient information has been submitted with the application to demonstrate that the building is capable of being converted without the need for structural works or significant internal works. It is not clear therefore whether the building can accommodate the proposals without any structural works, and depending upon how extensive these may be, whether they would be tantamount to rebuilding. The proposed development is therefore contrary to Policy LP34 of the Huntingdonshire Local Plan to 2036.
- 3. Insufficient information has been submitted with the application to demonstrate that the proposal would not result in harm to protected species or wildlife. The proposal is therefore contrary to policy LP30 of the Huntingdonshire's Local Plan to 2036, The Wildlife and Countryside Act (1981), the Habitats and Protected Species Regulations (2017) and the National Planning Policy Framework (2021).
- 4. Part H of the Developer Contributions Supplementary Planning Document (2011) and Policy LP4 of the Local Plan to 2036 require adequate provision to be made for refuse bins for new development. A Unilateral Undertaking securing funding for the provision of wheeled bins to serve the development was not submitted with the application. The proposal therefore fails to meet the requirements of Policy LP4 of the Local Plan to 2036 and the Developer Contributions SPD (2011).

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs

CONTACT OFFICER:

Enquiries about this report to Lewis Tomlinson Senior Development Management Officer – <u>lewis.tomlinson@huntingdonshire.gov.uk</u>

From:	Deputy Clerk <deputy.clerk@gmccouncil.com></deputy.clerk@gmccouncil.com>
Sent:	22 October 2021 09:49
То:	Control, Development (Planning)
Cc:	Town Clerk
Subject:	Planning Decision

Good morning,

Please see below responses to planning applications for Godmanchester.

Planning Application	21/02060/FUL
Location	18 Post Street Godmanchester Huntingdon
Work requested	Change of use from existing garages/stores (C3) to Holiday lets (C1) $% \left(1,1,2,2,3,3,3,3,3,3,3,3,3,3,3,3,3,3,3,3,$

Recommendation: Approval.

Planning Application	21/02132/HHFUL
Location	28 Silver Street Godmanchester Huntingdon
Work requested	First floor side extension

Recommendation: Refuse. Overdevelopment of plot. Balcony front and back not in keeping with street scene.

Planning Application	16/00906/FUL
	Land at Former Site Of Huntingdon Marine And Leisure Ltd Bridge Place
	Godmanchester
Work requested	Proposed demolition of existing building and erection of a mixed-use
	development (C3 and A3/A4) comprising 16 dwellings, café and moorings

Recommendation: Approval.

With the caveat that the items listed by GMCTC on the previous application have been adopted

Planning Application	21/02087/HHFUL
Location	2 Linden Grove Godmanchester Huntingdon
Work requested	Proposal: Rear single storey extension

Recommendation: Approval.

Planning Application	21/02121/CLED
Location	Lower Debden Farm Silver Street Godmanchester
Work requested	Change of use (and associated building works) to convert a range of
	underused agricultural barns into two dwellinghouses with associated
	access, parking / garaging and amenity space (Use Class C3).

Recommendation: Approval.

Planning Application	21/02055/FUL
Location	12 Post Street Godmanchester PE29 2BA
Work requested	Like for like replacement of 2no. bay window joinery including windows and
	cornice and like for like replacement of principal entrance door.

Recommendation: Approve.

Kind regards

Clair Whitlock | Deputy Town Clerk Godmanchester Town Council |Town Hall | 1 Post Street | Godmanchester | PE29 2NB deputy.clerk@gmccouncil.com

01480 388870

(Please note my days of work are Monday, Wednesday to Friday from 8.30am - 3.00pm)

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Page 8² of 120

Development Management Committee

Scale = 1:2,500 Date Created: 07/11/2022 Application Ref:21/02060/FUL and 21/02573/LBC

Location:Godmanchester

Huntingdonshire

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DETAILING BY JPT **DESIGN**

WWW.JPTDESIGN.CO.UK

Notes :

1. All dimensions in millimetres unless otherwise stated.

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JPT DESIGN RESIDENTIAL PLANNING & DEVELOPMENT ENGINEERING THE STUDIO, 23 HALIFAX ROAD, UPPER CAMBOURNE CB23 6AX WWW.JPTDESIGN.CO.UK	
Drawing Title - GARAGE PLANS, ELEVATIONS AND SITE PLAN	
Client - MR CHATOLIDIS & MS VANE DERCY	
Addresse ISLAND HALL 19 DOST STREET CODMANCHESTER	
Address - ISLAND HALL, 18 FOST STREET, GODMANCHESTER	
Scale - AS SHOWN @ A1 Date - JUL 21	
Dwg. No JPT/IHLL/0721/001 Rev. A	

Agenda Item 3d

DEVELOPMENT MANAGEMENT COMMITTEE 23rd JANUARY 2022

- Case No: 21/02573/LBC
- Proposal: CHANGE OF USE OF GARAGE/ STORES (USE CLASS C3) TO HOLIDAY LETS (USE CLASS C1)
- Location: 18 POST STREET, GODMANCHESTER, HUNTINGDONSHIRE PE29 2BA
- Applicant: MR CHATOUPIS AND MS VANE PERCY
- Grid Ref: 524392 270788

Date of Registration: 8 SEPTEMBER 2021

Parish: GODMANCHESTER

RECOMMENDATION - REFUSE

This application is referred by Officers to the Development Management Committee (DMC) because the Officer recommendation is contrary to the Parish Council recommendation on the corresponding planning application 21/02060/FUL.

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

- 1.1 The application site is located within Godmanchester (Post Street) Conservation Area within the curtilage of the Grade II Listed Island Hall.
- 1.2 The application site is a building comprising a pitched roofed garage and a flat roofed store building abutting the front and southern flank boundaries of the site. It comprises three garages of differing sizes and the store on the western end of the building. The three storey dwelling on the site is Grade II listed and is set back in the plot with a large, gravelled parking and turning area to the front of it. The plot extends to the rear down to the River Great Ouse.
- 1.3 The surrounding area comprises detached and terraced dwellings, predominantly abutting the back edge of the pavement. A public car park is located a short distance to the south of the site.

Proposal

- 1.4 The application seeks listed building consent for the change of use of the garages and store to 2 holiday lets (use class C1). The works would involve the insertion of full height glazed panels and doors in place of the existing garage and store doors and openings. The doors would only be located in the central opening in the garages and in the opening to the store; the remaining openings would comprise full height fixed glazed panels. The works would also involve the insertion of six rooflights in the rear roofslope of the building. Internally, the proposal would involve the provision of two en-suite bathrooms in the central element of the garages and the raising of the floor level by 150mm. The proposal would include parking within the red line.
- 1.5 There is an associated planning application 21/02060/FUL.
- 1.6 The adjacent building was granted planning permission to change to holiday let accommodation under 20/00645/FUL. However, the external and internal works to accommodate the use were granted under 84/00485/FUL.
- 1.7 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.
- 1.8 The application is supported by the following documents;
 - Design, Access and Heritage Statement
 - Flood Risk Assessment
 - Flood Map
 - Flood Resilience Sheet
 - Proposed drawings

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (20th July 2021) (NPPF 2021) sets out the three objectives economic, social and environmental of the planning system to contribute to the achievement of sustainable development. The NPPF 2021 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).
- 2.2 The NPPF 2021 sets out the Government's planning policies for (amongst other things):
 - delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - achieving well-designed, beautiful and safe places;
 - conserving and enhancing the natural, built and historic environment

2.3 Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website <u>National Guidance</u>

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
 - LP1: Amount of Development
 - LP2: Strategy for Development
 - LP11: Design Context
 - LP12: Design Implementation
 - LP34: Heritage Assets and their Settings
- 3.2 Supplementary Planning Documents (SPD) and Guidance:
 - Godmanchester (Post Street) Conservation Area Character Assessment (October 2002)
- 3.3 The National Design Guide (2021)

* C1 - Understand and relate well to the site, its local and wider context

- * I1 Respond to existing local character and identity
- * I2 Well-designed, high quality and attractive
- * B2 Appropriate building types and forms

*M3 - Well-considered parking, servicing and utilities infrastructure for all users

* H1 - Healthy, comfortable and safe internal and external environment

For full details visit the government website Local policies

4. PLANNING HISTORY

- 4.1 84/00426/LBC Part demolition and alterations to the cottage and outbuildings Granted 8 February 1985
- 4.2 84/00485/FUL Alterations and conversion of the garage and outbuilding to tearoom Approved 13 September 1984
- 4.3 20/00645/FUL Change of use of from Tea Room (Use Class A3) at Island Hall to holiday let accommodation Approved 26 August 2020
- 4.4 20/00646/LBC Internal alterations and insertion of rooflights and escape window Approved 26 August 2020
- 4.5 21/02573/LBC Change of use of the garage and store to holiday lets Concurrent application

5. CONSULTATIONS

- 5.1 Godmanchester Town Council Approval.
- 5.2 Conservation Officer Object.

Removal of both pairs of double doors and infilling all the apertures with glazing would remove much of the special interest for which the building was listed. There would also be harm to the grouping and therefore to the significance of Island Hall. It is likely there would be harm to the remaining features within the interior of the building but the level of harm cannot be determined due to lack of information on proposed internal alterations. The proposed changes to elevations and the rooflights would have an adverse impact on the character and appearance of the conservation area mitigated to a degree by the building's secluded location.

Under the Planning (LBs and CAs) Act 1990, the proposed scheme would fail to preserve the special interest of the Coach House (Grade II listed); the proposal would fail to preserve the setting of Island Hall (Grade II* listed) and would fail to preserve the character and appearance of the Godmanchester (Post Street) Conservation Area. The applications do not conform to the policies of the NPPF or the Local Plan. The applications should be refused consent and permission.

5.3 Historic England – No comment.

6. **REPRESENTATIONS**

6.1 The application was advertised by means of a site notice and a press notice. 3 neighbouring properties were notified. No comments have been received.

