



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, 18TH DECEMBER 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 - 10)

To approve as a correct record the Minutes of the meeting held on 20th November 2023.

**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) Haddon, Elton and Chesterton - 22/00668/FUL (Pages 11 - 58)**

Installation of a solar park to export up to 25 MW (AC) electricity, comprising up to 65,000 photovoltaic panels, 10 inverter/transformer cabins associated works - Land North East of Bates Lodge, Peterborough Road, Haddon.

**(b) Bythorn and Keyston - 23/01137/S73 (Pages 59 - 90)**

Variation of Condition 2 (Plans listed in table above) to allow for revised ridge heights and fenestration changes for 20/01146/FUL as amended by 22/00964/S73 - The White Gates, Thrapston Road Bythorn PE28 0QN.

**(c) Huntingdon - 23/01327/FUL (Pages 91 - 128)**

Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space - 81 High Street, Huntingdon.

**(d) Huntingdon - 23/01328/LBC (Pages 129 - 162)**

Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space - 81 High Street, Huntingdon.

**4. APPEAL DECISIONS (Pages 163 - 164)**

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

**LATE REPRESENTATIONS**

6th day of December 2023

***Michelle Sacks***

Chief Executive and Head of Paid Service

**Disclosable Pecuniary Interests and other Registrable and Non-Registrable Interests**

Further information on [Disclosable Pecuniary Interests and other Registrable and Non-Registrable 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](mailto: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.**

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.

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## 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, 20th November 2023

PRESENT: Councillor D L Mickelburgh – Chair.

Councillors R J Brereton, 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, C H Tevlin and S Wakeford.

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

### 32 MINUTES

Subject to the inclusion in Minute No 30 c, of the words “that the application be refused for the following reasons:” after the reference to Members’ interests, the Minutes of the meeting of the Committee held on 16th October 2023 were approved as a correct record and signed by the Chair.

### 33 MEMBERS' INTERESTS

Councillor T Sanderson declared a Non-Registrable Interest in Minute No by virtue of the fact that the application related to the Ward he represented.

Councillor T Sanderson – declared an Other Registrable Interest in Minute No by virtue of the fact that he was a Member of Huntingdon Town Council, left the room and took no part in the discussion or voting on the item.

Councillor S McAdam declared a Non-Registrable Interest in Minute No by virtue of the fact that the application related to the Ward he represented.

Councillor S McAdam – declared an Other Registrable Interest in Minute No by virtue of the fact that he was a Member of Huntingdon Town Council, left the room and took no part in the discussion or voting on the item.

Councillor C Tevlin - declared a Non-Registrable interest in Minute No by virtue of the fact that the application related to the Ward she represented.

Councillor S Mokbul - declared a Non-Registrable Interest in Minute No by virtue of the fact that the application related to the Ward she represented.

Councillor S Mokbul - declared a Non-Registrable Interest in Minute No by virtue of the fact that the application related to the Ward she represented.

Councillor S Wakeford - declared an Other Registrable Interest in Minute No by virtue of the fact that he was Executive Councillor for Jobs, Economy and Housing, left the room and took no part in the discussion or voting on the item.

Councillor S Wakeford - declared an Other Registrable Interest by virtue of the fact that he was Executive Councillor for Jobs, Economy and Housing, left the room and took no part in the discussion or voting on the item.

**34 DEVELOPMENT MANAGEMENT - SECTION 106 AGREEMENTS - MIXED USE DEVELOPMENT COMPRISING: UP TO 1,000 DWELLINGS, PRIMARY SCHOOL INCLUDING EARLY YEARS PROVISION, UP TO 205SQM COMMUNITY FLOORSPACE, UP TO 1,000SQM RETAIL FLOORSPACE (CLASS A1), FOOD AND DRINK USES (CLASSES A3-A4), OPEN SPACE AND PLAY AREAS, LANDSCAPING, PEDESTRIAN AND CYCLE LINKS, ASSOCIATED DRAINAGE AND ENGINEERING WORKS AND, HIGHWAY CONNECTIONS INCLUDING PRIMARY AND SECONDARY VEHICLE ACCESS FROM ERMINE STREET AND THE A141 (OUTLINE PLANNING APPLICATION FOR PHASED DEVELOPMENT WITH ALL MATTERS RESERVED EXCEPT MEANS OF ACCESS ONTO THE LOCAL HIGHWAY NETWORK) - LAND NORTH WEST OF SPITTALS WAY AND ERMINE STREET, GREAT STUKELEY - 18/01918/OUT**

*(D Joseph, applicant, addressed the Committee on the application).*

See Minute No 33 for Members' interests.

With the aid of a report by the Planning Service Manager (Development Management) the Committee considered an application for outline planning application for phased development with all matters reserved except means of access onto the local highway network for mixed use development comprising up to 1,000 dwellings, primary school including early years provision, Up to 205sqm community floorspace, Up to 1,000sqm retail floorspace (Class A1), food and drink uses (Classes A3-A4), open space and play areas, landscaping, pedestrian and cycle links, associated drainage and engineering works and, highway connections including primary and secondary vehicle access from Ermine Street and the A141 on land North West of Spittals Way and Ermine Street, Great Stukeley. A copy of the report is appended in the Minute Book. Councillor C Tevlin informed Members of the views of the Section 106 Agreement Advisory Group on the proposed obligation. Having taken into account relevant local and national planning policies, it was

**RESOLVED**

that, following confirmation of the Transport Contribution and subject to completion of a S106 agreement to include affordable housing, public rights of way and associated physical works, the expansion of existing GP surgeries, improvements to support sustainable transport to Stukeley Meadows School, primary school provision, Special Education Needs, wheeled or communal bins, libraries and lifelong learning, informal open space provision and formal sport provision, the Planning Service Manager (Development Management) be authorised to approve the application subject to conditions to include those listed in paragraph 9 of the report now submitted or refuse it in the event that the obligation 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 6.22 pm Councillor S Corney joined the meeting.

At 6.37 pm Councillor S Wakeford joined the meeting.

**35 DEVELOPMENT MANAGEMENT - SECTION 106 AGREEMENTS - S106 DISCHARGE OF PLANNING OBLIGATIONS FOR THE REMOVAL OF REQUIREMENT TO PROVIDE AFFORDABLE HOUSING ON-SITE AND PAYMENT OF A FINANCIAL CONTRIBUTION TO SUPPORT OFF-SITE AFFORDABLE HOUSING PROVISION INSTEAD FOR 19/02280/FUL AND 21/02079/S73 - HOW GARDENS, HOUGHTON ROAD, ST IVES - 23/00724/S106**

See Minute No 33 for Members' interests.

Consideration was given to a report by the Planning Service Manager (Development Management) on an application to discharge a planning obligation in relation to 19/02280/FUL and 21/02079/S73 by removing a requirement to provide affordable housing on-site and instead make a financial contribution to support off-site affordable housing provision. A copy of the report is appended in the Minute Book. Councillor C Tevlin informed Members of the views of the Section 106 Agreement Advisory Group on the proposed obligation. Having noted that the contribution could be used anywhere in the District and taken into account relevant local and national planning policies, it was

RESOLVED

that the Chief Planning Officer be authorised to enter into a S106 Agreement Deed of Variation to amend the affordable housing provision or refuse the application 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.

**36 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) **Discharge of condition 10 (Key Phase 2 Framework) for 1201158OUT - Alconbury Airfield Ermine Street Little Stukeley PE28 4WX - 23/80349/COND**

*(J Dawson, applicant, addressed the Committee on the application).*

that the Chief Planning Officer be authorised to approve the Alconbury Weald Country Park Design Brief in accordance with condition 10(a) subject to amendments that address minor outstanding comments and subject to Officers' support of parts (b) to (i) of condition 10.

At 7.20 pm the meeting was adjourned.

At 7.31 pm the meeting resumed.

- b) **Erection of factory extension and creation of additional parking areas and associated works – Hotel Chocolat, 3 Redwongs Way, Huntingdon, PE29 7HF - 21/02422/FUL**

*(Councillor P Kennington, Huntingdon Town Council, Councillors M Kadewere and P Kadewere, Ward Members, S James, objector, and M Margereson, applicant, addressed the Committee on the application).*

See Minute No 33 for Members' interests.

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 additional conditions relating to building sustainability and renewables.

- c) **Erection of four 5m poles (shown as squares on plan) with cameras for CCTV - Buckden Marina, Mill Road, Buckden - 22/02162/FUL**

*(Councillor P Clark, Buckden Parish Council, V Browning and J Davies, objectors and K Hutchinson, agent, addressed the Committee on the application).*

that the application be approved subject to condition to be determined by the Planning Service Manager (Development Management) to include those listed in paragraph 8 of the report now submitted.

- d) **Erection of a bespoke designed wheelchair friendly bungalow and associated ancillary works – 49 St Neots Road, Eaton Ford PE19 7BA - 23/00745/FUL**

*(Councillor D Laycock, St Neots Town Council, addressed the Committee on the application).*

that the application be refused for the following reasons:

- a) It is considered that the proposed development of one dwelling would fail the sequential test for flooding contrary to Policy LP5 of the Huntingdonshire's Local Plan to 2036 (2019), Section 4 of the



Cambridgeshire Flood and Water SPD 2017, Paragraphs 159 and 162 of the NPPF 2023 and Policy A3 of the St Neots Neighbourhood Plan to 2029 (2016). The proposed development is therefore unacceptable in principle as it would place people and property at an unwarranted risk of flooding. The principle of the proposed development is therefore unacceptable.

- b) The erection of a dwelling within this small site within the St. Neots Conservation Area would infill a historic landscape and would be an obvious contrast to historic back of pavement development, and would result in loss of views through the site and closing off the historic right of way between the terraces. The proposal would represent overdevelopment of the plot further compromising green space and failing to respect existing views, street patterns and historic building lines. The proposal is thereby contrary to Policies LP34 of Huntingdonshire's Local Plan to 2036 (2019), Policy A3 of the St Neots Neighbourhood Plan to 2029 (2016), the objectives of the NPPF 2023 set out at paragraphs 130 parts a-d, 200 and 202 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- c) The large footprint and siting of the dwelling creates a cramped form of development which will lead to overbearing impacts to the rear gardens of Nos. 1 and 2 Davey Mews and Nos 47A and 49 St Neots Road contrary to Local Plan Policy LP14 part B Amenity. By virtue of this cramped form of development, it is considered that the proposal would have a significant adverse impact on the amenity standards of Nos 1 and 2 Davey Mews to the rear of the dwelling and Nos. 47a and 48 St Neots Road due to overbearing impacts and so has failed to be designed in a way that does not detrimentally impact neighbour amenity. Overall, it is considered that the proposal fails to demonstrate that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive, high quality and well-designed places that successfully integrate with adjoining buildings, contrary to Local Plan Policies LP11, LP12 and LP14 of Huntingdonshire's Local Plan to 2036 (2019) and paragraph 130 part F of the NPPF 2023.
- d) The proposed dwelling would be located in close proximity to a tree within the site which is legally protected by virtue of its siting within St. Neots Conservation Area. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal would not cause harm to trees of value, or that the development would not result in future pressure to fell trees, if not part of the development, in the future by the occupiers of the development due to shading or fear of damage contrary to Policy LP31 of Huntingdonshire's Local Plan to 2036 (2019) which requires that proposals demonstrate that the potential for adverse impact on trees be investigated, assessed, and mitigated with any loss of trees justified.
- e) The application has failed to incorporate adequate provision for refuse (wheeled bins) by virtue of the omission of a completed unilateral undertaking contrary to the requirements of the Developer Contributions Supplementary Planning Document 2011, and Policy LP4 of Huntingdonshire's Local Plan to 2036 (2019).

- e) **Variation of Condition 5 of 20/00285/FUL - Removal of M4(2) (lifts) requirement to Blocks D1-D3 - F Vindis and Sons, St Ives Ltd, Low Road, Fenstanton - 23/00827/S73**

*(Councillor R McGee, Fenstanton Parish Council, and A Cooper, applicant, addressed the Committee on the application).*

See Minute No 33 for Members' interests.

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.

### **37 APPEAL DECISIONS**

The Committee received and noted a report by the Planning Service Manager (Development Management), which contained details of two 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

## DEVELOPMENT MANAGEMENT COMMITTEE 18 DECEMBER 2023

**Case No:** 22/00668/FUL  
**Proposal:** Installation of a solar park to export up to 25 MW (AC) electricity, comprising up to 65,000 photovoltaic panels, 10 inverter/transformer cabins associated works.  
**Location:** Land North East Of Bates Lodge, Peterborough Road. Haddon  
**Applicant:** Ms Charlotte Peacock (Wessex Solar Energy Ltd)  
**Grid Ref:** (E) 512694 (N) 293208  
**Date of Registration:** 13/05/2022  
**Parish:** Haddon

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### RECOMMENDATION –

**Delegated powers to APPROVE subject to conditions.**

**This application is referred to the Development Management Committee (DMC) in accordance with the Council’s Scheme of Delegation, at the request of the Chief Planning Officer, on the grounds of the level of local interest.**

#### 1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The application site comprises approximately 46ha of agricultural land, situated in two parcels north and south of the A605, with the bulk of the site being to the south. The site is wholly within Haddon Parish, and Chesterton and Elton Parishes border the north and west edges of the northern part of the site, respectively.
- 1.2 Along the western edge of the northern parcel, running north to south, is Billing Brook, located within flood zones 2 and 3a, that cover the western most edges of the site. Those areas run concurrently with areas identified as being at risk from surface water flooding at the 1 in 30 and 1 in 100 year event category. A number of areas to the edges of the site are noted as being within areas at risk of ground water flooding in a 1 in 1000 year event.
- 1.3 A permissive path runs along the north edge of the northern parcel, with Bridleway 111/8 running partially along the western boundary into the site terminating midway in the field. These Public Rights of Way (PROWs) connect to others to the north and east of the northern parcel. The site is located within the Brickclay Mineral Safeguarding Area and along the eastern boundary of the northern half of the site runs an oil pipeline.
- 1.4 The proposed connection to the electricity network runs to the east of the site, along an agricultural track, before reaching and running to the east along Haddon Road. It crosses 2no. PROWs, Bridleway 111/5 and Footpath 111/2 and terminates at Toons Lodge. The application notes further connections would be made through underground cables into the

wider grid network, carried out by a Statutory Undertaker who has separate statutory powers to carry out these works, and therefore do not form part of this application.

- 1.5 Topographically, the site slopes down from east to west, reflective of the general landscape of this area that rises and falls in noticeable peaks and valleys. The site is located within National Character Area (NCA) 88: Bedfordshire and Cambridgeshire Claylands, and within the Northern Wolds Landscape Character Area as identified in the adopted Landscape and Townscape SPD 2022. Along the boundaries of the site is established planting, predominantly hedgerows, with some intermittent trees, though with trees mostly sited around the areas of the site close to the A605 and along Billing Brook.
- 1.6 There are a number of designated heritage assets in the surroundings, with the closest being the Grade II\* St Marys Church in Haddon, sited approximately 800m from the edge of the site where solar panels are proposed. Approximately 950m to the north is a Schedule Ancient Monument, a Roman Barrow, and approximately 1100m to the north west are a pair of Grade II listed buildings that form part of Sheepwalk Farm.
- 1.7 As amended, the application proposes the erection of ground mounted solar panels across most of the site, with a bank of panels being approximately 12.5m in length, 6.2m in depth, with the maximum height of the panel being 3.5m. Panels would be sited in rows, with gaps of 0.2m between each bank, and sited on regularly spaced columns that penetrate the ground. The exact depth of the mounting column will vary across the site due to topographical changes and to accommodate varying soil constraints but is indicatively shown as 2m.
- 1.8 The application also proposes 10no. cabins to house inverters and transformers, measuring 2.6m in width, 10.4m in depth and 3.2m in overall height with a flat roof. The proposed security fencing and gate to the perimeter of the solar panels measures approximately 2m in overall height. Engineering operations are proposed to create new swales, and to create the route needed to run cables that will attach to the network to the east, close to Haddon House and Toons Lodge. A single control building is proposed within the site, measuring 7m in width, 3m in depth, 4m in overall height and 3.5m to the eaves.

## **2. NATIONAL GUIDANCE AND POLICY AND RELEVANT LEGISLATION**

- 2.1 The National Planning Policy Framework 2023 (NPPF) sets out the three economic, social and environmental objectives of the planning system to contribute to the achievement of sustainable development. The NPPF confirms that 'So sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development...' (para. 10). The NPPF sets out the Government's planning policies for, amongst other things:
  - delivering a sufficient supply of homes;
  - achieving well-designed places;
  - conserving and enhancing the natural environment;
  - conserving and enhancing the historic environment.

- 2.2 The National Planning Practice Guidance (NPPG), the National Design Guide 2019 (NDG) and the Noise Policy Statement for England (NPSE) are also relevant and a material consideration.
- 2.3 For full details visit the government website [National Guidance](#).
- 2.4 Relevant Legislation;
- Planning and Compulsory Purchase Act 2004
  - Town and Country Planning Act 1990 (as amended)
  - Planning (Listed Buildings and Conservation Areas) Act 1990
  - Ancient Monuments and Archaeological Areas Act 1979

### **3. LOCAL PLANNING POLICIES**

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
- LP1 Amount of Development
  - LP2 Strategy for Development
  - LP3 Green Infrastructure
  - LP4 Contributing to Infrastructure Delivery
  - LP5 Flood Risk
  - LP10 The Countryside
  - LP11 Design Context
  - LP12 Design Implementation
  - LP13 Placemaking
  - LP14 Amenity
  - LP15 Surface Water
  - LP16 Sustainable Travel
  - LP17 Parking Provision and Vehicle Movement
  - LP19 Rural Economy
  - LP29 Health Impact Assessment
  - LP30 Biodiversity and Geodiversity
  - LP31 Trees, Woodland, Hedges and Hedgerows
  - LP34 Heritage Assets and their Settings
  - LP35 Renewable and Low Carbon Energy
  - LP36 Air Quality
  - LP37 Ground Contamination and Groundwater Pollution
- 3.2 Cambridgeshire and Peterborough Minerals and Waste Local Plan 2036 (Adopted July 2021)
- Policy 5 Mineral Safeguarding Areas (MSAS)
- 3.3 Supplementary Planning Documents (SPD)
- Huntingdonshire Landscape and Townscape Assessment – Adopted 2022
  - Huntingdonshire Design Guide – Adopted 2017
  - Cambridgeshire Flood and Water SPD – Adopted 2017
  - RECAP Waste Management Design Guide (CCC SPD) – Adopted 2012
  - Developer Contributions – Adopted 2011 (Costs updated annually)
- 3.4 Overarching National Policy Statement for Energy EN-1 (2023)
- 3.5 National Policy Statement for Renewable Energy Infrastructure (EN-3) (2023)

- 3.6 *Officer note – National Policy Statements, with those relevant to this application set out in paras 3.4 and 3.5 above, are primarily produced to support the National Significant Infrastructure Project (NSIP) regime. However, both identify that they may be material planning considerations in standard planning applications, but it is for the decision maker to consider the level of weight that should be attributed to them in each circumstance. Noting the scale of development that they are specifically produced to support; officers consider the adopted local plan policies should take primacy in consideration.*
- 3.7 For full details visit the Council's website [Local policies](#).

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

- 4.1 21/70004/SCRE - Proposed solar park and associated infrastructure across a 43.3ha (approx. 107 acres) site. Screening Opinion Adopted 02/02/21 – Concludes the development is not EIA.

#### **5. CONSULTATIONS**

- 5.1 Haddon Parish Council – No comments received.
- 5.2 Elton Parish Council (Copy of latest comments attached) – Objection. The proposed solar park would not accord with local plan or landscape policies. The development will destroy the historic landscape and harm views that are available for significant distances. The development will massively reduce ecological biodiversity and adversely affect wildlife. Reflections from the panels could compromise flying safety. The development will destroy the ability of the good quality agricultural land to produce food. The construction will permanently damage the land beyond reasonable prospect of long-term recovery and is likely to cause traffic issues along the A605. Any approval should require a legal agreement that returns the land to agricultural on cessation of use and prevent further development and require the re-engineering of junctions to ensure construction vehicles do not stray into villages. No assessment of potential alternative locations has been carried out. The latest amendments have not addressed the fundamental objections to the development.
- 5.3 Chesterton Parish Council (Copy of latest comments attached) – Recommend neither approval nor refusal but concludes HDC has more expertise to judge the application. The Parish Council supports and promotes green energy. The integrity of the local plan should be upheld in recognising the value of the landscape in this area, which is situated across undulating 'clay vale' landscape. The Huntingdonshire Design Guide suggests that designs should be sensitively located to not overwhelm the landscape and avoid high points. There are queries regarding the impacts of light reflection or pollution on highway and aircraft safety, and why the inverter/transformer cabins are not better related to solar panels they serve. It is assumed a time limit will be set on the life of the contractors compound.
- 5.4 Alwalton Parish Council (Copy of latest comments attached) – Objection. The application is not in accordance with the adopted local plan. The development will be detrimental to the local area through harm to landscape, loss of ecology and biodiversity and loss of agricultural land.

Solar panels could be sited on alternative brownfield sites. The A1 motorway currently forms a boundary between industrial development in Peterborough and the rural countryside.

- 5.5 CCC Lead Local Flood Authority (LLFA) – No objection following revised details. The submission has demonstrated surface water can be managed through the use of permeable paving, swales and filter strips to restrict discharge to below greenfield equivalents. The measures proposed will also provide water quality treatment which is important when discharging into a watercourse.  
Conditions are recommended requiring the submission of the full detailed design of the drainage scheme, requiring details for its long term maintenance and requiring details of how surface water runoff will be managed during construction.
- 5.6 Environment Agency – No objections subject to securing the mitigation measures in the submitted Flood Risk Assessment that all development is located outside Flood Zones 2 and 3.
- 5.7 HDC Landscape Officer – No objection following revised planting plans. It is considered the landscape has the capacity to absorb the development, and that the proposed planting, subject to a fully detailed planting plan being submitted, will provide adequate mitigation for the landscape impacts, and a suitable level of screening.
- 5.8 HDC Conservation Officer – No objection. The solar farm is screened from the majority of nearby heritage assets by the flanking ridges of Chesterton Hill, Stock Hill and Morborne Hill. The wider setting of nearer assets will see change but the siting will limit impact and the immediate settings will be preserved. Any minor harm would be modest, less than substantial and more than outweighed by the public benefits of the proposal.
- 5.9 Natural England – No objection. It is unlikely the proposed development, if temporary, would lead to significant permanent loss of best and most versatile (BMV) agricultural land. Although some components of the development may permanently affect agricultural land this would be limited to small areas. It is important that appropriate management of the soil is carried out to ensure it retains its long term potential as a future resource.  
It is recommended that any application is granted subject to conditions to safeguard soil resources and to secure appropriate agricultural and biodiversity land management during the lifetime of the development, and to require the site is decommissioned and restored to its former condition when permission expires.
- 5.10 CCC Definitive Maps Team – No objections. It is understood the applicant is leasing the land and it is not within their gift to dedicate a new or additional Right of Way. The best alternative is for a permissive route to be provided and the applicant proposes a 4m wide circular permissive bridleway around the north plot. To ensure that is protected as part of the development conditions are recommended requiring the full detailed design is submitted and approved, that no fencing is erected within 0.5m of the permissive bridleway and that no planting is erected within 2m.
- 5.11 Designing Out Crime Officer – No objections. Recommend the proposed fencing is to LPS1175 SR2 standard. Recommend the CCTV images are stored for evidential purposes. Recommend a lighting plan is provided

when available, designed by a fully qualified lighting engineer to ensure the safety and security requirements are met with ecology and wildlife in mind.

- 5.12 British Horse Society (BHS) – Objection. BHS believes there is historical evidence of rights of way that are either unrecorded or under recorded within and surrounding the site. These have been submitted to the County Council as a Definitive Map Modification Order (DMMO) application and it is the BHS position that these are legal bridleways that must be considered in this application and it should not progress until a decision has been made. It is noted that the applicant proposes improvements to Bridleway 111/5, but there are concerns that works to this will undermine the quality of that surface, and further information should be provided. Conditions are requested that address widths, lack of obstruction and traffic management in relation to bridleways.
- 5.13 Hunts Ramblers Association – Objection. Support the comments of the BHS. The Hunts Ramblers wish to ensure any permission granted protects the rights of walkers.
- 5.14 Exolum (Oil Pipelines) – No objection. The proposed development will not affect the onsite apparatus. It should be noted that the developer may require a Works Consent.
- 5.15 CCC Historic Environment Team – No objections. The proposed works do not impact archaeological deposits or features.
- 5.16 Wildlife Trust – No objection. The submitted reports cover all relevant issues and follow established best practice. They include appropriate avoidance, mitigation and enhancement recommendations and should be conditioned if the application is approved. It is likely the net gain calculation would be lower than indicated, as the grassland habitats created are commonly poorer than predicted. However, the scheme still achieves significant positive net gain, and there are no biodiversity or ecological reasons to refuse the application.
- 5.17 CCC Local Highway Authority (LHA) – No objections following confirmation that an appropriate Construction Traffic Management Plan can be secured by condition that includes a left turn in and out arrangement. Recommend conditions restricting the provision of fences and gates, requiring provision and retention of visibility splays, that the width, depth, material, and form of accesses and their construction accords with specific requirements and County specification, that internal parking and manoeuvring areas are retained, that details of any temporary construction facilities to be submitted and that a revised Construction Traffic Management Plan is submitted.
- 5.18 HDC Environmental Health Officer (EHO) – No objection. Noise generated during the construction phase can be controlled through a Construction Environment Management Plan, which is recommended to be conditioned, and during the operational phase minimal noise will be generated.
- 5.19 CPRE – Objection. The proposal is not compliant with national or local policy. The proposal will remove agricultural land from production. There will be significant adverse impacts on residential and visual amenity. There will be a risk to safety on local roads. There will be unacceptable



levels of harm to local landscape and significant harm to historic landscapes. The proposed mitigation is inadequate and will not reduce negative impact to the most sensitive receptors. Security lighting will disturb residents and wildlife. There will be a safety risks to users of the Rights of Way. Security fencing will be inconsistent with the landscape. CCTV will be an invasion of privacy. There is not clarity around possible installation of lithium-ion batteries. There is no detailed plan for decommissioning. Funding for decommissioning must be available and secured in advance of construction commencing. A lifecycle carbon analysis has not been carried out.

## **6. REPRESENTATIONS – Done to 30<sup>th</sup> Oct 2023**

- 6.1 Elected Members (HDC Cllr Alban, Cllr Beuttell; CCC Cllr Bywater; MP Shailesh Vara; full copies available on Public Access); Objection. The development will create significant scarring and destruction of the landscape with visual impacts for considerable distances along one of the highest points in Huntingdonshire. The loss of productive agricultural land adversely affecting food security. There will be considerable soil damage and pollution to the land and Billing Brook. The development will reduce biodiversity of the area and its operation will result in pollution that threatens protected species, including Great Crested Newts that have been identified in the Brook. There is a risk of glint and glare affecting aviation safety from the nearby airfields. There is a potential road safety and congestion issue from the construction deliveries using the A605 that will likely lead to fatalities. The construction and decommissioning of the solar panels will contribute to emissions and air pollution and the panels contain toxic materials that result in pollution. The materials used in solar panels are not renewable. There is concern electromagnetic interference has hidden or unknown risks to traffic on the A605. There is no detail on the risk of fire caused by solar panels. There are no detailed plans on decommissioning the site and concerns the development will become abandoned.
- 6.2 106no. objections received, raising the following summarised material points;
- The development should not utilise agricultural land.
  - The land has good agricultural value that is needed to support food production.
  - There is insufficient information on the connection between the two parts of the development across the A605.
  - The security fencing will be visually intrusive to the rural environment.
  - The development will cause harm to the surrounding area.
  - The benefit of the development does not outweigh the harm.
  - There will be a loss of land and habitat for wildlife.
  - There will be significant harm to the local landscape.
  - The timescale for the development will mean it will likely become irreversible.
  - There will be considerable soil damage and pollution to the land and to Billing Brook.
  - There is potential risk to aviation safety for surrounding airfields.
  - No details are available on how the decommissioning of the proposal.
  - There is evidence of protected Great Crested Newts within Billing Brook.