7. ASSESSMENT

- 7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.
- 7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

- 7.3 In Huntingdonshire the Development Plan consists of:
 - Huntingdonshire's Local Plan to 2036 (2019)
 - Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
 - Godmanchester Neighbourhood Plan (2017)
- 7.4 The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.
- 7.5 The main issues to consider as part of this application are:
 - Impact on Heritage Assets

Impact on Heritage Assets

- 7.6 The proposal falls within Godmanchester (Post Street) Conservation Area and is also sited within the curtilage of the Grade II Listed Island Hall.
- 7.7 Section 16(2) of the Planning (LBCA) Act 1990 (as amended) requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.8 Section 72 of the Planning (LBCA) Act 1990 (as amended) states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 7.9 Para. 199 of the NPPF set out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Para. 200 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...'. Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 7.10 The respective national policy guidance is set out in paragraphs 199-208 of the NPPF. Para. 199 of the NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, "great weight" should be given to the

asset's conservation (meaning the more important the asset, the greater the weight should be). Para. 200 makes it clear that any harm to, or loss of significance of a heritage asset should require clear and convincing justification. Para. 202 of the NPPF states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal, including its optimum viable use. Para. 206 makes it clear that local planning authorities need to look for opportunities for new development within Conservation Areas, World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals which make a positive contribution to the asset or better reveals its significance should be treated favourably.

- 7.11 Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.12 The proposal includes external alterations to the front elevation such as the removal of the coach doors and the replacement of the coach door and infill of other openings with double glazed doors. A line of six roof lights are proposed on the rear roof slope.
- 7.13 The Conservation Team have objected to the application on the grounds of the removal of both pairs of double doors would be the loss of a key element of special interest for a coach house. The proposal would also fail to preserve the character and appearance of the Conservation Area through the proposed domestic appearance of an ancillary building, due to the proposed works and glazing, having a particular function linked to an important building within the streetscape. It is considered that the harm is likely to be less than substantial because it is screened to a degree by the front wall of Island Hall.
- 7.14 The proposed removal of both pairs of double doors, and the infilling of the openings with glazed doors and the insertion of the rooflights on the rear roofslope would remove much of the special interest of the building. The proposal would therefore adversely affect the character and special interest of the Coach House Grade II Listed Building, and harm the character and appearance of the Godmanchester (Post Street) Conservation Area. The level of harm would be less than substantial. The public benefits arising from the scheme, which would include investment in the repair of the building and in helping to secure future use for the building, do not outweigh the level of harm to the heritage assets identified. The proposal is therefore contrary Policies LP11, LP12 and LP34 parts) f, g, h, i and j of Huntingdonshire's Local Plan to 2036, and the NPPF (2021) in this regard paragraphs 199, 202 and 203 of the NPPF 2021.

- 7.15 It is unclear what internal alterations will need to be undertaken due to a lack of detailing in the application or whether conversion is possible.
- 7.16 Insufficient information has been submitted with the application to demonstrate that the building is capable of being converted without the need for structural works or significant internal works. It is not clear therefore whether the building can accommodate the proposals without any structural works, and depending upon how extensive these may be, whether they would be tantamount to rebuilding. The proposed development is therefore contrary to Policy LP34 of the Huntingdonshire Local Plan to 2036.

Other Matters

- 7.17 The associated planning application 21/02060/FUL is also recommended for refusal as per refusal reason 1 and 2.
- 7.18 The applicant should note that unauthorised works have been undertaken at the site. Please refer to the Conservation comments on the file for more detail.

Conclusion

- 7.19 Officers have considered the submitted information and have taken into account the potential public benefits of the scheme, but these do not override the fundamental issues with the proposal in respect of the harm to the significant of the heritage assets identified. Officers are also unable to assess whether the building is capable of conversion.
- 7.20 Having regard to all relevant material considerations, it is concluded that the proposal would not accord with local and national planning policy. Therefore, it is recommended that Listed Building Consent be refused.

8. RECOMMENDATION - REFUSAL for the following reasons:

1. The proposed removal of both pairs of double doors, and the infilling of the openings with glazed doors and the insertion of the rooflights on the rear roofslope would remove much of the special interest of the building. The proposal would therefore adversely affect the character and special interest of the Coach House Grade II Listed Building, and harm the character and appearance of the Godmanchester (Post Street) Conservation Area. The level of harm would be less than substantial. The public benefits arising from the scheme, which would include investment in the repair of the building and in helping to secure future use for the building, do not outweigh the level of harm to the heritage assets identified. The proposal is therefore contrary Policies LP11, LP12 and LP34 parts) f, g, h, i and j of

Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD (2017), the National Design Guide and the NPPF (2021) in this regard paragraphs 199, 202 and 203 of the NPPF 2021.

2. Insufficient information has been submitted with the application to demonstrate that the building is capable of being converted without the need for structural works or significant internal works. It is not clear therefore whether the building can accommodate the proposals without any structural works, and depending upon how extensive these may be, whether they would be tantamount to rebuilding. The proposed development is therefore contrary to Policy LP34 of the Huntingdonshire Local Plan to 2036.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs

CONTACT OFFICER:

Enquiries about this report to **Lewis Tomlinson Senior Development** Management Officer – <u>lewis.tomlinson@huntingdonshire.gov.uk</u>

From:	Deputy Clerk <deputy.clerk@gmccouncil.com></deputy.clerk@gmccouncil.com>
Sent:	19 November 2021 10:58
То:	Control, Development (Planning)
Cc:	Town Clerk
Subject:	Planning Decisions - Godmanchester Town Council

Good morning,

Please see below responses to planning applications for Godmanchester;

Planning Application Location Work requested	21/02098/LBC 12 Post Street Godmanchester PE29 2BA Application to regularise existing outbuilding associated with Grade II Listed
Recommendation:	Approval
Planning Application Location Work requested Recommendation:	21/00898/FUL Sports Pavilion Bearscroft Lane Godmanchester Remove 6 trees in Bearscroft Lane and install 3no. 20 meter layby's Reject. We feel the loss of six trees does not justify the provision of extra space for parking provision for six vehicles and suggest other ways of making extra parking provision be considered.
Planning Application Location Work requested Recommendation:	21/02353/HHFUL The Gnome Home 43A West Street Godmanchester Demolition of existing annex and garage and erection of new garage. Approval
Planning Application Location Work requested Recommendation:	21/02330/HHFUL 11 Tudor Road, Godmanchester Demolition of existing garage and building new two storey side extension and front porch. Approval
Planning Application Location Work requested	21/02573/LBC 18 Post Street Godmanchester Huntingdon Change of use from existing garages/stores (C3) to Holiday lets (C1)
Recommendation:	Approval

Page 91^{1} of 120

Kind regards

Clair Whitlock | Deputy Town Clerk Godmanchester Town Council |Town Hall | 1 Post Street | Godmanchester | PE29 2NB deputy.clerk@gmccouncil.com 01480 388870 (Please note my days of work are Monday, Wednesday to Friday from 8.30am – 3.00pm)

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Development Management Committee

Scale = 1:2,500 Date Created: 07/11/2022 Application Ref:21/02060/FUL and 21/02573/LBC

Location:Godmanchester

Huntingdonshire

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Notes :

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Drawing Title - GARAGE PLANS, ELEVATIONS AND SITE PLAN	
Client - MR CHATOLIDIS & MS VANE DERCY	
Addresse ISLAND HALL 19 DOST STREET CODMANCHESTER	
Address - ISLAND HALL, 18 FOST STREET, GODMANCHESTER	
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DEVELOPMENT MANAGEMENT COMMITTEE 23rd JANUARY 2023

Case No: 22/00747/FUL (FULL PLANNING APPLICATION)

- Proposal: PUBLIC REALM IMPROVEMENTS TO EXISTING PARK, INCLUDING RESURFACING OF EXISTING PATHS, FOOTPATH WIDENING, CREATION OF NEW SHARED CYCLEWAY/FOOTPATH, WORKS TO EXISTING BRIDGES INCLUDING REPLACEMENT BRIDGE AND ADDITION OF NEW BRIDGE, INSTALLATION OF NEW AND RELOCATED STREET FURNITURE, LANDSCAPING AND OTHER ASSOCIATED WORKS.
- Location: RIVERSIDE PARK ST NEOTS ROAD EATON FORD PE19 7AB

Applicant: HUNTINGDONSHIRE DISTRICT COUNCIL

Grid Ref: 518079 260112

Date of Registration: 25.04.2022

Parish: ST NEOTS

RECOMMENDATION - **APPROVE** - subject to completion of a public 21 day consultation (if a material consideration is raised within this consultation period officers will consult with chair and vice chair before any formal decision is issued)

This application is referred to the Development Management Committee (DMC) as the application is for the Council's own development.