- There will be safety risks to aircraft through glint and glare.
- The A605 is a fast-moving road not appropriate for construction traffic.
- There are major visual amenity impacts to neighbouring residential properties.
- There is no assessment of the emissions from the manufacturing of the solar panels.
- Deliveries from the A605 during construction will lead to highway safety issues.
- There has not been adequate public consultation from the applicant.
- The development is contrary to the Local Plan.
- The local area suffers from flooding that will be exacerbated by the development.
- The area is used regularly by walkers and cyclists.
- The development will adversely impact users of surrounding open spaces to the detriment of public health.
- There have been several fatalities along the A605 and the level of construction traffic generated will adversely impact highway safety further.
- The development is unlikely to generate a significant amount of electricity and any generated will be intermittent.
- The proposal may lead to drainage issues.
- Availability of food is more essential than electrical power availability.
- The proposed development is contrary to the adopted Supplementary Planning Documents due to its prominent location and scale.
- The road network will require improvements to support the development.
- There is nothing to control vehicle movements related to the development onto the A605.
- There is a safety concern with Battery storage located close to Billing Brook that is known to flood.
- There are national shortages in world food supply such that agricultural land should not be lost.
- The development will give rise to carbon emissions.
- The solar farm will be visually intrusive into the area.
- There is a high risk of pollution associated with the development.
- There are a number of protected species on and adjoining the site that will have their habitat disrupted or destroyed.
- The site is one of the few highpoints in the area and is therefore visible from considerable distances.
- It is unlikely all elements of the proposal will be removed once decommissioned.
- There will be a loss of trees and hedges on the site.
- The application does not sufficiently show the land level changes across the site to demonstrate its impacts.
- The application has not demonstrated the impacts of long-term chemical use proposed as part of the maintenance programmes.
- Cambs Police have requested a lighting plan, and any lighting would result in significant light pollution in the area.
- The viewpoints used in the submitted Landscape and Visual Impact Assessment do not include the most impacted views.
- The solar panels will result in electrical interference with surrounding communications networks.

- The proposal is contrary to national planning guidance.
- Concerns the development will give rise to land instability.
- The development will not contribute to long term employment in the area.
- There will be no net gain in biodiversity.
- The development will interfere with Public Rights of Way in the area.
- Glint and glare from the development will lead to highway safety issues.
- The proposal is out of character with the area.
- The development will result in an adverse urbanising impact.
- The application is likely to generate harmful light pollution.
- The development does not accord with the policies in the NPPF.
- Mitigation planting will not screen the development until late in its operational period.
- The proposed undertaking does not accord with the CIL Regulations and should be given limited weight.
- The length of time the development will be in place means little weight should be given to reversibility of the scheme.
- The development is not sustainable.
- The development will lead to harm to heritage assets through development in their setting.
- The development will adversely impact water quality in the area.
- The economic benefits of the proposal are overstated.
- Electricity generated is unlikely to be used locally.
- It will not be possible to screen the development.
- There is a risk to human health through the location of the solar panels.
- The site is a haven for wildlife and protected species that will be lost through the development.
- Concerns regarding the recyclable nature of the development.
- The Wildlife Trust consider the submitted information overrates the grassland habitat and net gain will be significantly lower.
- The proposed surface water mitigation is insufficient to prevent the significant risk of flooding.
- The site contains large areas of higher quality land at Grades 2 and 3a.
- Concern the proposal will result in an increased risk of crime in the area.
- The application has not included specific viewpoints that would experience significant adverse impacts.
- The submitted Landscape and Visual impact assessment underestimates the visual impact of the development which would not be acceptable and would not be capable of being made acceptable. *(Officer note – a third party review of the submitted LVIA was received and is considered elsewhere in this report.)*
- The visual impact of the development will harm amenity of nearby properties.
- The development is contrary to policy LP10.
- Funds to enable decommissioning should be secured at this stage and held until required.
- The development does not accord with National Policy Statement EN-1.
- Any planted screening along the boundaries will not be able to screen the entire development due to the topography of the land.

- Planting will take a significant length of time to develop to adequate levels.
- The site is considerable landscape quality.
- The development will harm the agricultural economy.
- No evidence of alternative locations has been provided.
- It is uncertain the proposed development is viable.
- Works have previously been carried out to Trees and Hedgerows (*Officer note – while this has been considered, it is not material that the applicant may have carried out works historically, only in-so-far as it relates to the current situation of vegetation on and around the site in considering landscape impact and the potential level of mitigation that might be required to make the development acceptable.*)

Officer note – 3no. objection were received anonymously in addition to those above. For the avoidance of doubt those objections carry minimal weight in the determination of the application. Notwithstanding, they raise no material points that were not already raised within other representations.

6.3 49 no. comments of support received, raising the following summarised material points;

- It is a priority to generate renewable energy, irrespective of the cost.
- This will contribute to carbon neutrality and improve energy security.
- Wildlife impacts appear to be minimal and other areas are devoted to increasing biodiversity.
- The development will accommodate multiple uses.
- The development is needed to support solutions to the global environmental crisis.
- The development has been carefully considered to minimise impact on the landscape.
- The proposed grazing on the land will promote regenerative farming.
- The planting around the edges of the solar park will bring benefits to biodiversity.
- There is a substantial amount of land in the UK devoted to agriculture and some can be shared with solar panels.
- The development will support reduction in greenhouse gas emissions.
- 80% of the land is classified as Grade 3b and less suitable for food production.
- The development will create construction and long-term maintenance jobs.
- The development is reversible and all equipment can be removed at the end of its life.

6.4 The following points have been raised that are not material considerations. Officer notes are *italicised* for explanation where necessary;

- The development will be visible from surrounding properties (*Officer note – that the development can be seen from a neighbouring property, and alterations to private views, is not a material consideration. Where the development may affect residential amenity, that has been assessed below.*)
- The development will reduce house prices. (*Officer note – This is a private land interest and not a material planning consideration.*)

- Impacts from existing issues (*Officer note – The development cannot address existing issues, only mitigate for its own impacts. Where there are impacts arising from the development, this has been considered below.*)
- Concerns regarding precedent for other proposals or future proposed extensions (*Officer note – Applications must be considered on their own merits. Speculation of future applications that may or may not be submitted is not material.*)
- Comments relating to who the applicant is.
- The panels will likely be outdated due to changing technology (*Officer note – This is speculative and cannot be given any weight in the determination of the application which must be based on policy and circumstances at the time of decision.*)
- Comments relating to the date of submission or any consultation period of the application. (*Officer note – The application is consulted on in accordance with statutory requirements.*)
- Solar Panels should be sited on industrial buildings. (*Officer note – This is not in the control of the LPA, is not a matter of policy, and is not a relevant consideration of this application which must be considered on its own merits.*)
- The Council's public access system does not show the correct number of responses received (*Officer note – this is a technical matter due to how the LPA is required to record comments for data protection reasons. Comments are instead shown within the documents tab, but this is no requirement to publish any comments received. A summary of all comments is included within this report.*)
- Comments relating to professional integrity of the applicant or any professional body that has carried out work on their behalf.
- Comments relating to the control building labelled 'option 2' (*Officer note – this building has been removed from the application and is no longer proposed. It is therefore no longer a matter for consideration in this application.*)
- The application site is not allocated. (*Officer note – The current Local Plan does not allocate solar farm development as it does with, for example, residential development. Applications must be considered on their own merit.*)
- The application should not have been accepted (*Officer note – The LPA has no power to refuse to accept or consider an application.*)
- Comments related to Areas of Outstanding Natural Beauty (AONB) (*Officer Note – The site is not within, adjacent or near to an AONB.*)
- Comments of a defamatory nature.
- Comments relating to the validity of any representations submitted.
- Comments relating to EIA development. (*Officer note – The development has been determined not to represent EIA development for the purposes of the relevant regulations, a copy of which can be publicly seen through Public Access under reference 21/70004/SCRE.*)
- Threat of Legal Challenge.
- Comments relating to any precedent set by any decision outside Huntingdonshire District. (*Officer note – the application must be determined on its own merits. References to decisions outside the district, determined on the policies relevant to that area, are not relevant to the assessment of this application under the policies relevant to this district.*)
- Comments relating to a lack of engagement by the applicant or landowner.

- Comments relating to the applicant's reason for submitting the application.
- Comments relating to the Landscape and Nature Recovery (LNR) Plan (*Officer Note – The LNR Plan is a programme which incentivises biodiversity enhancement projects for landowners and is not policy relevant to the determination of planning applications.*)
- Matters covered by legislation outside planning legislation. (*Officer Note – Such matters fall to the relevant body to enforce, and any relevant process or controls should not be duplicated.*)
- Comments relating to the reasons the applicant has made changes since any pre-application discussions.
- Information identified as part of a Freedom of Information Request (*Officer note – Any FOI can only relate to written records kept by the Council. Any information found or lack thereof is not preclusive of any discussions, it only indicates no formal records are available. Any information identified as part of an FOI, particularly carried out prior to submission of the application, does not preclude that the application is assessed on its own merits at the time of the application being submitted.*)
- Comments made on Television Programmes.
- Comments regarding potential requirement for further applications. (*Officer Note – The application as proposed is for consideration at this stage. It is for the developer to ensure they have adequate permissions for any further works that may be required, for example to connect to the grid.*)

## 7. ASSESSMENT

7.1 The main issues to consider in the determination of this application are:

- Principle of Development
- Character and Landscape
- Highway and Transport Impacts
- Public Rights of Way
- Impacts from Glint and Glare
- Ecology and Biodiversity
- Drainage and Flood Risk
- Impacts to Heritage Assets
- Impacts to Neighbouring Amenity
- Contamination Risks and Pollution
- Other Matters

7.2 The starting point for proposals, in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004 is that developments shall be determined in accordance with the Development Plan unless material considerations indicate otherwise.

### **Principle of Development**

7.4 This section is concerned with the broad principle of development for a renewable or low carbon energy generating scheme in the open countryside. More detailed, site-specific matters are considered elsewhere in the report.

- 7.5 The application site is located outside and built-up area and is therefore considered to be within the countryside for planning purposes. In such a location development is restricted under policy LP10 to those that are provided for in other policies within the Local Plan. The supporting text to that policy notes that this is in order to balance support for a thriving rural economy and land-based business, while protecting the character and beauty of the countryside.
- 7.6 Of particular relevance in this instance is policy LP35 which states that “a proposal for a renewable or low carbon energy generating scheme, other than wind energy, will be supported where it is demonstrated that all potential adverse impacts including cumulative impacts are or can be made acceptable”.
- 7.7 As stated above, LP35 provides support in principle for renewable and low carbon energy generation and is therefore considered by Officers to be one of the specific opportunities for development in the countryside supported in the local plan, subject to a detailed assessment of the proposal and its impacts. In terms of the countryside location, and notwithstanding further assessment in respect of the use of agricultural land, it is therefore considered there is in-principle policy support for the proposal in this location.
- 7.8 With respect to use, the application site currently comprises approximately 46ha of agricultural land. Policy LP10, (reflecting para 174b) of the NPPF, seeks to protect best and most versatile (BMV) agricultural land, classified as Grades 1, 2 and 3a from irreversible development.
- 7.9 Natural England have raised no objections to the proposal, and consider that, subject to conditions requiring details of decommissioning and safeguarding of the land quality, there would be no loss of BMV land.
- 7.10 A significant number of objections have been received from local residents, Elton Parish Council, Ward members and CPRE on the grounds that the land is fertile, good quality agricultural land that should be retained for food production.
- 7.11 The application has been accompanied by a report detailing Agricultural Land Classification (ALC) across the site. It concludes 20% of the site falls into Class 3a, with the remainder falling into Class 3b. Comments have raised concerns that there is a discrepancy between the size of the site, as the report refers to 41ha, whereas the site is approximately 46. The ALC report has not investigated the proposed cable run, which accounts for the discrepancy. Officers consider this is acceptable as the cable would be buried at sufficient depth that it would not prevent use of the land above it, and in any event, it largely runs along existing field access routes, as opposed to farmed agricultural land.
- 7.12 It is noted, and was highlighted in some comments received, that a single sample of soil was found to be Grade 2 land. The land surrounding that point is Grade 3b, and the Natural England ALC maps show that the closest Grade 2 land is some distance from the site. As such, it is considered this is an anomaly in that single sample point, and not an indication that there is land that falls into any higher category not accounted for.

- 7.13 The use of Grade 3b land for development is supported under policy LP10, as it is not BMV land. The remaining 8.3ha of 3a land falls the definition of BMV land. Policy LP10 is clear that development should seek to avoid irreversible loss of BMV land. This development that covers this land includes swales, an access track, fencing, solar panels and two inverter/transformer cabins. Of these elements, and having regard to a potential 'worst-case' scenario, the access track and the two inverter/transformer cabins would require some hardstanding and are likely to be more permanent fixtures, though the access track is of limited depth and officers do consider it highly likely this could be removed without any notable impact. The swales, fencing and solar panels are either relatively straightforward earthworks or temporary ground mounted structures that could be readily removed from the site once their use has ceased.
- 7.14 The remaining elements identified, the access track and inverter/transformer cabin hardstanding, would be minor in their scale at approximately 0.1ha, limited to the periphery of the field. A condition is recommended in accordance with LP35 that, prior to decommissioning, a plan is submitted to the LPA that sets out the approach to removal of the equipment, and that seeks to revert the land to its former status in accordance with that agreed plan as well as a condition will also be required that imposes a temporary time limit on the development. Subject to those conditions and the wholly minimal area of land where development is unlikely to be reversed it is considered there would not be any material loss of best and most versatile agricultural land. The development is therefore considered not to represent the irreversible loss of BMV land.
- 7.15 Officers note comments regarding the need for the land to be retained for food production. A number of references have been made to the Food Security report, an investigation by central government into food supply within the UK and identifying potential risks. That report is not planning policy and is therefore not a material planning consideration. Regard has been had to it insofar as it acts as evidence of current situation in the context of planning policy, but it is not considered to carry any weight in the determination.
- 7.16 Notwithstanding, no evidence has been provided that demonstrates the site must be retained for food production or that its temporary loss (even in the context of the proposed time period) would undermine the ability of the country as a whole to maintain stable food supplies. As the proposal would not result in the irreversible loss of agricultural land, which is predominantly not BMV land, it could therefore be reverted and used for crop production if necessary. It would be for wider government policy and legislation to direct such matters, but at this stage there is considered to be no policy basis to refuse planning permission on the grounds the development could undermine food supplies.
- 7.17 A number of comments from local residents and the CPRE have raised concerns that decommissioning is not likely to occur, and that the development will become permanent. Comments have recommended that a bond is secured to ensure there is capital needed for decommissioning. No comments received have referred to the potential use of conditions, or identified any reason that a condition would not be appropriate, having regard to material planning reasons.



- 7.18 Officers note many of these comments are based on assumptions of the applicant's finances. Planning permissions run with the land, not an individual, and there is no basis to restrict this development through a personal permission. In accordance with NPPF Para. 58 the financial viability of a development should be assumed acceptable where it accords with the provisions of the development plan. Viability is considered on a site-specific basis of the development and should not be predicated on the financial status of the applicant.
- 7.19 Policy LP35 notes that provision will be made for the removal of apparatus and the reinstatement of the site to an acceptable condition at the end of the permitted time period for the development. This is achievable by condition, which will be enforceable on any relevant landowner at the appropriate time, as permission runs with the land. It is standard practice to secure the decommissioning of such developments through condition, and officers consider there is no reason in this instance that would require an alternative arrangement.
- 7.20 Officers therefore consider there is no basis to require a bond or other such form of trust to secure the mitigation that could not be readily achieved through a condition, having regard to paras. 55 to 58 of the NPPF. Such a condition would deal with the physical works needed, as well as appropriate investigation into any potential impacts of the development in terms of ground, soil quality or water quality, to ensure they are reverted to at least current baselines.
- 7.21 On the whole, therefore, and subject to the conditions identified above, it is considered the principle of the development is acceptable, in terms of use and location, and in accordance with policies LP10 and LP35.

### **Character and Landscape**

- 7.22 The Council's Landscape and Townscape Supplementary Planning Document 2022 (LTSPD) notes that this site sits within the Northern Wolds Landscape Character Area. In terms of nationally designation, the site also sits within National Character Area (NCA) 88 (Bedfordshire & Cambridgeshire Claylands) and NCA 89 (Northamptonshire Vales). The landscape is characterised predominantly through its strong visual topography, well vegetated valleys of an intimate scale, and open ridges and plateaus. It notes key issues within this area are the protection and enhancement of the distinctive ridge and valley landscapes, including the pattern of smaller fields in the valleys, the preservation of key views towards the distinctive skyline of ridge tops, church towers and woodland, the protection of existing watercourses and enhancement of their biodiversity value and the protection of ancient hedgerows and oaks within the valleys.
- 7.23 In respect to this application, the LTSPD particularly notes that all new development proposals should protect key views of the skyline of ridge tops and woodlands, improve the nature conservation value of streams and immediate valley sides and protect and enhance the distinctive characters of valleys and plateau landscapes through maintaining field patterns and long-distance views from the upland areas and protection of ancient hedgerows and oak trees within the valleys.
- 7.24 The application site sits within a valley, with the land rising to the eastern edge of the solar array and reaching a peak on the edge of the site and

continuing as a plateau to the east. The topography of the area, forming peaks and valleys across relatively short distance, is distinct within the region, where generally topography has limited variation across shorter distances.

- 7.25 The development proposes the solar panels away from the edge of the site, with vegetated landscape proposed along the edges in the form of high hedgerows, with interspersed clusters of trees along the boundaries, including stopping up existing gaps within existing hedgerows.
- 7.26 The application has been accompanied by Landscape and Visual Impact Assessment (LVIA) that has assessed the landscape as having a 'community' value in terms of the scale of importance attached to the landscape because of its special qualities or attributes in a national context. Officers consider this an appropriate classification in terms of the scale of locality in which this landscape is valued but note that this does not preclude further consideration of the actual value that might be placed on the landscape as a resource. The assessment considers the sensitivity of the landscape character on the whole to be low, having regard to the susceptibility to change and its value.
- 7.27 The LVIA has also been accompanied by viewpoints and assessment of the scale of change that would arise in the context of this development at various points. In general, it has concluded large scale effects would arise within the site and immediately adjacent to the southern parcel, but that effects beyond 300m of the northern parcel, and along Haddon Road and Bullock Road, would be small or negligible. It identifies that, in the short and long term, the effect of the proposal would be adverse, and at a moderate/slight impact in terms of magnitude on the landscape character, and moderate/minor impact in terms of the significance.
- 7.28 Objections have been received from Elton Parish Council and from a significant number of local residents on the basis of landscape harm. In particular, these consider that the planting proposals will not be able to screen the development to a satisfactory scale, particularly having regard to the topographical changes. They draw attention to the level difference across the site and note that the location of the solar panels on the highest points will result in their visibility in the surroundings from significant distance above the tops of any planting along the western boundaries.
- 7.29 An objection received from a neighbouring property, Bates Lodge, approximately 480m to the west, has been accompanied by a review of the applicant's LVIA, carried out by The Landscape Partnership Ltd (TLP), a qualified landscape consultant. This is a review of the applicant's submitted information and does not represent an LVIA in its own right. TLP have concluded in their view that the LVIA does not adequately assess the impact of the development and that the development cannot be made acceptable in landscape terms. They also conclude that the LVIA underestimates the value of the landscape, and in turn sensitivity of the receptor to change, which is considered too low.
- 7.30 The Landscape Officer has reviewed the application, the submitted Landscape and Visual Impact Assessment (LVIA) and its addendum, and the proposed planting plan. They note that the valley is relatively contained and consider the position of the panels on lower land, rather than the ridge considered at preapplication stage, will help contain and minimise the visual effects of the development.

- 7.31 While the Landscape Officer considers the sensitivity of the landscape within this area to be medium-low, as opposed to the low sensitivity identified within the LVIA, they have agreed in principle with the conclusions that the landscape has the capacity to accommodate the solar array at this scale without material harm in the context of the development. They raise no objections to the proposed development, and recommend a condition is imposed that requires a full planting scheme to be provided.
- 7.32 Officers have considered the details submitted from all parties in the context of the adopted LTSPD and the NCA designations. It is considered that the landscape does have the ability to accept the development, and that in terms of principle landscape matters its impact can be mitigated. The position within a valley is considered to substantially limit views of the site from beyond ridgelines at substantial distance.
- 7.33 Officers note the viewpoints submitted as part of the LVIA and the addendum, and which were subject to discussion with the Landscape Officer in terms of location. Local residents have expressed that these are not sufficient, and the submitted TLP report provides further points they consider should have been included. Officers note, however, that some viewpoints indicated from local residents are from private property, or in the case of the TLP report, are at a significant distance. Viewpoints that have been included in the applicant's LVIA are taken from positions that are considered sufficient to provide an understanding of the visual impact at these viewpoints suggested by third parties.
- 7.34 Officers note the comments in respect of the planting scheme, in that it does not screen the development. It is not considered that total screening of the development would be feasible, nor that it is a realistic or appropriate goal of a planting scheme for a development of this nature and scale. Such a planting scheme should aim to mitigate for the impacts of the solar farm by offering selective screening where the impacts are so harmful that it is warranted, but in general officers consider the aim of this planting proposal should be to introduce planting in a manner that otherwise breaks up continuous views of the development.
- 7.35 The use of high hedgerows would provide significant screening from views close to the site, where the highest magnitude of change is considered likely to be experienced. In longer views, the use of clustered tree planting, using the trees indicated within the submitted mixes, are considered likely to have a substantial impact in breaking up views of the solar panels and reflect the landscape character identified with the LTSPD. While it is considered unlikely planting would screen the development in its entirety, to achieve that level of screening would require a complete tree belt at significant scale that officers consider would be an alien feature in its own right. The proposed solar panels in the southern fields, which officers consider to be the area most visually apparent in the surroundings, are located away from the highest points. This will give the western boundary planting a greater opportunity to extend beyond the overall height of the solar panels, having regard to topographical changes, and while it is not considered likely to be able to achieve that across the entirety of all views, officers consider the most impacted views from the west will be afforded a sufficient level of mitigation, albeit that this level of mitigation will not provide immediate screening.

- 7.36 Overall, in terms of impacts on public views, officers consider those at the immediate edges of the site, and in close proximity are likely to experience a high level of change. Most of these would be from roads, and therefore views of the proposed development would be at speed and would only form a small part of the overall experience of the landscape. The boundary planting is considered sufficient to mitigate for views from non-motorised users. At longer distances, particularly along the southern fields where is considered views are more readily available due to the right of way network on the other side of the valley, officers consider that the distance of the view, coupled with the proposed planting scheme, will break up the views of solar panels sufficiently to limit their visual dominance in the landscape.
- 7.37 On the whole, and subject to conditions requiring a fully detailed planting scheme to be submitted, officers consider the proposal has demonstrated the proposed development would not result in a materially harmful impact to the landscape as a resource and has suitably integrated itself into the topography and character. The proposal would therefore accord with policies LP11 and LP12.

### **Highway and Transport Impacts**

- 7.38 The application is located north and south of the A605, a busy, national speed limit road that adjoins the A1 to the east and provides connection to Peterborough. The application proposes access from this road, making use of existing farm access points either side of the road, for both construction and maintenance. It is noted that there have been a significant number of accidents on that road. Physically, the A605 is a wide, well-made highway, appropriate to the nature and level of traffic it carries.
- 7.39 The application has been accompanied by a draft construction traffic management plan (CTMP) that estimates approximately 496 construction deliveries across the build stage, with approximately 30 additional movements from contractors parking at the site on a daily basis. Once operational, the development is expected to require approximately 24 maintenance visits over the course of a year, one every two weeks. As the site would be monitored offsite, it is unlikely there would be any significant additional vehicle movements once the development is operational.
- 7.40 The Local Highway Authority have reviewed the submitted information and raised no objections in principle, subject to conditions relating to the construction and maintenance of accesses and appropriate control of construction traffic.
- 7.41 A substantial level of local objection has been received on the basis that the development would give rise to adverse highway impacts, particularly along the A605, and in relation to both construction and operational aspects of traffic generation. Comments have also objected to the use of any surrounding narrow roads and to the routing of construction traffic through villages. Recommendations have been made that interventions into the highway network would be required if the development was to be approved, predominantly to the junctions along the A605. Comments have also raised concern that electrical interference from the operation of the solar farm will result in adverse impacts to highway safety.

- 7.42 In respect of the vehicle movements generated during operation, it is considered the level of movement generated would not be materially noticeable in terms of transport capacity. While the A605 is a high-speed road there is plenty of visibility in both directions, which could be secured through condition, and which would provide adequate understanding of the traffic conditions for drivers to safely enter and exit the site.
- 7.43 The level of movement associated with the construction process is considered to be significant as a whole, given the level of delivery needed and the number of vehicle movements indicated, though it is noted this would be both limited in the length of time, and spread out through approximately 6 months, as indicated in the draft CTMP. It is proposed that access routes are predominantly from the A605, with a route also indicated along New Road and a short section of Haddon Road. Officers note that the removal of control building 2 is likely to mean the second access route is not needed, though in any event access along that route would be minimal, limited to small scale deliveries of equipment needed at the very end of the development in connection with the cable position at that location.
- 7.44 The majority of construction traffic would travel along the A605, where it is proposed to signalise the entrances and use a left turn in, left turn out access arrangement, controlled by banksmen, with vehicles turning at roundabouts where the A605 meets the A1 or Church St at Warmington to the east and west respectively. While it is likely this would cause some congestion, the controlled turning, together with conditions restricting delivery times to the site, would minimise that disruption. Given the relatively short period of construction time (indicated at potentially 6 months in the draft CTMP), this would further reduce the impact of the development. Subject to conditions limiting delivery times, this would also prevent any notable transport network capacity impacts, as it would not be anticipated that the level of vehicle movement needed would be particularly apparent on the road network surrounding the A1 and A605.
- 7.45 It is noted the CTMP is submitted in draft form. While, in principle, officers consider it is acceptable, given the changes in the proposal over time, and to ensure it is fit for purpose, a condition is recommended requiring that to be submitted in a finalised form.
- 7.46 Officers note the comments regarding electrical interference. No evidence has been submitted that indicates there is any potential such an impact could arise, and officers note there are solar farms, both in and out of the district, of varying scale which are close to roads, and there is no indication that these have given rise to any issues in highway safety terms through the creation of electromagnetic fields. Officers note there are no objections from the Local Highway Authority, and as such it is not considered there would be any material harm arising from potential electrical interference.
- 7.47 On the whole, and subject to conditions, the development is therefore considered not to represent an adverse impact to highway safety or the capacity of the transport network and would therefore accord with policies LP16 and LP17.