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The application site comprises the Riverside Park in St Neots, an area of 29 acres on the western side of the River Great Ouse, to the north and south of the St Neots Road bridge. The park is sited entirely within the built up area of St Neots and is within the St Neots Conservation Area. It is in Flood Zone 3. The site lies within a Green Infrastructure Area.
- 1.2 Planning permission is sought for public realm improvements to the St Neots Regatta Meadow Riverside Park. The works would comprise of the following;
 - * the installation of safety bollards
 - * new and relocated litter and dog litter bins

* new and relocated benches, including new asphalt pads for them to be sited on

* an extended swale area to accommodate a loss of floodplain from no dig construction paths

* installation of new shared footpath/ cycleway

- * footpath widening to create a shared footpath/ cycleway
- * resurfacing of footpaths
- * the installation of tactile paving
- * works to roots and canopies of trees

* works to existing bridges including replacement bridge and addition of new bridge

- 1.3 The applicant is Huntingdonshire District Council. The aim of the application is to improve the accessibility and quality of the existing green infrastructure of St Neots Regatta Meadow Riverside Park.
- 1.4 Following a review of the submitted drawings and plans, the description has been amended to include the addition of the new bridge adjacent to the existing bridge. A 21 day public consultation is currently being carried to allow comments on this. Officers consider this to be a minor change in the description as the plans do show the new bridge. Notwithstanding the resolution of Planning committee, if a material consideration is raised from the 21 day public consultation, Chair and Vice Chair will be consulted.
- 1.5 The application is supported by the following documents;
 - * Concept Masterplan
 - * Flood Risk Assessment
 - * Preliminary Ecological Appraisal
 - * Tree Survey and Constraints Plan
 - * Bridges Layout
 - * Typical Details Including No Dig Construction
 - * Updated Flood Risk Assessment
 - * Sustainable Drainage Statement

2. NATIONAL GUIDANCE

2.1 The National Planning Policy Framework (20 July 2021) (NPPF 2021) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development - see paragraph 8. Paragraph 9 explains that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in the NPPF. It explains that they are not criteria against which every decision can or should be judged. Decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. Paragraph 10 of the NPPF states: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development'. That presumption in favour of sustainable

development is contained in paragraph 11 of the NPPF. As was explained by the Court of Appeal in Barwood Strategic Land LLP v East Staffordshire Borough Council and SSCLG [2017] EWCA Civ 893 (when considering an earlier version of the NPPF), paragraph 14 (which has now been replaced by paragraph 11) sets out in clear and complete terms, the circumstances and way in which the presumption is intended to operate and that there is no other presumption in favour of sustainable development in the NPPF. As Lord Justice Lindblom explained at paragraph 35(3):

"When the section 38(6) duty is lawfully performed, a development which does not earn the "presumption in favour of sustainable development" - and does not, therefore, have the benefit of the "tilted balance" in its favour - may still merit the grant of planning permission. On the other hand, a development which does have the benefit of the "tilted balance" may still be found unacceptable and planning permission for it refused [...]. This is the territory of planning judgment, where the court will not go except to apply the relevant principles of public law [...]".

- 2.2 The NPPF 2021 sets out the Government's planning policies for (amongst other things):
 - delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - achieving well-designed, beautiful and safe places;
 - conserving and enhancing the natural, built and historic environment
- 2.3 The National Design Guide 2021
 - C1 Understand and relate well to the site, its local and wider context
 - C2 Value heritage, local history and culture
 - I1 Respond to existing local character and identity
 - I2 Well-designed, high quality and attractive
 - 13 Create character and identity
 - B2 Appropriate building types and forms
 - M3 Well-considered parking, servicing and utilities infrastructure for all users
 - N3 Support rich and varied biodiversity
 - H1 Healthy, comfortable and safe internal and external environment
 - H2 Well-related to external amenity and public spaces
 - H3 Attention to detail: storage, waste, servicing and utilities
- 2.4 The Planning Practice Guidance is also relevant and is a material consideration.
- 2.5 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty as respects conservation areas in the exercise of planning functions. Paragraph 1 sets out that 'With respect to any buildings or other land in a conservation

area... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

For full details visit the government website National Guidance

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
 - LP1: Amount of Development
 - LP3: Green Infrastructure
 - LP5: Flood Risk
 - LP11: Design Context
 - LP12: Design Implementation
 - LP14: Amenity
 - LP15: Surface Water
 - LP30: Biodiversity and Geodiversity
 - LP31: Trees, Woodland, Hedges and Hedgerows
 - LP34: Heritage Assets and their Settings
- 3.2 Supplementary Planning Guidance
 - Huntingdonshire Design Guide (2017)
 - Cambridgeshire Flood and Water SPD (2017)
 - Huntingdonshire Tree Guidance Note 3
- 3.3 St Neots Neighbourhood Plan 2014- 2029
 - *A2: Landscaping
 - *A3: Design
 - *P1: Green Spaces
 - *P3: The Setting of the River Great Ouse
 - *P4: Flooding

Local For full details visit the government website Local policies

4. PLANNING HISTORY

- 4.1 06/02186/FUL Extension to car park to provide an additional 105 parking spaces and relocation of football pitch Withdrawn 26/02/07
- 4.2 07/00680/FUL Alterations including installation of security shutters - Approved 13/04/07
- 4.3 16/01193/FUL Development of non- profit miniature railway Approved 03/011/16
- 4.4 Change of use from sports pavilion to sandwich bar Approved 30/04/19

5. CONSULTATIONS

5.1 Parish Council:

(Received 10/06/22) - Resolved to defer the application to the next meeting of the Planning Committee for further consideration.

(Received 28/09/22) – The Council welcomes the application which will enhance the riverside in St Neots and provide a more accessible multi- use pathways for all residents. The application was also considered to be within permitted development.

5.2 Rights of Way Officer:

(Received 17/06/22) - The Definitive Map team are unable to locate any reference to the Public Rights of Way on the submission plans, including the Concept Masterplans. We request therefore that the relevant plans should be amended to highlight the interaction between the Public Rights of Way and the proposals. This will enable the Definitive Map team to fully consider the proposals. For this reason, the Definitive Map team object to the application.

(Received 08/12/22) without these plans to show the interface with the existing public rights of way, we are unable to give any detailed and considered response to the direct impact of proposals upon existing public rights of way. Nevertheless I can advise you of the informative, and draw particular attention to those regarding change of surface, and obstruction.

- Public Footpaths No. 29 and No. 30 St Neots must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).
- The Public Footpaths Nos. 29 and 30 St Neots must not be used to access the development site unless the applicant is sure they have lawful authority to do so (it is an offence under S34 of the Road Traffic Act 1988 to drive on a Public Footpath without lawful authority)
- No alteration to Public Footpath surfaces is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).
- Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).

- The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).
- The applicant will be required to meet the costs of any new or amended signage that may be required as a result of any legal changes to the Public Rights of Way network.
- Furthermore, the applicant may be required to temporarily close public rights of way whilst construction work is ongoing. Temporary Traffic Regulation Orders (TTROs) are processed by the County Council's Street Works Team and further information regarding this can be found on the County Council's website at https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highway-licences-and-permits/.
- 5.3 Landscape Officer: (Received 09/06/22) No objections.
- 5.4 Environment Agency:

(Received 05/06/2022) - We object to the proposed development as the submitted Flood Risk Assessment (FRA) does not comply with the requirements for site specific flood risk assessments as set out in paragraphs 30 - 32 of the Flood Risk and Coastal Change section of the Planning Practice Guidance. The FRA therefore does not adequately assess the risks posed by the development. In particular, the FRA fails to demonstrate that there will be no increase in flood risk elsewhere as a result of a loss of floodplain at the site.

The Lead Local Flood Authority should be consulted with regard to the proposed works to the existing bridges and replacement bridge, as these are located on ordinary watercourses.

(To the amended FRA; Received 21/11/2022) – We have reviewed the submitted amendments and are able to remove our objection. The submitted information about flood risk demonstrates that the development will comply with the National Planning Policy Framework's policies on flood risk.

- 5.5 Wildlife Trust: No comments received.
- 5.6 Lead Local Flood Authority:

(Received 17/10/2022) – We object as a surface water drainage strategy for the application was not submitted and there is insufficient information for the application to be determined.

(Received 06/01/2023) Following a review of the submitted Sustainable Drainage Statement dated January 2023, we remove our objection. The applicant has demonstrated that the scheme meets the requirements of the National Planning Policy Framework (NPPF) for the scale of the development. In addition, the applicant has confirmed that additional floodplain storage will be provided as part of the scheme which will reduce the impact of any additional impermeable area on surface water runoff.

5.7 Tree Officer – Supports. The proposed replacement paths impact on the Root Protection Area (RPA) of trees to be retained. There is no requirement to fell any trees in order to construct the proposal. Tree works have been identified for Health & Safety reasons, irrespective of development. Whilst limited detail has been provided in the Concept Masterplan regarding no-dig surfacing and new parkland furniture, the application lacks detailed methodology. No Arboricultural Impact Assessment or Tree Protection Plan has been provided. The Tree Officer has been consulted as part of the application and raises no objection as these works subject to conditions regarding Arboricultural Method Statement, Tree Protection Plan and Scheme of Monitoring in order to protect trees and their roots during construction.

6. **REPRESENTATIONS**

- 6.1 The application has been advertised by means of site and press notices, given the application would affect the setting of the Conservation Area. 24 neighbouring properties were also notified of the application by letter.
- 6.2 Comments have been received from one neighbour, objecting on the following grounds:
 - The creation of a 4m wide shared footpath is excessive, especially compared with the narrower shared paths linking Willow Bridge to St Neots meadows.
 - The path is disconnected, being in three separate sections linked by narrower existing paths and bridges. There is no explanation or reason given for the choice of route or how it links to footpaths or cycleways in the surrounding area;
 - The preliminary ecology appraisal is inadequate. Riverside Park has a rich flora and fauna (not just trees). A bat survey should be carried out in advance of any works to trees as bats are certainly present in the Coneygeare area and probably Riverside Park as well.
 - The flood risk assessment is cursory. Although no new floorspace is being created, a broad path is being built that is much wider than existing paths. The FRA states that it will be a permeable surface, but the plans suggest it will mostly be asphalt with only small sections constructed in permeable stone. There is no assessment of how the path might impede the flow of water across the park during a flood event, as sometimes happens.
 - There is no consideration of what measures could be put in place to deter use by motorised forms of transport (e.g. e-

scooters and e-bikes), which are already a hazard to pedestrians on existing paths in the area.

- 6.3 Comments have been received from one neighbour, supporting on the following grounds:
 - Widening of the footpaths re welcomed especially in winter when the existing narrow path makes it difficult for a pushchair/wheelchair to get by without anyone having to step onto the grass.
 - Signage could be important to make people aware of highway safety.
 - Additional light columns would be beneficial.