## **Public Rights of Way**

- 7.48 The application site includes 2no. Public Rights of Way (PROW). The first (Bridleway 111/8) runs partially along the western edge of the northern most area of the site and terminates part way. The second (Bridleway 111/5) partially shares the route proposed to run the cable. A Permissive Path (ref CSS:05/352/0003) that sits next to, but just outside, the northern boundary of the site, runs east-west and connects the two PROWs. The application proposes to create a circular permissive path within the northern field, providing a loop to complete Bridleway 111/5 for the lifetime of the development.
- 7.49 The British Horse Society (BHS) and Hunts Ramblers have objected on the basis of harm to Rights of Way, though it is noted they have not commented on the latest set of amendments or to direct impacts that would either result in the stopping up or loss of Rights of Way. Their comments particularly relate to the potential that there are un-recorded or under-recorded PROWs on and surrounding the site, and the application should therefore accommodate these. A small number of comments received from local residents have also objected on the basis of a loss of Rights of Way.
- 7.50 The County Rights of Way Team have raised no objection to the proposal as amended, subject to a condition requiring precise details of the alignment and material, and conditions requiring offsets from PROWs for fencing and planting.
- 7.51 Officers note that only a single route of those suggested by BHS adjoins the right of way, which is a continuation of the Bridleway 111/8 to the crossing under the A605. Applications have been made to the County Council to amend the definitive map to include this, and those are under consideration. However, and in discussion with the County Rights of Way Team, there is no guarantee that these will be supported, and these routes carry no legal status. Officers therefore consider they cannot carry any weight in the determination of this application, and it would fall to separate legislation to control any obstructions in the event they were confirmed. Notwithstanding, officers also note that the single route that does fall within the site is not obstructed and follows the route of the permissive path proposed.
- 7.52 In terms of Bridleway 111/5, it is likely that there would be no functional impact to this PROW once the development is operational. There may be some temporary disruption during construction while the cable is laid, but this would be short term, with plenty of available land to enable a temporary rerouting, and no loss of connection as a result of the development, and subject to control by the County Council under separate legislation.
- 7.53 Similarly, Bridleway 111/8 would be maintained, with an enhancement as part of the circular route. While the detailed alignment and material of that right of way will be subject to further detail, the application has demonstrated there is sufficient space to accommodate this, and appropriate controls could be put in place through conditions. While there is likely to be a high visual impact to this PROW, its current arrangement, where it terminates in the field, is considered to limit its contribution to countryside access. The improvement from creating the circular route

would provide a greater level of useability and improve countryside access.

- 7.54 The permissive path is proposed on a temporary basis, to run concurrent with the operation of the solar farm itself. While it would have been preferential for the enhancement to become permanent officers consider this to be an acceptable arrangement as the improvement will remain in place for a proportionate time to the impact created by the development.
- 7.55 As no PROWs would be lost through the proposal, and the development would result in a temporary, albeit long-term, improvement to the PROW network, officers consider that, subject to conditions identified, the proposal would accord with policy LP16.

### **Impacts from Glint and Glare**

- 7.56 This section considers the impacts of Glint and Glare on the highway network and airfields, in terms of safety. Impacts in respect of on amenity are assessed elsewhere in this report.
- 7.57 A number of objections have been received from local residents and Ward Members on the impacts of Glint and Glare, namely to highway and aviation safety. In particular, impacts are highlighted to users of the A605, Sibson Aerodrome and RAF Wittering.
- 7.58 The application has been accompanied by a Glint and Glare assessment, which considered 47 potentially sensitive views, including residential properties, roads, listed buildings, rights of way and a number of viewpoints within the LVIA. Of relevance to this section are the points along the A605 and along Bullock Road. That report has not assessed any points to the immediate south or west of the site, as the topography of the surrounding land is considered sufficient to prevent material impacts of glint and glare in those directions.
- 7.59 With regards to impacts to aviation safety, no comments have been received from either Sibson Aerodrome or RAF Wittering. Both airfields designate consultation zones, whereby specified developments in those areas require consultation. In this instance, the site falls within the consultation zone for RAF Wittering, but consultation is only required if a proposed development involves flying, or where the height of any structure or building exceeds 91.4m above ground level and neither of those instances are relevant to this application. Noting that this is the method these airfields use to determine impacts from development it is considered there is no basis to determine there would be a safety impact to the operation of these airfields, and no direct consultation is required to them, and no comments have been received.
- 7.60 With regards to Highway Safety, it is noted that there is a significant level of screening along the southern boundary of the northern site, and that screening would be provided and secured to other boundaries, limiting impacts of glare. The submitted report demonstrates that glint effects would be short term, predominantly around 5-10 minutes, with effects in the morning hours mostly around 6am, and therefore outside morning rush hour. In the evening hours, impacts are expected around 6pm, though to significantly fewer points than in the morning, and which are identified as being screened by existing vegetation.

- 7.61 Officers consider the distance from most points, together with the limited time where glint events can occur is sufficient to ensure there would be no material harm to safety. Where points are closer, predominantly along the A605, there is a substantial level of tree screening in place that would be retained, and that is considered sufficient to protect the points closest to the site.
- 7.62 On the whole the proposal is therefore considered to accord with policies LP15 and LP16 with regards to safety from glint and glare.

### **Ecology and Biodiversity**

- 7.63 The application has been accompanied by Ecological Reports, a Landscape and Biodiversity Management Plan and detailed calculations of Biodiversity Net Gain. These set out the potential areas of ecological value within the site and its surroundings that may be of ecological significance and considers the potential mitigation and enhancement proposals to ensure the development does not result in adverse impacts to ecology and biodiversity.
- 7.64 The Wildlife Trust has reviewed these details and raised no objection. They have noted the reports follow best practice and consider these have established an accurate representation of baseline of the site. They note that the submitted Net Gain Calculations appear to be optimistic in respect of the proposed wildflower grassland, but that even if elements were considered to provide a low overall increase in biodiversity units the development would still deliver a significant increase in habitat units and therefore a high level of net gain.
- 7.65 A substantial number of comments from local residents and non-technical consultees have objected on the basis that the proposal will result in a loss of biodiversity, particularly to and within Billing Brook. The presence of Great Crested Newts has been noted, and comments have raised concerns that the proposal would not achieve a net gain in biodiversity.
- 7.66 The application site itself is arable land, which in itself is of limited biodiversity value, with any features of biodiversity value predominantly located at the edges of the site. There are established hedgerows and tree belts along its boundaries, with Billing Brook to the west of the northern part of the site notable as a habitat features. There is a number of statutory and non-statutory designations within 5km and 2km distances respectively. The majority of these are beyond the A1 to the east, with a small number of protected road verges to the west and southwest. None of these are within 1km of the main solar farm site itself, though a County Wildlife Site is located approximately 920m to the east of the end of the cable.
- 7.67 The submitted report provides a number of construction mitigation measures that would be capable of being secured by condition. This includes appropriate checks for the presence of any protected species, measures to limit the impact and access to active construction elements, and design measures to ensure connectivity remains through the site. Officers note that the mitigation measures also include some detail of habitat provision, including bat and bird boxes. The precise details of these have not been provided, however, in terms of location, but officers consider that detail is readily capable of being secured by condition, and



there are plenty of trees and other locations to be retained such that these are considered capable of being provided.

- 7.68 The application proposes the retention of all existing ecological features within the site. No pruning or other works to the established trees are required to carry out the development, and no works are indicated within any root protection areas. The submitted net gain calculations indicate a 215% increase in habitat units, predominantly through grassland planting, and a 91% increase in hedgerow units. Even noting the above comments of the Wildlife Trust in respect of the grassland planting, the level of net gain indicated is considered to be so significant as to be clearly capable of exceeding the minimum thresholds sought in LP30 and the 10% figure emerging in draft legislation.
- 7.69 Officers note the comments received from local residents regarding net gain but have not identified any comments that demonstrate why it would not be achievable, particularly having regard to the comments of the Wildlife Trust that clearly state a significant net gain will be achieved.
- 7.70 On the whole, therefore, and subject to conditions identified above, as well as a condition requiring a finalised landscape management plan and securing net gain, officers consider the proposal would protect existing ecological features and achieve measurable enhancement in biodiversity terms. It is therefore considered to accord with policies LP30 and LP31.

#### **Drainage and Flood Risk**

- 7.71 The application site is predominantly located within Flood Zone 1, at the lowest risk of flooding, with an area of the site along the western edge, close to Billing Brook, located within Flood Zones 2 and 3 at a higher risk of flooding. The application does not propose any physical structures within that area.
- 7.72 No objections have been received from the LLFA as the statutory consultee for surface water. They have recommended standard conditions seeking the fully detailed design should be submitted if the application is approved, details of its long terms management and details of how surface water will be managed during the construction process. Similarly, no objections have been received from the Environment Agency in respect of flood risk from river sources, subject to securing the mitigation in the submitted Flood Risk Assessment (FRA) that proposes no development within flood zones.
- 7.73 A number of objections have been received raising concerns on drainage grounds. In particular, these raise concerns regarding flooding around Billing Brook and the concern flood risk will be increased, and also note concerns the development will give rise to wider drainage issues.
- 7.74 The application proposes to manage surface flows predominantly through a mix permeable paving, swales and filter strips, with discharge into Billing Brook. This would both control the rate of discharge and provide water quality treatment. The LLFA have confirmed this would restrict rates of discharge to below greenfield levels. That level of restriction is considered sufficient to suitably ensure there is no change to flood risk arising from Billing Brook as a result of this development, as it would not experience any increase in the level or rate of surface water discharging into it.

- 7.75 While the solar panels themselves are not permeable, the development does not create substantial levels of hardstanding compared to, for example, a residential development. Water would reach the ground, and there would be some level of infiltration drainage naturally occurring, though as this is likely to be more focused into runs, the profile of how water runs along the ground is likely to change.
- 7.76 The proposed swales and filter strips would serve to slow water flow and create attenuation features that would hold the water while it discharges, and officers consider there is plenty of available land that can accommodate these features. The submitted FRA suggests that 685m of swales would be sufficient to meet the water storage need but proposes 1743m to ensure interception of all surface water. While the final length and position of swales will fall to detailed design stage, this significant increase above baseline is considered sufficient to be satisfied there is adequate space to accommodate the required drainage measures.
- 7.77 Officers note the relevant test in this instance would be that the situation is not materially worse than present. While the fully detailed design would be submitted at a later stage, the level of restriction indicated and the proposed mitigation measures that have been suitably demonstrated to be achievable are sufficient for officers to consider an acceptable drainage arrangement would be readily achievable.
- 7.78 In terms of flooding from river sources, a small section of the northern land parcel is located within Flood zones 2 and 3, with development located outside those areas. As a solar farm, the development is classified as “Essential Infrastructure” in accordance with Annex 3 of the NPPF and is therefore not subject to the sequential test. Such applications are still required to pass the exception test, in that proposals must demonstrate wider sustainability benefits to the community and demonstrate the proposal will be safe from flood risk and result in no increase in flood risk elsewhere.
- 7.79 Notwithstanding that no development is proposed within the areas of higher flood risk, in terms of sustainability benefits, those are considered to be readily apparent in the context of this solar array, as part of the reduction on non-renewable sources of energy, coupled with the net gain proposals that will support local biodiversity. It is noted that some comments have been received highlighting that generated energy will not be used locally, the application has not been proposed, or considered on the basis of supporting local need, but officers consider that the position of the solar farm, and its connection points into the grid, is likely to mean that there will be some reasonable level of energy use within the locality, increasing energy security for local residents as well as regionally/nationally.
- 7.80 Officers also consider the second part of the exception test, in that there is no increase in flood risk, has also been passed. As the development is located outside the flood zones there is no impact to the existing functional flood plain through a reduction in that area, and the development has demonstrated it can adequately accommodate the storage and release of surface water into the brook to less than greenfield rates such that there would be no material impact beyond current runoff rates.

- 7.81 Subject to conditions, therefore, officers consider the proposal would not give rise to any adverse impacts to drainage through surface water or river sources. The proposal would therefore accord with policies LP5 and LP15.

### **Heritage Impacts**

- 7.82 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that special regard is had to the desirability of preserving particular features of Listed Buildings and Conservations Areas respectively, and great weight should be afforded to the conservation of such heritage assets. The Ancient Monuments and Archaeological Areas Act 1979 protects the archaeological heritage of Great Britain by making provision for the investigation, preservation and recording of matters of archaeological or historical interest. There are a number of heritage assets within the wider locality, set out in para. 1.6 earlier in this report.
- 7.83 HDC's Conservation Officer has reviewed the application and has raised no objections on the grounds of harm to heritage assets, due to the separation from designated heritage assets such that the proposal is not considered to be within the setting that contributes to their significance.
- 7.84 The County Historic Environment Team (CHET) have also raised no objections and consider that the development would not impact any archaeological deposits.
- 7.85 A small number of comments received from local residents have objected, inter alia, on the basis of harm to the setting of heritage assets within the area, though officers note no specific heritage asset has been identified.
- 7.86 In accordance with policy LP34, para. 199 of the NPPF, and the relevant legislation, great weight should be afforded the protection of heritage assets. Any harm should be considered in accordance with paras. 200 to 202 of the NPPF, and a development that gives rise to harm will need to be balanced against any public benefits of the proposal.
- 7.87 Generally, the topography of the area screens heritage assets to the west and south of the site, and they are sited either on top of the ridge, in the case of the Roman Barrow, or the other side, where the land starts to fall away, as is the case for St Marys Church. Other directions are similarly screened, though there may be some longer views as the ridgelines are more distant. There is existing intervening screening within some of these views, and additional screening would be secured as part of the development along the boundaries of the site to further create intervening barriers. Those aspects are considered likely to mean the site is not within the setting of these heritage assets.
- 7.88 While the site of the cable is visible from designated heritage assets in the area, as this is underground it is not considered there is any impact to the significance of these assets through development in their setting.
- 7.89 While the comments of local residents are noted, the Conservation Officer and CHET have raised no objections, and do not consider the proposal would result in any material harm. Officers consider that greater weight should be afforded to these consultees given their expertise, and as limited detail has been provided from any third party on what harm arises

in relation to heritage assets. Having regard to the topography of the land, and the existing and proposed screening, officers consider that even if the development was considered to be within the setting of surrounding heritage assets the development would not result in any harm to their significance.

- 7.90 The proposed development is therefore considered to accord with policy LP34 and the relevant provisions of the NPPF in respect to impact to heritage assets.

### **Impacts to Neighbouring Amenity**

- 7.91 While the site is distant from the majority of residential dwellings in the area, officers note a small number are in close proximity, with the closest being approximately 480m to the west of the solar array, not including the location of the cable. That distance is considered sufficient to protect the amenity of surrounding occupants from overshadowing or overbearing impacts, notwithstanding that the solar panels and associated structures are not of such a height that they would be considered likely to give rise to harmful levels of overbearing or overshadowing.
- 7.92 A number of comments have been made raising concerns on the impacts of CCTV to monitor the site, and the potential views it will afford, particularly over third-party land to the detriment of residential amenity. Officers note the distance of the site from neighbouring property and do not consider there is likely to be any realistic views that would be able to identify any residents. However, the precise positions, orientations or fields of view of CCTV cameras are not yet available, and officers therefore consider it is appropriate to require those details by condition, including with details of the approximate fields of view that they would afford, to ensure views are focused within the site itself and would minimise any distant views over neighbouring property that might give rise to the perception of, if not actual, overlooking.
- 7.93 Officers note a number of comments from local residents have raised concerns regarding lighting within the site, on the basis that floodlighting will have significant impacts, and referencing the comments of the Cambridgeshire Police. It is noted the Police comments do not express any view that lighting is required to be permanently illuminated, and do not express any particular view on the extent or intensity of lighting, they solely request lighting details when they are available.
- 7.94 As lighting, particularly of large areas, can result in impacts at a substantial distance, officers consider there is some potential for impact to amenity of surrounding property through uncontrolled and unrestricted lighting. This is likely to be mitigated at a distance, but the precise impact will be dependent on the level of illumination.
- 7.95 Officers consider that there is every possibility a satisfactory lighting arrangement can be accommodated within the site. Appropriate lighting hoods or other form of directional lighting would limit light spill, particularly when coupled with sensors or timed lighting to ensure there is no need for permanent lighting across the site unless there are overarching reasons. Officers consider this can be conditioned and subject to that condition are satisfied this would limit any impacts of lighting on neighbour amenity or the surrounding area.

- 7.96 In terms of noise, the operation of the solar farm is unlikely to result in any materially noticeable change in the current level of background noise, though in any event the distance from residential properties is considered sufficient to considered sufficient to mitigate any impacts that might arise.
- 7.97 Officers note comments have been received from local residents that the proposal will be visible from their property, including on the basis that the level of change will be so great that it will result in harm to amenity. That a development may be seen from or alter views from a private property is not material. The consideration in this respect is whether the magnitude of change is so great that it would materially impact the ability of any residential occupier to enjoy the property. Officers note the closest property, at 480m to west of southern field, is a substantial distance, and sits at a topographical level similar to the lower points of the application site. This is a significant distance, and as noted above planting would further reduce the impacts of the solar array through breaking up the visual impact of the array. Officers therefore do not consider that there would be such a visual impact to private views that the development would result in a material level of harm to the amenity of the property.
- 7.98 The construction period is likely to give rise to higher levels of noise, though across a relatively short period of time. The Environmental Health Officer has raised no objections on the basis of noise and consider that a Construction Environmental Management Plan (CEMP) can be conditioned to ensure adequate provision is made to further limit noise and other impacts during construction. The site does not immediately adjoin neighbouring property, and the nature of the development is such that there is likely to be more limited impacts in construction than might arise from, for example, more substantial or permanent built form. Noting the short timescale of the development, the position of the site and the physical nature of the works that would be required for the development, officers consider that suitable management proposals can be achieved within the site, secured by condition, that would not result in any material harm to the amenity of surrounding occupants through noise or other impacts arising from the construction period.
- 7.99 On the whole, and subject to the conditions identified, officers consider the proposal would accord with policy LP14.

### **Contamination Risks and Pollution**

- 7.100 The Council's Environmental Health Officer has raised no objection on the basis of contamination risks or air pollution. Natural England have raised no concerns subject to conditions to ensure that there would be no ground contamination, and the LLFA have noted the proposed mitigation measures would also provide filtering before surface water is discharged into Billing Brook.
- 7.101 A number of local residents have raised concerns with regards to contamination of Billing Brook through runoff, and a small number have also raised concerns in respect of air quality through emissions arising from ground disturbance and construction.
- 7.102 In terms of existing contamination, officers consider it likely that the active agricultural use of the site would have required some form of chemical use that could result in contamination, though it is not considered highly likely there would be any contaminants within the site. There are no

notable brownfield uses within or surrounding the site that would give rise to concerns in terms of contamination, or any significant evidence of past uses that would indicate previous contaminative uses on or adjoining the site, notwithstanding the cable runs close to existing buildings. While the A605 and A1 are in relatively close proximity to the site, and are both likely to be sources of emissions, there are no designations covering these areas that indicate they are at or approaching levels of excessive particulate matter in the air that may be considered harmful to human health.

- 7.103 As a solar farm, the developments operational aspect would not give rise to emissions that would result in materially adverse impacts to air quality. While there would be some level of emissions during construction, the short length of the construction time is such that it is considered these would be marginal, and not at a level that would be considered harmful.
- 7.104 A number of objections have been received raising concerns that chemicals used in cleaning the panels will result in ground and water contamination. It is noted that no statutory or technical consultees have objected on this basis or raised concerns. The LLFA has noted the proposed surface water drainage measures will have a filtering effect to ensure discharge into Billing Brook does not adversely affect water quality, and the Environment Agency have raised no concerns regarding potential discharge of contaminations.
- 7.105 While officers consider there is likely to be some chemical use as part of regular maintenance of the site, both in cleaning solar panels as needed and as part of biodiversity management to limit the possible impact of inappropriate plant species, the level of use is considered likely to be low, having regard to the amount of maintenance visits likely to be carried out throughout the lifetime of the development. It is noted that any consideration should be made against a likely starting point that some chemical use would form part of standard agricultural practice use of the site, albeit in a materially different context.
- 7.106 Overall, and particularly having regard to the mitigation that will form part of the drainage scheme, officers consider the proposed development is unlikely to lead to any materially harmful impact to water sources within and surrounding the site.
- 7.107 In respect to ground contamination, it is noted that no concerns have been raised by the Environmental Health Officer. The application has set out the aspects of the development that could potentially give rise to ground contamination, namely oil storage. This is covered by other legislation, both in respect to maintaining the appropriate form of storage as well as in the event of a spill.
- 7.108 There are no other sources likely to result in ground contamination particularly arising as a result of the development. As any water would be discharged into the nearby Brook, and as noted above is considered sufficiently remediated through the drainage proposals, it is considered this is sufficient to limit the impact of any possible chemical use.
- 7.109 On the whole, the proposal is considered to accord with policies LP36 and LP37 in respect to ground and water pollution and air quality.

## Other Matters

- 7.110 The application has been accompanied by a Rapid Health Impact Assessment. While this is limited in its overall scope due to the nature of the proposal, the matters of air quality, noise and neighbourhood amenity, access to work and training, and climate change, are considered relevant matters to be addressed. The submitted document generally notes that no mitigation measures are required where it has identified relevant matters to this development as the proposal is likely to lead to a neutral or positive impact. Where there are potential impacts, the report identifies that other elements of the proposal will already include provisions that act as mitigation, such as construction management plans. Officers have reviewed the report, and particularly those items identified as requiring mitigation or enhancement and consider these are adequately covered by conditions already identified within this report. As such, it is considered the proposal accords with policy LP29.
- 7.111 Officers note a small number of comments received have referenced National Policy Statements (NPS), specifically EN-1, the Overarching NPS for Energy. As set out in para. 3.6 above, the weight to be attributed to NPSs is a matter for the decision maker, in accordance with the provisions of those documents. The starting point for decision making remains the adopted Local Plan, which is considered up-to-date and has been assessed as in accordance with the NPPF. Officers have had regard to the NPSs where relevant to this proposal but given the primary reason for their production as part of the NSIP regime, consider they should be approached as supporting guidance, and that accordance with the policies of the adopted local plan is the appropriate test in assessing the acceptability of this proposal. The local plan has been subject to examination and found sound, and its policies are specific to the district.
- 7.112 A number of comments received have objected on the basis that there is no assessment of alternative sites provided that demonstrates the development must be in this location. This is not a requirement of adopted policy, and regardless of any identification of alternative sites the application site as submitted must still be assessed on its own merits. Assessments of alternative sites would normally be required only where there were harms identified in order to demonstrate there were no other alternatives such that the location should outweigh those harms. In this instance no significant harm has been identified, there is no adopted policy requirement, and no other reason has been put forward as to why an assessment of alternative sites should be carried out. It is therefore not considered a necessary or reasonable requirement to seek further assessment of alternative sites in this instance.
- 7.113 A number of comments received have stated that a Carbon Lifecycle Analysis of the scheme is required, and have raised concerns the proposed development, across its inception to decommissioning stage, would result in an overall increase in carbon emissions than will not be offset through the operation of the site. Officers note no policy requirements for such a review. It is considered to be highly unlikely the operation of the site, over the course of the 40-year timescale, would not significantly outweigh the initial impacts and decommissioning of the development and no evidence has been put forward that indicates the alternative has any reasonable likelihood of being the case. The national support for solar development forming part of the solution to energy

security is also noted, with the carbon life-cycle likely to be similar for all developments of this nature.

- 7.114 Comments have raised concerns that the proposal would lead to an increase in risk of crime. The Cambridgeshire Police have noted that solar farm installations themselves can be vulnerable to crime but have not made any comment that there is likely to be an increase in crime beyond the site itself. As set out above, lighting and CCTV would be required as part of the development, and details of that will be secured by condition. The site would also require fencing, and the final details of that would be required by condition to ensure it meets appropriate safety standards without adversely impacting character or undermining ecological corridors. This accords with the comments of the Police and officers consider this is sufficient to limit the threat of any crime that might arise, sufficient to ensure there would be no materially increased risk either to the site or its surroundings. The proposal is therefore considered to accord with policy LP14 in terms of risk of crime.
- 7.115 A condition is recommended removing permitted development rights for fencing across the site. Officers note this is recommended by the County Council as both Local Highway Authority and Definitive Maps Team in order to safeguard highway safety and the impact of the development on rights of way. Officers consider this is also necessary to ensure the fencing approved under the condition suggested above is not replaced with a more inappropriate form that would have a greater impact and would therefore afford control in respect of landscape matters. Such a condition is considered necessary to ensure the development would accord with policies LP12 and LP17.
- 7.116 The application has indicated funds are available towards a local project, that could be secured through a S106 agreement. Officers note no requests for contributions have arisen, and none are warranted in accordance with the adopted Developer Contributions Supplementary Planning Document. In accordance with the CIL Regulations, contributions can only be sought where it is relevant to planning and the proposed development, and where necessary to make that development acceptable in planning terms. In the absence of any basis to require contributions, officers do not consider any contribution on this basis would fail the tests within the CIL regulations and should not be sought as part of this development or carry any weight in the determination of this application. Notwithstanding this planning policy position, conversations around any local community project could continue directly between parties outside of the planning process, should the local community wish to do so.
- 7.117 Officers note comments received that state there will be a harm to human health caused by the presence of the solar farm due to potential electromagnetic fields. No basis for these concerns has been identified, or any evidence that indicates there is any risk. No objections have been raised from statutory consultees that relate to health, or any evidence provided that this is a potential impact of solar farms. Officers therefore consider there is no reasonable basis to consider there would be a harm to human health through the presence of the solar farm.
- 7.118 Notwithstanding comments regarding the applicant's financial status, noted above, comments have also raised concerns that the proposal is not viable in any event. Para. 58 of the NPPF notes that applications



should be assumed to be viable, and it is for the applicant to demonstrate if there are any particular circumstances that justify the need for a viability assessment. There are no financial contributions sought from this site, and no features or constraints of the development that would indicate any abnormal costs beyond standard requirements. Officers have no reason to conclude the development is not financially viable.

## **8. Planning Balance and Conclusions**

- 8.1 The application must be considered in accordance with the statutory tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004, namely, in accordance with the Development Plan unless material considerations indicate otherwise. As the adopted Local Plan came into force in May 2019 it is considered to be 'recently adopted' in accordance with footnote 38 of the NPPF. The policies which are the most important for determining the application are considered to be up-to-date and are afforded full weight.
- 8.2 Officers have reviewed the detail submitted, along with representations from local residents, and technical and non-technical consultee responses. It has been identified that the proposed development would accord with national and local policy, having regard to the controls that are available to the Local Planning Authority, particularly conditions as set out in the recommendation below. While it is noted that there will be some immediate impacts, particularly in relation to landscape and highways, these are not considered to be materially harmful in the context of the development as a whole, having regard to the timescales of such impacts throughout the lifetime of the development. In any event these limited impacts are considered to be significantly outweighed by the material benefits of renewable energy generation and biodiversity net gain that would arise from the development.
- 8.3 On balance and subject to appropriate conditions, it is considered the proposal accords with adopted national and local policy, and no material considerations have been identified that would indicate the application should otherwise be refused contrary to that policy.

## **9. RECOMMENDATION – delegated APPROVAL subject to conditions including in relation to the following;**

1. 3-year time limit to implement
2. Accordance with approved plans
3. 40-year temporary permission
4. Decommissioning plan to be submitted.
5. Agricultural land and soil management plan to be submitted.
6. Detail drainage scheme to be submitted.
7. No development to be located in Flood Zones.
8. Long-term management and maintenance details of drainage scheme to be submitted.
9. Management scheme for surface water discharge during construction to be submitted.
10. Full details of hard and soft landscaping to be submitted.
11. Landscape and Ecology Management Plan to be submitted.
12. Ecological enhancement details to be submitted.
13. Details of CCTV locations and fields of view to be submitted.

14. Details of lighting to be submitted.
15. Long term landscape management plans to be submitted.
16. Biodiversity net gain to be provided.
17. Public Rights of Way / Permissive Path details to be submitted.
18. Construction Environmental Management Plan to be submitted.
19. Construction Traffic Management Plan to be submitted (and include construction delivery times).
20. Details of fencing to be submitted.
21. PD Rights for fencing to be removed.
22. Any gates hereby approved to be 17m from the edge of the carriageway and only opened inward.
23. Access to be a minimum of 7.3m in for 17m in depth.
24. Access to be constructed to CCC Specification where they adjoin the adopted highway.
25. Details of the vehicle crossing over the watercourse to the north of the site to be submitted.
26. Parking and manoeuvring space to be provided within the site and thereafter retained.
27. Visibility splays to be provided and maintained.
28. Access kerbs to be 15m radius
29. No surface water to discharge onto the highway from the accesses.
30. Access to be a metalled surface.