7. ASSESSMENT

- 7.1 As set out within the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. The Planning and Compulsory Purchase Act 2004 (Section 38(6)) explains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This is reiterated within paragraph 47 of the NPPF (2021). Paragraph 12 of the NPPF states that where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".
- 7.2 In Huntingdonshire the Development Plan consists of:
 - Huntingdonshire's Local Plan to 2036 (2019)
 - Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
 - 21 Neighbourhood Plans
- 7.3 The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 of the NPPF confirms that it is a material consideration and significant weight is given to the NPPF as a matter of planning judgment in determining applications.

- 7.4 The main issues to consider in the determination of this application are:
 - The Principle of the Development
 - Design and Visual Amenity and Impact on the Conservation Area and the Green Infrastructure Priority Area
 - Impact upon Residential Amenity
 - Biodiversity
 - Trees and Landscaping
 - Flood Risk
 - Other matters

The Principle of the Development

- 7.5 Policy LP32 (Protection of Open Spaces) resists the loss of open space and outdoor recreation facilities. Policy LP3 (Green Infrastructure) supports green infrastructure and, where possible, seeks its enhancement, concentrating efforts on protecting, enhancing or creating links within, to and between green infrastructure priority areas. In addition, Policy LP3 seeks to improve the accessibility, naturalness and connectivity of green spaces, assisting in achieving Natural England's Accessible Natural Green Space Standards (ANGSt).
- 7.6 Policy P1 of St Neots Neighbourhood Plan is concerned with green spaces and recognises that Riverside Park is designated as a Local Green Space. The policy states that proposals for sustainable development within the park "will only be permitted where it relates to leisure and recreation. All proposals must demonstrate that they have a genuine need to be located within the Local Green Space and will not adversely affect the tranquillity of the Local Green Space or existing users. All proposals must demonstrate that they are of an appropriate scale, layout and design."
- 7.7 The aim of the proposed works is to improve the accessibility and quality of the existing green infrastructure of St Neots Regatta Meadow Riverside Park. This will enable visitors to further appreciate Riverside Park. Officers consider the proposal to be in accordance with the aims of polices LP3 and LP32 of the of the Huntingdonshire's Local Plan to 2036 and policy P1 of the St Neots Neighbourhood Plan. The principle of development is therefore considered to be acceptable subject to the materials planning considerations discussed below.

Design, Visual Amenity and Impact on the Conservation Area, the

Green Infrastructure Priority Area and Public Right of way

- 7.8 The proposal falls within St Neots Conservation Area.
- 7.9 Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

- 7.10 Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.11 Para. 199 of the NPPF set out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Para. 200 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...'
- 7.12 Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.13 Policy LP11 of the Local Plan states that proposals will be supported where it is demonstrated that they positively respond to their context and draw inspiration from the key characteristics of their surroundings, including the natural, historic and built environment.
- 7.14 Policy LP12 of the Local Plan states that proposals will be supported where they contribute positively to the area's character and identity and where they successfully integrate with adjoining buildings, topography and landscape.
- 7.15 Planning permission is sought for public realm improvements to the St Neots Regatta Meadow Riverside Park. The works would comprise of the following;

* the installation of safety bollards

* new and relocated litter and dog litter bins

* new and relocated benches, including new asphalt pads for them to be sited on

* an extended swale area to accommodate a loss of floodplain from no dig construction paths

- * installation of new shared footpath/ cycleway
- * footpath widening to create a shared footpath/ cycleway
- * resurfacing of footpaths
- * the installation of tactile paving
- * works to roots and canopies of trees

* works to existing bridges including replacement bridge and addition of new bridge

7.16 The existing paths (which are up to 1.5m wide) and some of the pads upon which the benches are located are in a worn and

cracked state of repair. This therefore detract from the overall appearance of the park itself and also the conservation area. Accordingly, the proposed resurfacing works to these elements of the park will have a positive and enhancing visual impact.

- 7.17 A neighbour has objected on the grounds that the creation of a 4m wide shared footpath is excessive, especially compared with the narrower shared paths linking Willow Bridge to St Neots meadows.
- 7.18 The new footpath/ cycleway and the widening of the existing footpath to create a shared footpath/ cycleway would be done with materials which would match those used in the resurfaced footpaths and would be in keeping with the overall appearance of the park. Given the size of the park, it is not considered that the increased amount of footpaths/ cycleways would be harmful to the appearance of the park. While the widened and extended paths would be wide at 4m in width, it is not considered that they would be excessively wide. A two metre width of path for walkers and the same width for cyclists is not considered to be excessive, but would maintain the safety of both the walkers and the cyclists. Moreover, the path would not be 4m in width for its full length. While the varying width of the path would have a certain visual impact, it would not be harmful to the overall appearance of the park, especially as it would represent an improvement over the existing character and appearance of the park. It is considered to be in accordance with the aims of LP16 (sustainable travel).
- 7.19 The other proposed works the installation of safety bollards, the new and relocated litter and dog litter bins, the extended swale area and the installation of tactile paving would have a similarly positive and enhancing impact upon the park.
- 7.20 The proposed changes and enhancements to the park are considered to have a positive impact upon its appearance and will enhance the character and appearance of the St Neots Conservation Area. The proposed development therefore complies with Policies LP11, LP12, LP16 and LP34 of the Local Plan, the Huntingdonshire Design Guide (2017) and the National Planning Policy Framework (2021).

Green Infrastructure Priority Area

7.21 Policy LP3 (Green Infrastructure) of the Local Plan states:
'A proposal will be expected to support green infrastructure and will therefore be supported where it demonstrates that it (amongst other things):
b. protects and where possible enhances existing green infrastructure, concentrating efforts on protecting, enhancing or creating links within, to and between green infrastructure priority areas and the Cambridgeshire Strategic Green Infrastructure Network;

c. is consistent with the objectives of the Cambridgeshire Green Infrastructure Strategy (2011) or successor documents;

d. improves the accessibility, naturalness and connectivity of green spaces, assisting in achieving Natural England's Accessible Natural Green Space Standards (ANGSt); and

f. maintains and where appropriate enhances the rights of way network."

7.22 With regards to these criteria, the proposed development would enhance the existing green infrastructure in the park and it would be consistent with the objectives of the Cambridgeshire Strategic Green Infrastructure Network. These are to reverse the decline in biodiversity; to mitigate and adapt to climate change; to promote sustainable growth and economic development and to support healthy living and well-being. The enhancements to the park would make it more attractive as a facility to visit and use and would therefore support and promote healthy living and well-being. The proposal therefore complies with policy LP3 of the Local Plan.

Public Right of Way

- 7.23 Policy LP16 states Where a proposal would affect an existing public right of way or other formal non-motorised users' route, this route should be protected or enhanced within the proposed development. Where this is not possible it should be diverted to a safe, clear and convenient alternative route. The stopping up of paths/ routes will only be acceptable where all opportunities to provide a safe, clear and convenient alternative have been investigated and proved to be unsuitable.
- 7.24 The Rights of Way Officer has been consulted and raised concern that the submitted plans do not show the existing rights of way. However, they have recommended a number of informatives. Officers consider the proposal would not adversely affect the amenity of the footpath in accordance with policies LP10 part c) and LP16 of the Huntingdonshire's Local Plan to 2036.

Impact upon Residential Amenity

- 7.25 Policy LP14 of the Local Plan states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and is maintained for all users and occupiers of neighbouring land and buildings, regarding light and overshadowing, overbearing appearance, overlooking and loss of privacy and noise. The Design Guide and the National Planning Policy Framework reiterate these criteria.
- 7.26 The nearest residential properties to Riverside Park are on the opposite side of Crosshall Road and The Paddock (both immediately to the west of the park) and on the opposite side of the River Great Ouse. Given the nature of the proposed works enhancing the character and appearance of the park and their

siting in relation to those dwellings, the development would not have a harmful impact upon the amenities of their occupiers in any regard. The proposed development would therefore comply with Policy LP14 of the Local Plan, the Huntingdonshire Design Guide and the NPPF.

Biodiversity

- 7.27 Policy LP30 of the Local Plan advises that all development should provide a net gain in biodiversity where possible, and that this should be appropriate to the scale, type and location of development.
- 7.28 A neighbour has objected on the grounds that the preliminary ecology appraisal is inadequate as it does not consider the rich flora or bats.
- 7.29 The Preliminary Ecological Appraisal submitted with the application is limited in its scope and description of how the proposal would enhance the biodiversity of the park. However, it is considered that the proposed works to the park would have a limited impact upon the biodiversity potential of the park as they would largely be replacing existing footpaths and structures within the park. The widened and new footpaths would be in areas which are grass and in terms of biodiversity, are limited. Moreover, the extent of the new and widened footpaths (in terms of area) is also limited in relation to the park as a whole, such that the overall impact of the development upon biodiversity would be limited too. The extended drainage swale would also result in supplementary biodiversity enhancements. It is therefore considered that the proposed development complies with Policy LP30 of the Local Plan and the NPPF.