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 **Aaron Sands, Senior Development Management Officer**

## **ELTON PARISH COUNCIL**

Development Services, Huntingdonshire District Council  
Pathfinder House  
St Mary's Street  
Huntingdon  
PE29 3TN

16 October 2023

### **Planning Ref.: 22/00668/FUL**

Dear Development Services, Huntingdonshire District Council,

Further to your recent correspondence dated 4<sup>th</sup> October 2023, Planning Ref: 22/00668/FUL, requesting comments within only 14 days relating to yet another amendment being allowed for the *“Installation of a solar park to export up to 25 MW (AC) electricity, comprising up to 65,000 photovoltaic panels, 10 inverter/transformer cabins associated works. Land North East Of Bates Lodge Peterborough Road Haddon”*.

**Elton Parish Council continues to object to Planning Ref: 22/00668/FUL for the construction of a large solar park in the neighbouring parish of Haddon, both north and south of the A605 road, on hillsides in the Northern Wolds area of rural Huntingdonshire.**

This latest amendment submitted by Wessex Solar Energy Limited on the 2<sup>nd</sup> October 2023, being the revised “Landscape Masterplan”, drawing LL149.01 F, prepared on the 25<sup>th</sup> September 2023 has been reviewed and duly considered.

- The minor and insubstantial amendment being some enhancement of landscaping screening with hedges planned to be maintained at a height of 3 – 4 m.

This latest amendment has absolutely no bearing on the fundamental objections to the solar park proposed for this particular location.

**In addition to the objections stated below, Elton Parish Council confirms the objections stated previously on 20 July 2023, and 18 November 2022, reiterating objections stated on 3 August 2022 and in February 2022.**

As stated in our objection of 20 July 2023, it is inappropriate to locate a large solar park on the side of, and near the crest of, a hill in open countryside where it will have the maximum visual impact on the surrounding area and will be impossible to provide adequate screening to mitigate the impact.

- This latest amendment to the Landscape Masterplan is yet another desperate attempt by Wessex Solar Energy Limited to try to persuade authorities and local residents that the visual impact of the development can be managed. It has taken Wessex Solar Energy 19 months from submitting drawing LL149.01 C, prepared on the 28th February 2022 until now to propose the latest amendment to the Landscape Masterplan. The repeated failed attempts by Wessex Solar Energy to propose satisfactory mitigation of the visual impact of this project proves what residents keep stating – it is impossible to mitigate the visual impact from inappropriate siting of a solar farm (or any other massive development) on a hillside and near the crest of a hill in the Northern Wolds. The solar farm should simply not be planned for this (or any similar) location.

Wessex Solar Energy now proposes hedgerows maintained at a height of 3 – 4 m.

Note that it would take about ten years or more for any newly planted hedge to reach a height of 3 – 4 m.

A review of the topography map of this proposed development, Figure 1.2D drawn by Wessex Solar Energy on 18 December 2022 clearly shows:

- In the fields north of the A605 road, the terrain slopes from approximately 20 m amsl at the western boundary hedge up to 42.86 m amsl near the crest of the hill at the eastern boundary hedge, an increase in elevation greater than 22 m; so, a 3 – 4 m hedgerow along the western and northern boundaries will be totally ineffective for visual screening at any distance other than walking along right next to the hedge.
- In the fields south of the A605 road, the terrain slopes from a low of 20.4 m amsl at the western boundary hedge up to 44.3 m amsl near the crest of the hill at the eastern boundary hedge, an increase in elevation of 23.9 m; so, a 3.5 m hedgerow as proposed along the western boundary will be totally ineffective for visual screening at any distance other than walking along right next to the hedge.



There has clearly been no serious attempt to consider alternative, more appropriate, locations for such a large solar park with level, lower-lying topography on 'brownfield' land or adjacent to the main railway line east of the A1/A1(M) highway.

The Huntingdonshire Landscape and Townscape Assessment states "*the Northern Wolds are an attractive and relatively unspoilt part of the district*". The proposal for this large solar park on the slopes of the Northern Wolds is clearly an "*unsympathetic development*" which will alter the "*intrinsic character and beauty of the countryside*" and the visual impact will "*adversely affect the use and enjoyment of the countryside by others*" all contrary to Local Plan Policy LP10 "The Countryside".

As a point of order, how many more amendments is Wessex Solar Energy Limited allowed to submit before this application is refused? Every amendment requires much time and effort, and cost, from Huntingdonshire District Council and all the consultees.

For the reasons stated above and other reasons stated previously, Planning Application 22/00668/FUL for a solar farm at this location should be rejected.

Should you have any queries or require any further information relating to this matter, please do not hesitate to contact me at your convenience.

Yours sincerely,

Parish Clerk, Elton Parish Council

To HDC Development Control

As requested, I am pleased to submit the observations of Chesterton Parish Meeting ('CPM') in respect of Planning Application 22/00668/FUL relating to the proposed installation of a solar park on 107ac of land [in the parish of Haddon] south-east of Bates Lodge.

Historical background: on the break-up of the Marquess of Huntly's estate in Huntingdonshire in 1916, virtually the whole of the parish of Haddon was acquired by one local farmer. Indeed, Kelly's *Directory of Huntingdonshire* for 1920 records that "George Martin esq is the principal landowner" (a landholding which amounted to over 1,200ac). The same family is believed to be still in possession. Since then little of significance has occurred in the immediate area, except for the relocation of the A605, and so the greater part of the parish of Haddon remains purely agricultural. We cannot ignore, however, the ever looming presence of a heavily commercialised Peterborough just over the boundary line set by the existence of the A1.

This Application: as we understand it includes the following infrastructure:

- the installation of up to 65,000 photovoltaic solar panels
- the erection of 10 inverter/transformer cabins
- the conversion of (or installation within the curtilage of) Toon's Lodge into a 'control' building
- security fencing around all enclosures, compounds and associated 'routes'

Comments in favour:

- supports and promotes the 'Green energy' manifesto

*Contra* (and other) comments:

- we feel strongly that HDC should uphold the integrity and validity of its current *Local Plan*, which clearly recognises the value of the north-west Huntingdonshire landscape by maintaining its designation as 'countryside', whilst focusing development potential to the periphery of existing towns in District. The proposed development seeks to ignore this delineation and fundamentally changes the very nature of this area.
- 'Landscape value' may be difficult to assess quantitatively, but clearly exists, and should not be readily dismissed. The proposed site is situated across the undulating 'clay vale' landscape common to both Bedfordshire and western Huntingdonshire, it lies close to the edge of the Northern Wolds "*which are an attractive and relatively unspoilt area of countryside with a strong historical character.*"
- *Huntingdonshire Design Guide SPD* (2017) further champions the landscape by reflecting on the mitigation elements of potential developments, suggesting that any new designs for building in this sensitive landscape should not be positioned so as to effectively overwhelm the landscape, but should eschew high-points in favour of valley bottoms, and avoid intruding on landscape 'view corridors'. This, it is anticipated, will protect and enhance the distinctive characters of the valley and plateaux landscapes,

maintain long views from the upland areas, and preserve distinctive skylines of ridge tops, church towers and woodland.

Specifically:

- what is the possibility of light reflection (or pollution) affecting traffic on the A605 ?
- likewise for aircraft on flight-paths for Sibson Airfield (or RAF Wittering) ?
- the modest size of the proposal site is misleading, as it could be easily extended over the whole parish considering that the landowner has a perceived desire to withdraw from farming
- it is a remarkably incompact site (it could all, for example, be easily located south of the A605, and not have a straggling link to Toon's Lodge); we wonder if this lack of compactness is to provide, at the outset, a precedent for subsequently developing and extending the site on both sides of the A605 ?
- as a 'rider' to the last item, we are concerned that if, by erecting this otherwise 'temporary' and insubstantial infrastructure, the status of the land will be changed forever to something which will invite (and allow) easier development opportunities in the parish.
- the Application seems uncertain as to whether 65,000 solar panels is a *maximum* number or an *approximate* number (surely less confusion and more certainty is required; the art of counting is, after all, a basic educational attainment)
- likewise with the Inverter/Transformer Cabins (10 of each = 20 in total; or just 10 if they have a shared purpose ?); why do they not neatly service 6,500 solar panels each ?
- we were concerned by the apparent lack of clarity over the relationship between the 'Control building' and Toon's Lodge (after John Toon, 1805-1869, the tenant farmer). Better, perhaps, to site the Control Apparatus within one of the main enclosures, which would obviate the need for the absurd zig-zag track (and security fence), and not compromise the integrity of any original buildings existing at Toon's Lodge.
- presumably a time limit will be set on the life of the 'Contractors Compound' ?

Conclusion: we note that the northernmost field of the proposal site abuts the common boundary between the parishes of Haddon and Chesterton. Although the whole proposal site lies within the parish of Haddon, yet there will clearly be an impact on Chesterton (if not now, then almost certainly within 10 or 20 years). So this Application has been seriously considered by members of our Standing Committee resulting in the foregoing observations. However CPM is not inclined to recommend either approval or refusal, but respectfully concludes that HDC has more expertise to be able to judge the merits (or otherwise) of this Application.

Yours sincerely

██████████

Clerk, Chesterton Parish Meeting

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 18 August 2022 16:57  
**To:** Control, Development (Planning)  
**Cc:** Alwalton Parish-Council; [REDACTED]  
**Subject:** Alwalton Parish Council response to proposed Haddon Solar Park22/00668/FUL

Dear All,

Following extensive consultation with local residents, Alwalton Parish Council wish to recommend refusal of this planning application.

1. The application is not in accordance with the recently adopted Local Plan. Communities have a reasonable expectation that a statutory local plan process, carried out by the democratically elected Huntingdonshire District Council and scrutinised by the governments Secretary of State would provide a strong basis for future planning decisions.
2. The appearance will be hugely detrimental throughout the local area. Namely:
  - a. Destruction of the landscape, not only of the immediate vicinity but of the wider part of the district, since it will be very visible from viewpoints for many miles around. It is worth noting that the greater part of this landscape was set out as part of the 18th c enclosure of the parish and most of the hedgerows and oak trees planted at the time, still remain.
  - b. Massively reduce the ecological bio-diversity of this area. As noted, the proposed site contains mature hedgerows and a significant number of mature native trees. It also contains Billing Brook and its valley and associated streamside habitats...a very significant local wildlife corridor.
  - c. Disastrously affect the wildlife and the flora and fauna of the area.
  - d. Destroy the ability of good quality agricultural land to produce food for the foreseeable future. Solar panels could be sited on brownfield sites such as old aerodromes, old industrial sites or the roofs of modern large scale buildings such as the mega warehouse sheds of Greater Haddon on the east side of the A1.
3. Currently the A1 motorway/dual carriageway forms a boundary between the industrial development of Peterborough and the adjacent rural countryside and this boundary should remain.