Trees

- 7.30 Policy LP31 of the Local Plan states a proposal will be required to demonstrate that the potential for adverse impacts on trees, woodland, hedges and hedgerows has been investigated and where development has any adverse impacts in these regards, that they be minimised as far as possible.
- 7.31 The proposed replacement paths impact on the Root Protection Area (RPA) of trees to be retained. There is no requirement to fell any trees in order to construct the proposal. Tree works have been identified for Health & Safety reasons, irrespective of development. Whilst limited detail has been provided in the Concept Masterplan regarding no-dig surfacing and new parkland furniture, the application lacks detailed methodology. No Arboricultural Impact Assessment or Tree Protection Plan has been provided. The Tree Officer has been consulted as part of the application and raises no objection as these works subject to conditions regarding Arboricultural Method Statement, Tree Protection Plan and Scheme of Monitoring in order to protect trees

and their roots during construction. Subject to these conditions, the proposal would be in accordance with policy LP31 of the Huntingdonshire's Local Plan to 2036

Flood Risk

- 7.32 Policy LP5 Local Plan states on a site that is at risk of flooding from any form, where there are critical drainage problems or on sites of one hectare or more, a proposal will only be supported where a site-specific flood risk assessment has been produced, appropriate to the scale and nature of the development and risks involved, including consideration of the impact of climate change, and is agreed with relevant bodies. Policy LP15 of the Local Plan states a proposal will only be supported where surface water has been considered from the outset as an integral part of the design process and the proposal incorporates sustainable drainage systems in accordance with the Cambridgeshire Flood and Water Supplementary Planning Document.
- 7.33 Policy P4 of the St Neots Neighbourhood Plan states: Development proposals will be expected to include sustainable drainage systems (SUDS). In addition to their principal role of flood risk management SUDS should offer additional benefits such as amenity value and biodiversity enhancement.
- 7.34 The application site is in Flood Zone 3. The amended Flood Risk Assessment outlines that the proposed swale has been extended to allow greater capacity. This amended Flood Risk Assessment has satisfied the concerns of the Environment Agency that the development will not have an adverse impact in terms of flood risk or surface water flooding.
- 7.35 The submitted Sustainable Drainage Statement states: 'The majority of the paths are being raised as result of the 'no dig' construction in part. There is some widening of the paths but overall this is minimal. As such, the amount of surface area of the paths is not significantly increasing. Given that the majority of the paths are relatively narrow, the run-off from the paths will remain as existing, running off onto a permeable surface on either side. On the basis that the flood plain storage is being increased, this is considered acceptable.' The Lead Local Flood Authority accepts this and now supports the application.
- 7.36 A neighbour has objected on the flood risk assessment being inadequate. Following the submission of further information, both the Environment Agency and the Lead Local Flood Authority are satisfied with the proposal. Officers accept this advice. No conditions are recommended in regard to surface water drainage. The proposal is considered to be in accordance with policies LP5, LP6 and LP15 of the Huntingdonshire's Local Plan to 2036 policy P4 of the St Neots Neighbourhood Plan.
Other matters

- 7.37 The letter of objection received about the application states the path is disconnected and questions why there is no explanation or reason given for the choice of route or how it links to footpaths or cycleways in the surrounding area. However, the proposal is for public realm improvements to the existing park, including the works listed and discussed in this report. The purpose of the application is not to create additional or upgraded links to the surrounding footpath and cycleways.
- 7.38 It is noted that there is no consideration of what measures could be put in place to deter use by motorised forms of transport. However, this is an issue for the park management. Moreover, the widened paths would result in less potential conflict between pedestrians and people using scooters and bikes.

CONCLUSION AND PLANNING BALANCE

- 7.39 Officers have considered the submitted information and have considered the potential public benefits of the scheme. It is considered that the proposal will improve the accessibility and quality of the existing green infrastructure of St Neots Regatta Meadow Riverside Park.
- 7.40 Having regard to all relevant material considerations, it is concluded that the proposal would accord with local and national planning policy. Therefore, it is recommended that planning permission be granted.
- 8. RECOMMENDATION APPROVAL subject to completion of a public 21 day consultation (if a material consideration is raised within this consultation period officers will consult with chair and vice chair before any formal decision is issued) subject to conditions to include the following
 - Approved plans
 - Materials as shown on plans
 - Drainage strategy compliance
 - Arboricultural Method Statement
 - Tree Protection Plan and Scheme of Monitoring

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

CONTACT OFFICER:

Enquiries about this report to Lewis Tomlinson Senior Development Management Officer – <u>lewis.tomlinson@huntingdonshire.gov.uk</u>

No	Reference	Development	SNTC Decision
1	22/00305/REM	Stonebond Properties (St Albans) Limited (Amelia Cherry) Wintringham Park Cambridge Road St Neots Application for Reserved Matters Approval for the erection of 127 dwellings and all ancillary works, associated infrastructure and engineering works pursuant to Permission 17/02308/OUT (Parcel 6).	RESOLVED to defer the application to the next meeting of the Planning Committee when more information in relation to queries from the LLFA should be available.
2	22/01003/REM	Wintringham Park Camrbidge Road St Neots Application for Reserved Matters Approval for the erection of 144 dwellings and all ancillary works, associated infrastructure and engineering works pursuant to Permission 17/02308/OUT (Parcel 5). Wintringham Park Cambridge Road St Neots	RESOLVED to approve the application.
3	22/00747/FUL	Huntingdonshire District Council, St Neots Regatta Meadow Riverside Park, Crosshall Road, Eaton Ford, Saint Neots, PE19 7AB Public realm improvements to existing park, including resurfacing of existing paths, footpath widening, creation of new shared cycleway/footpath, works to existing bridges including replacement bridge, installation of new and relocated street furniture, landscaping and other associated works.	RESOLVED to defer the application to the next meeting of the Planning Committee for further consideration.

Development Management Committee

Application Ref: 22/00747/FUL

Scale = 1:5,750

Date Created: 30/11/2022



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Location: St Neots मने किन्द्र К PCCC Ę 撎 ą Ĺ 96 ۲<u>5</u> 00202 ,0⁺⁰,0 un allen (C)C 00 **A**X 12 Φ¢ Col 6003 **A** G 륑 仲内内 **Chick T**A -h AJOC/ 99 **O**Min itte Key Listed Buildings Scheduled Ancient Monuments Conservation Area Routh Z The Site man that Page 111 of 120

Riverside Park, St Neots Footpath and Bridge Works Planning Application Site Plan



ncs



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Red lines denotes extent of Applicant ownership



Ī	 EXISTING TREES RETAINED WITH 1.5M DIAM CIRCULAR AREA OF GRASS REMOVED FROM BASE & 50MM DEPTH BARK MULCH AFTER SETTLEMENT.
F	 EXISTING TREES RETAINED WITH POTENTIAL NEED FOR ROOT PRUNING BY QUALIFIED

EXISTING HARD SURFACE ASPHALT RETAINED.

INVESTIGATION BY ENGINEER & ARBORIST REQUIRED. ALL DETAILS BY ENGINEERS, REF. DRG. STN-LE-SBR-XX-DR-1000-S2-A1. PROPOSED 600MM HIGH TIMBER/CONSTITUTE KNEERAIL TO EDGE OF DYKE (LIGHT BROWN).

EXISTING TIMBER KNEERAIL RETAINED (DARK BROWN).













EXISTING 5M HIGH LAMP COLUMNS RETAINED. PROPOSED HARD WORKS REDUNDANT EXISTING SECTIONS OF FOOTPATH/SURFACING TO BE BROKEN OUT WITH RUCTION OF EXTENDED FOOTPATHS WITHIN ROC EXTREME CARE TO AVOID DAMAGE TO TREE ROOTS THAT ARE LIKELY TO EXTEND BELOW PROPOSED ACCESS BOLLARDS (REMOVABLE). CLIENT TO SUPPLY ALL BOLLARDS. PROTECTION AREAS. ALL DIMENSIONS TO BE CHECKED ON SITE. TO BE READ WITH ALL THE SURFACE SUB BASE. REMOVE ALL HARD STANDING/DEBRIS WITH EXTREME CARE, 8 EXISTING VEGETATION RETAINED. CONTRACT DOCUMENTATION. ANY DISCREPANCIES TO BE REPORTED TO LIGHTLY DECOMPACT & BACKFILL ALL AREAS WITH TOPSOIL & SAND 50:50 MIX & RESEED. PROPOSED LITTER BIN & DOG LITTER BIN (DB). ALL TO BE ROOT FIXED INTO AN ASPHALT THE CONTRACT ADMINISTRATOR. DO NOT SCALE FROM THIS DRAWING. PROPOSED DIRECTION OF SURFACE WIDENING (ARROW). ALL WIDENED SURFACE EDGES BASE & SUPPLIED BY THE CLIENT. DETAILS BY ENGINEERS. **@** TO BE MADE GOOD WITH AMENITY GRASS SEED OR TURF AS INDICATED. Elwood Landscape Design 2022 EXISTING TREES & VEGETATION TO BE REMOVED. N.B. THESE LANDSCAPE PROPOSALS HAVE BEEN CROSS REFERENCED AGAINST PROPOSED SIGNAGE & ROAD MARKINGS. DETAILS BY ENGINEERS. PROPOSED EDGE OF WIDENED SURFACE SECTION (RED), WITH OFFSET DIRECTION & ┏┛╔ DRAINAGE, SERVICES AND UTILITY LOCATIONS TO IDENTIFY ANY POTENTIAL CONFLICTS. DIMENSIONS FROM EXISTING SURFACED EDGE. SOME DIMENSIONS INDICATE EXISTING AMENTY GRASS RETAINED WITH 1.5M DIAM CIRCULAR AREA OF NO GRASS, CLIENT/ENGINEER TO CHECK AND ADVISE ACCORDINGLY. EXSITING/PROPOSED PATH WIDTHS. SPRAYED OFF WITH GLYPHOSATE TO BASE OF EXISTING TREES. EXISTING ASPHALT HARD SURFACES TO BE RETAINED AS EXISTING, WITH EDGES MADE GOOD AS REQUIRED AT JUNCTION INTERFACE WITH WIDENED SHARED SURFACE. ALL EXISTING PICTORIAL MEADOW FLORAL MEADOW RETAINED WITH 1.5M DIAM CIRCULAR EDGES TO BE SET FLUSH WITH ADJACENT GRASS, TOPSOIL TO BE TOPPED UP & RESEEDED AREA OF NO GRASS/FLORAL MEADOWS TO BASE OF TREES. WITH AMENITY GRASS MIX AS REQUIRED. DETAILS BY ENGINEERS. EXISTING ASPHALT/CONCRETE HARD SURFACE WIDENED WITH NEW WEARING COURSE **PROPOSED SOFT WORKS** ONLY, RETAINING SUB BASE STRUCTURE. ALL TO FORM: SHARED SURFACE FOR CYCLES & PEDESTRIANS, MINIMUM 3.0M & MAXIMUM 4.0M WIDE; ASSOCIATED BASES TO SEATING (4.2M PROPOSED EXTRA HEAVY STANDARD TREES, WITH 1.0M HIGH, DOUBLE STAKE SET X 1.5M) & LITTER BINS (1M X 1M). ALL SURFACES LOCATED TO BEST AVOID TREE ROOTS. (•) PARALLEL TO BOUNDARY/PARKING, WITH 65MM DIAM. IRRIGATION PIPE, SPIRAL RABBIT GUARD & 1M DIAM. OF 50MM DEPTH BARK MULCH AFTER SETTLEMENT TO BASE. ASPHALT TO HAVE A WEARING COURSE FINISHED WITH ROLLED GRAVEL IN SURFACE & SCHEDULE OF QUANTITIES EDGED WITH PCC 50MM FLUSH PIN KERBS, SET FLUSH WITH GRASS (OUTER RED LINES). PROPOSED NATIVE SPECIES PLANTING AT 6NO/M2. ALL SURFACES TO BE IN ACCORDANCE WITH CCC ADOPTABLE STANDARDS, REF. HERCS SOFT LANDSCAPE TO GENERAL AREAS: SPECIFICATIONS, WHERE SURFACES ARE LOCATED BEYOND TREE ROOT RPAS. ALL 1838m2 Grass-Turf SEATING/BIN SURFACES TO BE INTEGRATED AS ONE WITH PATH SURFACE TO AVOID GAPS Aligned to team comments. Signage adjusted 22-03-02. Revised HDC VE brief rec 22-02-07. Path widening details deleted for all paths, 22-03-07 P03. P02. RE RE 22-02-23 767m2 Existing Floral Meadow Mix in Dyke TO PREVENT WEED GROWTH. DETAILS BY ENGINEERS. PROPOSED SEED OR TURF TO MAKE GOOD ALONG EDGE OF PATHS/SURFACES/CONCRETE; except A1-A2-A3. HAC Tree Survey added and path alignments adjusted to WHERE ORIGINAL SURFACE HAS BEEN REMOVED IN FULL OR AS PART OF WIDENING OR PROPOSED NEW SECTION OF ASPHALT HARD SURFACE TO FORM: SHARED SURFACE FOR 12761m2 Grass areas left long below trees reflect RPAs. Qts added. Key & annotations updated. CYCLES & PEDESTRIANS, A MINIMUM OF 3.0M WIDE & MAXIMUM 4.0M WIDE; ASSOCIATED IMPROVEMENT WORKS. 1No. Tree - EHS 22-01-07 22-01-06 Lighting details updated. Planning issue. Engineer's bridge, signage & junction details added. Amends as per LPA comments 21-12-06. P01. RE RE RE BASES TO SEATING (4.2M X 1.5M) & LITTER BINS (1M X 1M). ALL LOCATED TO BEST AVOID TREE EXISTING GRASS LEFT LONG BELOW TREE CANOPIES & MAINTAINED BY 3NO CUTS PER ROOTS. ASPHALT TO HAVE A WEARING COURSE FINISHED WITH ROLLED GRAVEL IN SURFACE YEAR, ONE IN LATE APRIL, ONE IN LATE JULY AND ONE IN LATE OCTOBER, AS INDICATED ON 21-12-23 & EDGED WITH PCC 50MM FLUSH PIN KERBS (OUTER RED LINES). ALL SEATING/BIN SURFACES SOFT LANDSCAPE DRAWING. ARISINGS TO BE REMOVED IN JULY. EXISTING TOPSOIL SHALL 21-11-09 RE Amends to path widening, south of concrete bridge. HARD LANDSCAPE TO GENERAL AREAS: TO BE INTEGRATED AS ONE WITH PATH TO AVOID GAPS TO PREVENT WEED GROWTH. ALL BE USED IN THIS AREA. SURFACES TO BE IN ACCORDANCE WITH CCC ADOPTABLE STANDARDS, REF. HERCS 23No. Benches on 4.2 x 1.5m pads Rev. Date Initials Details PROPOSED NEW & EXTENDED HARD SURFACE OVER EXISTING TREE ROOTS. IN ROOT SPECIFICTIONS. DETAILS BY ENGINEERS 1No. Bin - Dog Waste PROTECTION AREA, TO BE FORMED BY NO DIG CONSTRUCTION METHODS RETAINING PROPOSED SAFETY BOLLARDS WITH REFLECTIVE SIGNAGE AT CYCLEWAY/PEDESTRIAN 16No. Bin - Litter bin on 1mx1m pads EXISITING SURFACES INSITU, OVERLAID BY A SINGLE/MULTIPLE LAYERS OF 'CELLWEB TRP' JUNCTIONS WITH 1.5M OFFSETS. CLIENT TO SUPPLY BOLLARDS. DETAILS BY ENGINEERS. 8 349m2 Blocks concrete - no dig areas $E \cdot L \cdot D$ 100MM TO 200MM DEEP AND 'TREETEX 300', SUPPLIED BY GEOSYNTHETICS, TEL: 01455 617139. SURFACE EDGE DETAILS TO BE GREEN OAK SLEEPERS & METAL EDGE RESTRAINTS TO 1No. Bollard Timber Round PROPOSED PERMEABLE BLOCK PAVING TO NO DIG CONSTRUCTION SHARED RETAIN BUILD UP OF MATIERAL. REFER TO ELD DETAIL 1 & DETAILS BY ENGINEER. 17m Existing/proposed Railing Kneerail tTimber diamond CYCLEWAY/FOOTPATH & FOOTPATH AREAS. PAVING LAID AS NEW, OVER 'CELLWEB TRP' AND PROPOSED NEW & EXTENDED HARD SURFACES/EDGES OVER EXISTING TREE ROOTS, IN 704m2 Existing surface retained - made good **ELWOOD LANDSCAPE DESIGN** 'TREETEX 300', TO EXTENDED & WIDEN SURFACES. BLOCKWORK LAID OVER EXISTING PATH ROOT PROTECTION AREA, TO BE HAND DUG &/OR FORMED BY NO DIG CONSTRUCTION, BY 856m2 Existing surface scraped off & extended to 4m wide SURFACE, (REDUCED BY SURFACE SCRAPE IF NECESSARY), TO MARRY IN AT WIDENED SCRAPING OFF SURFACE LAYERS ONLY, TO ALLOW FOR RESURFACING WORKS, AVOIDING CHARTERED LANDSCAPE ARCHITECTS 10No. LIGHTING - Columns retained EDGES. BLOCK PAVING TYPE, TOBERMORE, ' HYDROPAVE TEGULA DUO', PERMEABLE EXCAVATION & REMOVAL OF THE EXISTING SUB BASE TO RETAIN & PROTECT TREE ROOTS CONCRETE SETT PAVING, COLOUR 'CEDAR', LAID AS: 208 X 173 X 60MM AND 173 X 173 X 60MM 71m Metal Edge Restraint 'Alu Excel' - no dig edges GROWING BELOW THE SURFACE. EDGE DETAILS TO BE REVIEWED FOR EACH LOCATION Suffolk Office: **Cambridgeshire Office:** 517m2 No Dig Construction IN STRETCHER BOND, AS INDICATED, AT RIGHT ANGLES ACROSS PATHS. ALL NO DIG PATHS DEPENDING ON ROOT IMPACTS, TAKING ARBORICULTURAL ADVICE AS REQUIRED. The Barn, Cherry Tree Farm, Mendlesham The Nursery, Market Street, Fordham, TO BE EDGED WITH BLOCKS IN SAME COLOUR, SIZE 208MM X 173MM. BLOCK PAVED EDGES 18m Railing - Handrail to underpass bridge NO DIG CONSTRUCTION EDGE DETAIL TO SURFACES: TO BE GREEN OAK SLEEPERS, 2000 LONG RETAINED BY ALU EXCEL FLEXIBLE/RIGID METAL EDGE RESTRAINTS AND OAK TIMBER Green, Stowmarket, Suffolk IP14 5RQ. Cambridgeshire, CB7 5LQ. X 100 X 200MM WIDE, (BROWN LINE). 2-3NO SLEEPER SET 100MM HIGH ON SIDES, @ 200-300MM 23No. Shared surface signage posts Tel: 01449 768828 E: team@e-l-d.co.uk Tel: 01638 721066 E: team@e-l-d.co.uk SLEEPER EDGES, 200MM WIDE X REQUIRED HEIGHT. SOIL TO BE GRADED BACK FROM REAR 4211m2 Shared surface extension 4m wide 71m Sleeper Edge Detail - no dig edge HIGH OVERALL, AS REQUIRED, WITH STAGGERED JOINTS. CUT TO ENSURE NO GAPS BETWEEN OF SLEEPERS TO EXISTING GROUND. SUPPLIED BY TOBERMORE, TEL: 0345 608 1250. NB. TIMBER JOINTS, ALL TO RETAIN CELLULAR CONFINEMENT & BLOCK WORK CONSTRUCTION. Sleeper Edge Detail - no dig edges PLAN PAVING IS ILLUSTRATED BY A GRAPHIC HATCH ONLY. DETAILS BY ENGINEERS. \boxtimes **ISSUED BY** SLEEPERS PRE-DRILLED THROUGH CENTRE AND PINNED INTO GROUND WITH GALVANISED 7m2 Tactile Paving PROPOSED CORDUROY TACTILE PAVING AT PEDESTRIAN PATH JUNCTIONS. DETAILS BY METAL ROAD PINS UP TO 400MM DEEP AND PEGGED TO REAR WITH SQUARE TIMBER STAKES **PROJECT: CLIENT:** ENGINEERS. 800MM LONG, SCREWED TO SLEEPERS AT 0.5M INTERVALS. N.B. SPLIT SLEEPERS WILL BE **ST NEOTS REGATTA MEADOW NCS/HUNTS DC** REJECTED. BLOCK PAVING TO BE RETAINED BY 100MM HIGH ALUMINIUM EDGE RESTRAINT, EXISTING/NEW SEAT OR BENCH RELOCATED INTO NEW POSITION ON EXISTING OR NEW HARD TYPE 'ALUEXCEL FLEXIBLE' TO CURVED EDGES, REF: AE100FM/101024', OR 'RIGID' TO STRAIGHT **RIVERSIDE PARK** STANDING. SPEACE ALLOCATED TO EACH SIDE TO ALLOW FOR WHEELCHAIR OR BUGGY/PRAM EDGES WITH CORNER SECTIONS, REF. 'AE100RM/101026', 100MM HIGH, IN MILL FINISH, (BLUE DWG TITLE: ACCESS, AWAY FROM PATH. CLIENT TO SUPPLY ALL SEATING. LINE). ALL TO HAVE 5NO FIXING SPIKES PER 2.5M LENGTH & LARGE CONNECTOR STRIPS AS PROPOSED NEW LITTER BIN, OR EXISTING LITTER BIN, RELOCATED FROM OLD POSITION INTO **CONCEPT MASTERPLAN - PROPOSED ACCESS & LANDSCAPE** REQUIRED, SUPPLIED BY KINLEY SYSTEMS, TEL: 01580 830688. REFER TO ELD DETAILS 1 & A NEW POSITION, ON NEW ASPHALT HARD STANDING 1M X 1M AND INTEGRATED WITH DETAILS BY ENGINEER. **ENHANCEMENTS, 1 OF 3** CYCLEWAY/FOOTPATH AS ONE SURFACE TO AVOID WEED GROWTH, (RELOCATION INDICATED BY GREY ARROW) CLIENT TO SUPPLY ALL BINS SCALE: DATE: EXISTING FOOTBRIDGE TO BE RETAINED. REFER TO ENGINEER'S DETAILS. 1: 500 @ A0 **10TH OCTOBER 2021** Page 114 of 120 PROPOSED FOOTBRIDGE TO BE WIDENED &/OR REPLACED BETWEEN 2M & 4M WIDE. FURTHER **DRAWN BY: CHECKED BY: DRAWING NO:** REV. INVESTIGATION BY ENGINEER & ARBORIST REQUIRED. ALL DETAILS BY ENGINEERS, REF. DRG. P03. RE. AE. NCSP 508/4-001 STN-LE-SBR-XX-DR-1000-S2-A1

PROPOSED 600MM HIGH TIMBER/CONSTITUTE KNEERAIL TO EDGE OF DYKE (LIGHT BROWN). EXISTING TIMBER KNEERAIL RETAINED (DARK BROWN).

PROPOSED POSSIBLE METAL HANDRAIL ALONG EDGE OF RETAINED SURFACE & BRIDGE BY ST NEOTS ROAD UNDERPASS. DETAILS BY ENGINEERS.





	VN BY:	СН	ECKED BY:	DRAWING NO: NCSP 508/4-002	REV.			
ALE: 500 @ Δ0				DATE: 10TH OCTOBER 2021				
)N	CEPT M. ANCEMI	ASTEI ENTS,	RPLAN - PR 2 OF 3	ROPOSED ACCESS & LA	NDSCAPE			
G	гіті ғ.			RIVERSIDE PARK				
CS	HUNTS	DC		ST NEOTS REGATTA N	IEADOW			
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Gree el:	en, Stowmarke 01449 768828	t, Suffolk E: team@	IP14 5RQ.	Cambridgeshire, Cl	B7 5LQ.			
Suffolk Office: ne Barn, Cherry Tree Farm, Mendlesham				Cambridgeshire Office: The Nursery, Market Street, Fordham,				
		El	E• LWOOD LA	L•D ANDSCAPE DESIGN ANDSCAPE ARCHITECTS				
	Date	Initials	Details					
	22-01-07 22-01-06 21-12-23 21-11-09	RE RE RE	reflect RPAs. Qts added. Key & annotations updated. Lighting details updated. Planning issue. Engineer's bridge, signage & junction details added. Amends as per LPA comments 21-12-06.					
	22-03-07 22-02-23	RE RE	Aligned to team ca Revised HDC VE except A1-A2-A3.	omments. Signage adjusted 22-03-02. brief rec 22-02-07. Path widening details de HAC Tree Survey added and path alignmer	leted for all paths, hts adjusted to			
		DI	RAINAGE, SERVICES A LIENT/ENGINEER TO C	AND UTILITY LOCATIONS TO IDENTIFY ANY POTE CHECK AND ADVISE ACCORDINGLY.	NTIAL CONFLICTS.			



	EXISTING TREES RETAINED WITH POTENTIAL NEED FOR ROOT PRUNING BY QUALIFIED
2	ANDORIST TO ALLOW CONSTRUCTION OF EXTENDED FOOTPATHS WITHIN ROOT PROTECTION AREAS. EXISTING VEGETATION RETAINED.
)	EXISTING TREES & VEGETATION TO BE REMOVED.
	EXISTING AMENTY GRASS RETAINED WITH 1.5M DIAM CIRCULAR AREA OF NO GRASS, SPRAYED OFF WITH GLYPHOSATE TO BASE OF EXISTING TREES.
¥	EXISTING PICTORIAL MEADOW FLORAL MEADOW RETAINED WITH 1.5M DIAM CIRCULAR AREA OF NO GRASS/FLORAL MEADOWS TO BASE OF TREES.
SE	D SOFT WORKS PROPOSED EXTRA HEAVY STANDARD TREES, WITH 1.0M HIGH, DOUBLE STAKE SET
70,	PARALLEL TO BOUNDARY/PARKING, WITH 65MM DIAM. IRRIGATION PIPE, SPIRAL RABBIT GUARD & 1M DIAM. OF 50MM DEPTH BARK MULCH AFTER SETTLEMENT TO BASE. PROPOSED NATIVE SPECIES PLANTING AT 6NO/M2.
	PROPOSED SEED OR TURF TO MAKE GOOD ALONG EDGE OF PATHS/SURFACES/CONCRETE; WHERE ORIGINAL SURFACE HAS BEEN REMOVED IN FULL OR AS PART OF WIDENING OR
	EXISTING GRASS LEFT LONG BELOW TREE CANOPIES & MAINTAINED BY 3NO CUTS PER YEAR, ONE IN LATE APRIL, ONE IN LATE JULY AND ONE IN LATE OCTOBER, AS INDICATED ON SOFT LANDSCAPE DRAWING. ARISINGS TO BE REMOVED IN JULY. EXISTING TOPSOIL SHALL BE USED IN THIS AREA.
	PROPOSED NEW & EXTENDED HARD SURFACE OVER EXISTING TREE ROOTS, IN ROOT PROTECTION AREA, TO BE FORMED BY NO DIG CONSTRUCTION METHODS RETAINING EXISITING SURFACES INSITU, OVERLAID BY A SINGLE/MULTIPLE LAYERS OF 'CELLWEB TRP' 100MM TO 200MM DEEP AND 'TREETEX 300', SUPPLIED BY GEOSYNTHETICS, TEL: 01455 617139. SURFACE EDGE DETAILS TO BE GREEN OAK SLEEPERS & METAL EDGE RESTRAINTS TO BETAIN BLILD UP OF MATIERAL REFER TO ELD DETAIL 1 & DETAILS BY ENGINEER
	PROPOSED NEW & EXTENDED HARD SURFACES/EDGES OVER EXISTING TREE ROOTS, IN ROOT PROTECTION AREA, TO BE HAND DUG &/OR FORMED BY NO DIG CONSTRUCTION, BY SCRAPING OFF SURFACE LAYERS ONLY, TO ALLOW FOR RESURFACING WORKS, AVOIDING EXCAVATION & REMOVAL OF THE EXISTING SUB BASE TO RETAIN & PROTECT TREE ROOTS GROWING BELOW THE SURFACE. EDGE DETAILS TO BE REVIEWED FOR EACH LOCATION DEPENDING ON ROOT IMPACTS. TAKING ARBORICULTURAL ADVICE AS REQUIRED
	NO DIG CONSTRUCTION EDGE DETAIL TO SURFACES: TO BE GREEN OAK SLEEPERS, 2000 LONC X 100 X 200MM WIDE, (BROWN LINE). 2-3NO SLEEPER SET 100MM HIGH ON SIDES, @ 200-300MM HIGH OVERALL, AS REQUIRED, WITH STAGGERED JOINTS. CUT TO ENSURE NO GAPS BETWEEN TIMBER JOINTS. ALL TO RETAIN CELLULAR CONFINEMENT & BLOCK WORK CONSTRUCTION. SLEEPERS PRE-DRILLED THROUGH CENTRE AND PINNED INTO GROUND WITH GALVANISED METAL ROAD PINS UP TO 400MM DEEP AND PEGGED TO REAR WITH SQUARE TIMBER STAKES 800MM LONG, SCREWED TO SLEEPERS AT 0.5M INTERVALS. N.B. SPLIT SLEEPERS WILL BE REJECTED. BLOCK PAVING TO BE RETAINED BY 100MM HIGH ALUMINIUM EDGE RESTRAINT, TYPE 'ALUEXCEL FLEXIBLE' TO CURVED EDGES, REF: AE100FM/101024', OR 'RIGID' TO STRAIGHT EDGES WITH CORNER SECTIONS. REF. 'AE100RM/101026', 100MM HIGH IN MILL FINISH. (BLUE
IG	LINE). ALL TO HAVE 5NO FIXING SPIKES PER 2.5M LENGTH & LARGE CONNECTOR STRIPS AS REQUIRED, SUPPLIED BY KINLEY SYSTEMS, TEL: 01580 830688. REFER TO ELD DETAILS 1 & DETAILS BY ENGINEER.
	EXISTING TOPO SURVEY EDGE OF EXISTING PATH DETAIL.
	EXISTING HARD SURFACE ASPHALT RETAINED.
SE	
	REDUNDANT EXISTING SECTIONS OF FOOTPATH/SURFACING TO BE BROKEN OUT WITH EXTREME CARE TO AVOID DAMAGE TO TREE ROOTS THAT ARE LIKELY TO EXTEND BELOW THE SURFACE SUB BASE. REMOVE ALL HARD STANDING/DEBRIS WITH EXTREME CARE, LIGHTLY DECOMPACT & BACKFILL ALL AREAS WITH TOPSOIL & SAND 50:50 MIX & RESEED. PROPOSED DIRECTION OF SURFACE WIDENING (ARROW). ALL WIDENED SURFACE EDGES TO BE MADE GOOD WITH AMENITY GRASS SEED OR THRE AS INDICATED
	PROPOSED EDGE OF WIDENED SURFACE SECTION (RED), WITH OFFSET DIRECTION & DIMENSIONS FROM EXISTING SURFACED EDGE. SOME DIMENSIONS INDICATE
	EXSITING/PROPOSED PATH WIDTHS. EXISTING ASPHALT HARD SURFACES TO BE RETAINED AS EXISTING, WITH EDGES MADE GOOD AS REQUIRED AT JUNCTION INTERFACE WITH WIDENED SHARED SURFACE. ALL
	EDGES TO BE SET FLUSH WITH ADJACENT GRASS, TOPSOIL TO BE TOPPED UP & RESEEDED WITH AMENITY GRASS MIX AS REQUIRED. DETAILS BY ENGINEERS. EXISTING ASPHALT/CONCRETE HARD SURFACE WIDENED WITH NEW WEARING COURSE
	ONLY, RETAINING SUB BASE STRUCTURE. ALL TO FORM: SHARED SURFACE FOR CYCLES & PEDESTRIANS, MINIMUM 3.0M & MAXIMUM 4.0M WIDE; ASSOCIATED BASES TO SEATING (4.2M X 1.5M) & LITTER BINS (1M X 1M). ALL SURFACES LOCATED TO BEST AVOID TREE ROOTS. ASPHALT TO HAVE A WEARING COURSE FINISHED WITH ROLLED GRAVEL IN SURFACE & EDGED WITH PCC 50MM FLUSH PIN KERBS, SET FLUSH WITH GRASS (OUTER RED LINES).
	SPECIFICATIONS, WHERE SURFACES ARE LOCATED BEYOND TREE ROOT RPAS. ALL SEATING/BIN SURFACES TO BE INTEGRATED AS ONE WITH PATH SURFACE TO AVOID GAPS TO PREVENT WEED GROWTH DETAILS BY ENGINEERS
1 N N N	PROPOSED NEW SECTION OF ASPHALT HARD SURFACE TO FORM: SHARED SURFACE FOR CYCLES & PEDESTRIANS, A MINIMUM OF 3.0M WIDE & MAXIMUM 4.0M WIDE; ASSOCIATED BASES TO SEATING (4.2M X 1.5M) & LITTER BINS (1M X 1M). ALL LOCATED TO PEOT AV(OP TOPE)
-	ROOTS. ASPHALT TO HAVE A WEARING COURSE FINISHED WITH ROLLED GRAVEL IN SURFACE & EDGED WITH PCC 50MM FLUSH PIN KERBS (OUTER RED LINES). ALL SEATING/BIN SURFACES TO BE INTEGRATED AS ONE WITH PATH TO AVOID CARS TO RED/CALT WEED OPOINT IS ALL
	SURFACES TO BE IN ACCORDANCE WITH ACCORDANCE WITH CCC ADOPTABLE STANDARDS, REF. HERCS SPECIFICTIONS. DETAILS BY ENGINEERS. PROPOSED SAFETY BOLLARDS WITH REFLECTIVE SIGNAGE AT CYCLEWAY/PEDESTRIAN JUNCTIONS WITH 1.5M OFFSETS. CLIENT TO SUPPLY BOLLARDS. DETAILS BY ENGINEERS.
	PROPOSED PERMEABLE BLOCK PAVING TO NO DIG CONSTRUCTION SHARED CYCLEWAY/FOOTPATH & FOOTPATH AREAS. PAVING LAID AS NEW, OVER 'CELLWEB TRP' AND 'TREETEX 300', TO EXTENDED & WIDEN SURFACES. BLOCKWORK LAID OVER EXISTING PATH
	SURFACE, (REDUCED BY SURFACE SCRAPE IF NECESSARY), TO MARRY IN AT WIDENED EDGES. BLOCK PAVING TYPE, TOBERMORE, ' HYDROPAVE TEGULA DUO', PERMEABLE CONCRETE SETT PAVING, COLOUR 'CEDAR', LAID AS: 208 X 173 X 60MM AND 173 X 173 X 60MM
	IN STRETCHER BOND, AS INDICATED, AT RIGHT ANGLES ACROSS PATHS. ALL NO DIG PATHS TO BE EDGED WITH BLOCKS IN SAME COLOUR, SIZE 208MM X 173MM. BLOCK PAVED EDGES RETAINED BY ALU EXCEL FLEXIBLE/RIGID METAL EDGE RESTRAINTS AND OAK TIMBER
	SLEEPER EDGES, 200MM WIDE X REQUIRED HEIGHT. SOIL TO BE GRADED BACK FROM REAR OF SLEEPERS TO EXISTING GROUND. SUPPLIED BY TOBERMORE, TEL: 0345 608 1250. NB. PLAN PAVING IS ILLUSTRATED BY A <u>GRAPHIC HATCH ONLY</u> . DETAILS BY ENGINEERS. PROPOSED CORDUROY TACTILE PAVING AT PEDESTRIAN PATH JUNCTIONS. DETAILS BY ENGINEERS.
ני 	EXISTING/NEW SEAT OR BENCH RELOCATED INTO NEW POSITION ON EXISTING OR NEW HARD STANDING. SPEACE ALLOCATED TO EACH SIDE TO ALLOW FOR WHEELCHAIR OR BUGGY/PRAM
	ACCESS, AWAY FROM PATH. CLIENT TO SUPPLY ALL SEATING. PROPOSED NEW LITTER BIN, OR EXISTING LITTER BIN, RELOCATED FROM OLD POSITION INTO A NEW POSITION, ON NEW ASPHALT HARD STANDING 1M X 1M AND INTEGRATED WITH CYCLEWAY/FOOTPATH AS ONE SURFACE TO AVOID WEED GROWTH, (RELOCATION INDICATED BY GREY ARROW). CLIENT TO SUPPLY ALL BINS. EXISTING FOOTBRIDGE TO BE RETAINED. REFER TO ENGINEER'S DETAILS.
	PROPOSED FOOTBRIDGE TO BE WIDENED &/OR REPLACED BETWEEN 2M & 4M WIDE. FURTHER INVESTIGATION BY ENGINEER & ARBORIST REQUIRED. ALL DETAILS BY ENGINEERS, REF. DRG. STN-LE-SBR-XX-DR-1000-S2-A1. PROPOSED 600MM HIGH TIMBER/CONSTITUTE KNEERAIL TO EDGE OF DYKE (LIGHT BROWN).
	EXISTING TIMBER KNEERAIL RETAINED (DARK BROWN). PROPOSED POSSIBLE METAL HANDRAIL ALONG EDGE OF RETAINED SURFACE & BRIDGE BY ST NEOTS ROAD UNDERPASS. DETAILS BY ENGINEERS.
	PROPOSED ACCESS BOLLARDS (REMOVABLE). CLIENT TO SUPPLY ALL BOLLARDS.
	PROPOSED LITTER BIN & DOG LITTER BIN (DB). ALL TO BE ROOT FIXED INTO AN ASPHALT BASE & SUPPLIED BY THE CLIENT. DETAILS BY ENGINEERS.
	PROPOSED SIGNAGE & ROAD MARKINGS. DETAILS BY ENGINEERS.



ALL DIMENSIONS TO BE CHECKED ON SITE. TO BE READ WITH ALL CONTRACT DOCUMENTATION. ANY DISCREPANCIES TO BE REPORTED TO THE CONTRACT ADMINISTRATOR. DO NOT SCALE FROM THIS DRAWING. N.B. THESE LANDSCAPE PROPOSALS HAVE BEEN CROSS REFERENCED AGAINST DRAINAGE, SERVICES AND UTILITY LOCATIONS TO IDENTIFY ANY POTENTIAL CONFLICTS.









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Planning Appeal Decisions Since December 2023 Committee

Ref No	Appellant	Parish	Proposal	Site	Original Decision	Delegated or DMC	Appeal Determination	Date	Costs
21/01 693/ FUL	Mr Nigel Day	Great Gransden	Erection of a single, 4 bedroom dwelling with attendant access and landscaping work.	Land Adjacent To The North West Of 43 Mill Road Great Gransden	Refusal	Delegated	Dismissed	07/1 2/22	N/A
6 120/01 9 232/ 9 FUL 120	Mr Brian Jones	Waresley- cum- Tetworth	Erection of a detached dwelling with car port/cycle shed and access drive	Land Rear Of Village Hall Eltisley Road Waresley	Refusal	Delegated	Dismissed	09/1 2/22	N/A
21/02 040/ OUT	Mr P Keeling	Buckden	New build dwelling	38 Hardwick Lane Buckden St Neots PE19 5UN	Refusal	Delegated	Allowed	04/0 1/23	N/A
20/01 125/ OUT	Mr Creasey	Kimbolton	Outline planning application (all mattered reserved except mean of access) for	Land South East Of 73 Main Road Stonely	Refusal	Delegated	Dismissed	05/0 1/23	N/A

Agenda Item 4

the erection	
of up to 3no.	
self-build and	
custom build	
dwellinghous	
es and	
construction	
of a footpath.	