Kind regards

[REDACTED]  
Chair, Alwalton Parish Council

# Development Management Committee

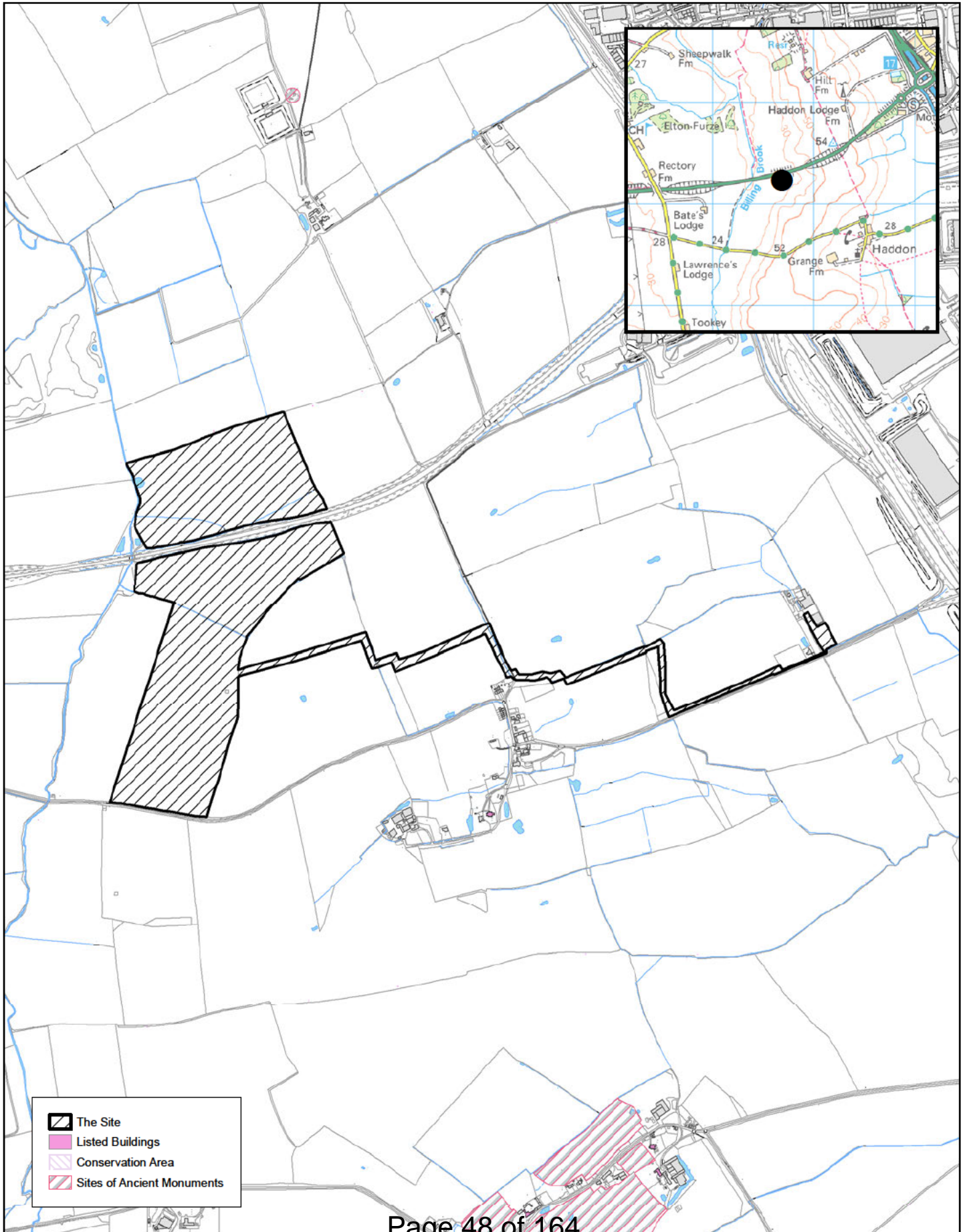


Scale = 1:15,000

Date Created: 04/12/2023

Application Ref: 22/00668/FUL

Parish: Haddon







200m

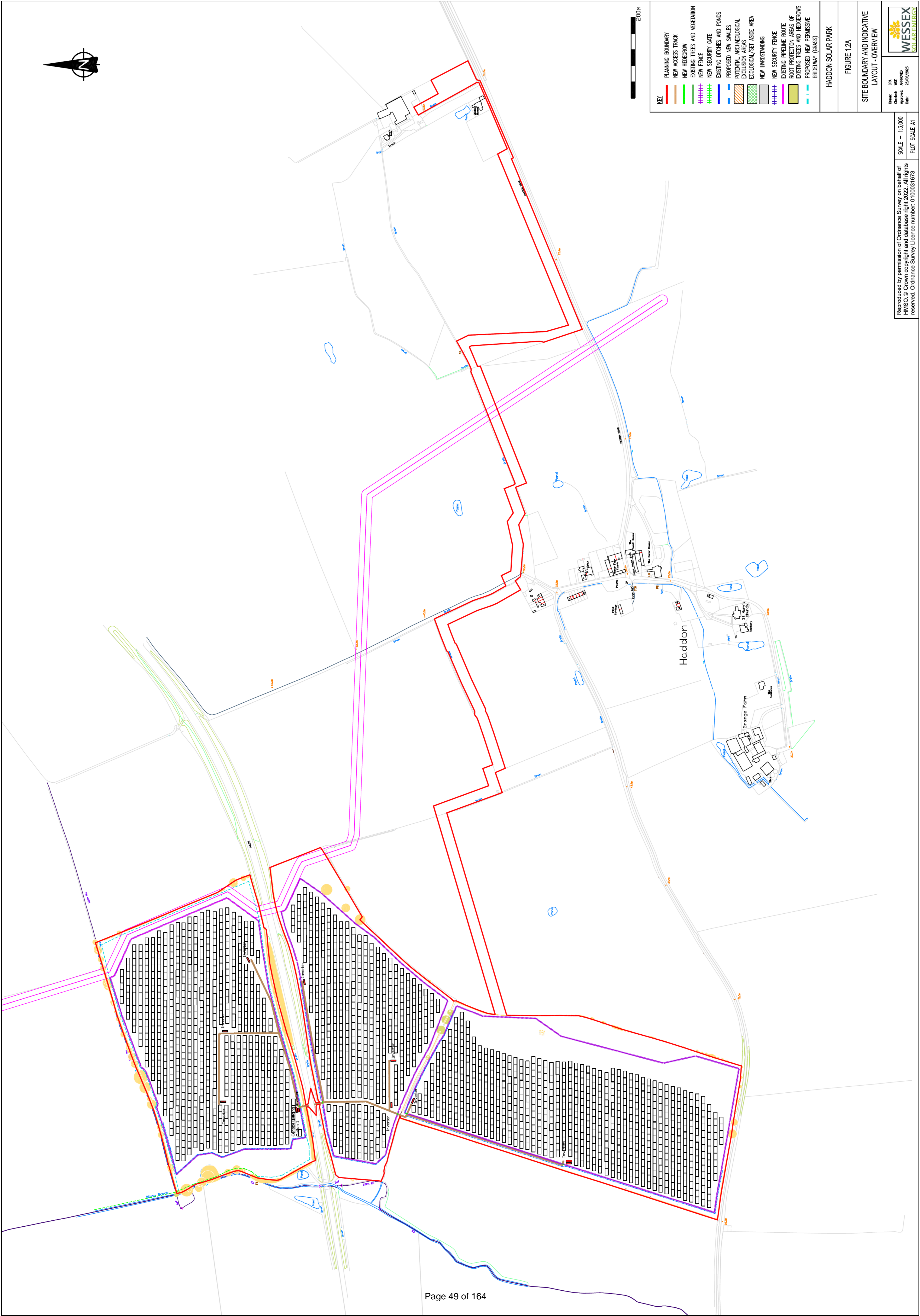
KEY	DESCRIPTION
[Red line]	PLANNING BOUNDARY
[Orange line]	NEW ACCESS TRACK
[Green line]	NEW HEDGEROW
[Light green line]	EXISTING TREES AND VEGETATION
[Purple line]	NEW FENCE
[Blue line]	NEW SECURITY GATE
[Blue dashed line]	EXISTING DITCHES AND PONDS
[Blue dashed line]	PROPOSED NEW SWALES
[Blue dashed line]	POTENTIAL ARCHAEOLOGICAL EXCLUSION AREAS
[Green hatched area]	ECOLOGICAL/SET ASIDE AREA
[Grey hatched area]	NEW HEDGEROW
[Purple hatched area]	NEW SECURITY FENCE
[Yellow hatched area]	EXISTING PIPELINE ROUTE
[Yellow hatched area]	ROOT PROTECTION AREAS OF EXISTING TREES AND HEDGEROWS
[Yellow hatched area]	PROPOSED NEW PERMISSIVE BRIDELWAY (GRASS)

HADDON SOLAR PARK

FIGURE 1.2A

SITE BOUNDARY AND INDICATIVE LAYOUT - OVERVIEW

Date: 23/09/2023



Scale: 1:3,000  
 Plot Scale: A1  
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EXISTING BRIDLEWAY ROUTE TO BE IMPROVED WITH A NEW ACCESS GATE AT POINT 1 AND SUITABLE SURFACING THROUGH THE WOODLAND

NEW PERMISSIVE BRIDLEWAY ROUTE TO BE MAINTAINED AT A MINIMUM 4M WIDTH BETWEEN BOUNDARY VEGETATION AND THE PROPOSED DEER FENCING



**KEY**

-  PLANNING BOUNDARY
-  NEW ACCESS TRACK
-  NEW HEDGE/ROW
-  EXISTING TREES AND VEGETATION
-  NEW FENCE
-  NEW SECURITY GATE
-  EXISTING DITCHES AND PONDS
-  PROPOSED NEW SWALES
-  POTENTIAL ARCHAEOLOGICAL EXCLUSION AREAS
-  NEW HARDSTANDING
-  NEW SECURITY FENCE
-  EXISTING PIPELINE ROUTE AND BUFFER
-  ROOT PROTECTION AREAS OF EXISTING TREES AND HEDGEROWS
-  EXISTING BRIDLEWAY
-  PROPOSED NEW PERMISSIVE BRIDLEWAY (GRASS)

HADDON SOLAR PARK

FIGURE 1.2B

SITE BOUNDARY AND INDICATIVE LAYOUT - MAIN SITE

Drawn: CPA  
 Checked: WSE  
 Approved: APPROVED  
 Rev B : 23/06/2023

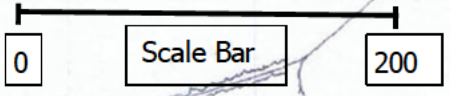


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SCALE - 1:4,000  
 PLOT SCALE A3

Please read with Sheet 2 and the Landscape Design and Aftercare section of the Environmental Report.

E 512500



Revision E Incorporates new permissive bridleway planting.

E 512400

Client: Wessex Solar Energy Developments Ltd.  
 Site: Land north of Haddon Road, Haddon, Peterborough  
 Project: Proposed Haddon Road Solar Park  
 Title: Landscape Masterplan Sheet 1 of 2.  
 Scale: 1:4,000 @ A3. Drawing No: LL149.01 G North  
 Prepared by: . WSE: 27.11.2023 OS Licence Number 100052783

**Key**

- Topographical Survey contours. Interval 5m.
- Existing trees, scrub and hedgerows with trees.
- Proposed enhanced native hedgerows with trees.
- Proposed native tree clumps / groups with scrub.
- Proposed solar panel rows with grass beneath.
- Proposed steel mesh "deer" fence 2.5m high.
- Existing ponds, streams, ditches and swales
- Proposed rolled stone site access track.
- Control Room and Inverters.
- Proposed regular climber planting along fence line

**Native Hedgerows in Higher & Drier Open Areas – Mix 1.**

Hedging Species		Nursery stock specification	% of mix.
<i>Acer campestre</i>	Field maple	60-80cms bare root	22%
<i>Corylus avellana</i>	Hazel	60-80cms bare root	20%
<i>Crataegus monogyna</i>	Hawthorn	60-80cms bare root	23%
<i>Quercus robur</i>	Oak	60-80cms bare root	22%
<i>Rosa canina</i>	Dog rose	60-80cms bare root	2%
<i>Sambucus nigra</i>	Elder	60-80cms bare root	3%
<i>Prunus spinosa</i>	Blackthorn	60-80cms bare root	5%
<i>Malus sylvestris</i>	Crab Apple	60-80cms bare root	3%

**Native Trees for New and Gapped up Hedgerows.**

Species		Nursery Stock Specification	Accessories	% of mix
<i>Acer campestre</i>	Field Maple	2.4m – 3.6m feathered whips	5 slow release fertiliser tablets. 1 short stake and tie. 1 spiral guard	30%
<i>Alnus glutinosa</i>	Alder (in damp soils)	As above	As above	20%
<i>Quercus robur</i>	Oak	As above	As above	50%

**Native Hedgerows in Open Damp Areas – Mix 2.**

Hedging Species		Nursery stock specification	% of mix.
<i>Acer campestre</i>	Field maple	60-80cms bare root	20%
<i>Cornus sanguinea</i>	Dogwood	60-80cms bare root	15%
<i>Crataegus monogyna</i>	Hawthorn	60-80cms bare root	20%
<i>Prunus spinosa</i>	Blackthorn	60-80cms bare root	15%
<i>Salix capraea</i>	Goat Willow	60-80cms bare root	10%
<i>Salix cinnerea</i>	Grey Willow	60-80cms bare root	10%
<i>Sambucus nigra</i>	Elder	60-80cms bare root	5%
<i>Rhamnus cathartica</i>	Buckthorn	60-80cms bare root	5%
<i>Populus nigra*</i>	Black Poplar	12-14cm standard	Occasional
<i>Salix alba*</i>	White Willow	12-14cm standard	Occasional

**Specimen & Field Corner Tree Groups with Scrub understorey (Tree Mix 2)**

To be planted as tree clumps at around 35-40m AOD with tree species at 8m centres underplanted with scrub species at 4m centres.

Species		Nursery Stock Specification	Accessories	Proportion
<i>Acer campestre</i>	Field Maple	12 -14 cms standards	9 slow release fertiliser tablets. 1 short stake and tie. 1 deer proof guard.	25%
<i>Betula pendula</i>	Silver Birch	As above	As above	10% overall
<i>Betula pubescens</i>	Downy Birch	As above	As above	10% overall
<i>Malus sylvestris</i>	Crab Apple	As above	As above	10%
<i>Quercus robur</i>	Oak	As above	As above	23%
<i>Castanea sativa</i>	Sweet Chestnut	As above	As above	5%
<i>Tilia cordata</i>	Small leaved Lime	As above	As above	10%
<i>Carpinus betulus</i>	Hornbeam	As above	As above	5%
<i>Castanea sativa</i>	Sweet Chestnut	As above	As above	2%
Understorey:				
<i>Corylus avellana</i>	Hazel	60-80cms BR	3 slow release fertiliser tablets. Protection.	30%
<i>Crataegus monogyna</i>	Hawthorn	60-80cms BR	As above.	40%
<i>Viburnum opulus</i>	Guelder Rose	60-80cms BR	As above	5%
<i>Euonymus europaeus</i>	Spindle	60-80cms BR	As above	10%
<i>Rosa arvensis</i>	Field Rose	60-80cms BR	As above	5%
<i>Rosa canina</i>	Dog Rose	60-80cms BR	As above	10%

**Native Hedging Plants for Gapping Up Hedges in Shady Locations – Mix 3**

Species		Nursery stock specification	% of mix.
<i>Cornus sanguinea</i>	Dogwood	60-80cms bare root	20% in damp places
<i>Crataegus monogyna</i>	Hawthorn	60-80cms bare root	35%
<i>Ilex aquifolium</i>	Holly	2 litre pot grown	10%
<i>Prunus spinosa</i>	Blackthorn	40-60cms bare root	10% in damp places
<i>Ulmus glabra</i>	Wych Elm	60-80cms bare root	10%
<i>Prunus spinosa</i>	Blackthorn	60-80cms bare root	10%
<i>Ligustrum vulgare</i>	Privet	60-80cms bare root	5%

**Streamside Drifts of Field Trees with Scrub understorey (Tree Mix 1)**

Where not planted within the existing hedgerow, these will be planted as drifts 4m wide along the east bank of Billing Brook. Such planting will be at around 20 - 25m AOD with tree species at 8m centres underplanted with scrub species at 2m centres, but 4m from the trunks of trees, within a 4m wide ribbon.

Species		Nursery Stock Specification	Accessories	Proportion
<i>Acer campestre</i>	Field Maple	10 -12 cms standards	9 slow release fertiliser tablets. 1 short stake and tie. 1 spiral guard.	30%
<i>Alnus glutinosa</i>	Alder	As above	As above	30%
<i>Betula pubescens</i>	Downy birch	As above	As above	15%
<i>Populus nigra*</i>	Black Poplar	As above	As above	10%
<i>Salix alba*</i>	White Willow	As above	As above	10%
<i>Salix fragilis</i>	Crack Willow	As above	As above	5%

Understorey to drifts. To gap up the existing hedge use these trees plus Hedging Mix 2.

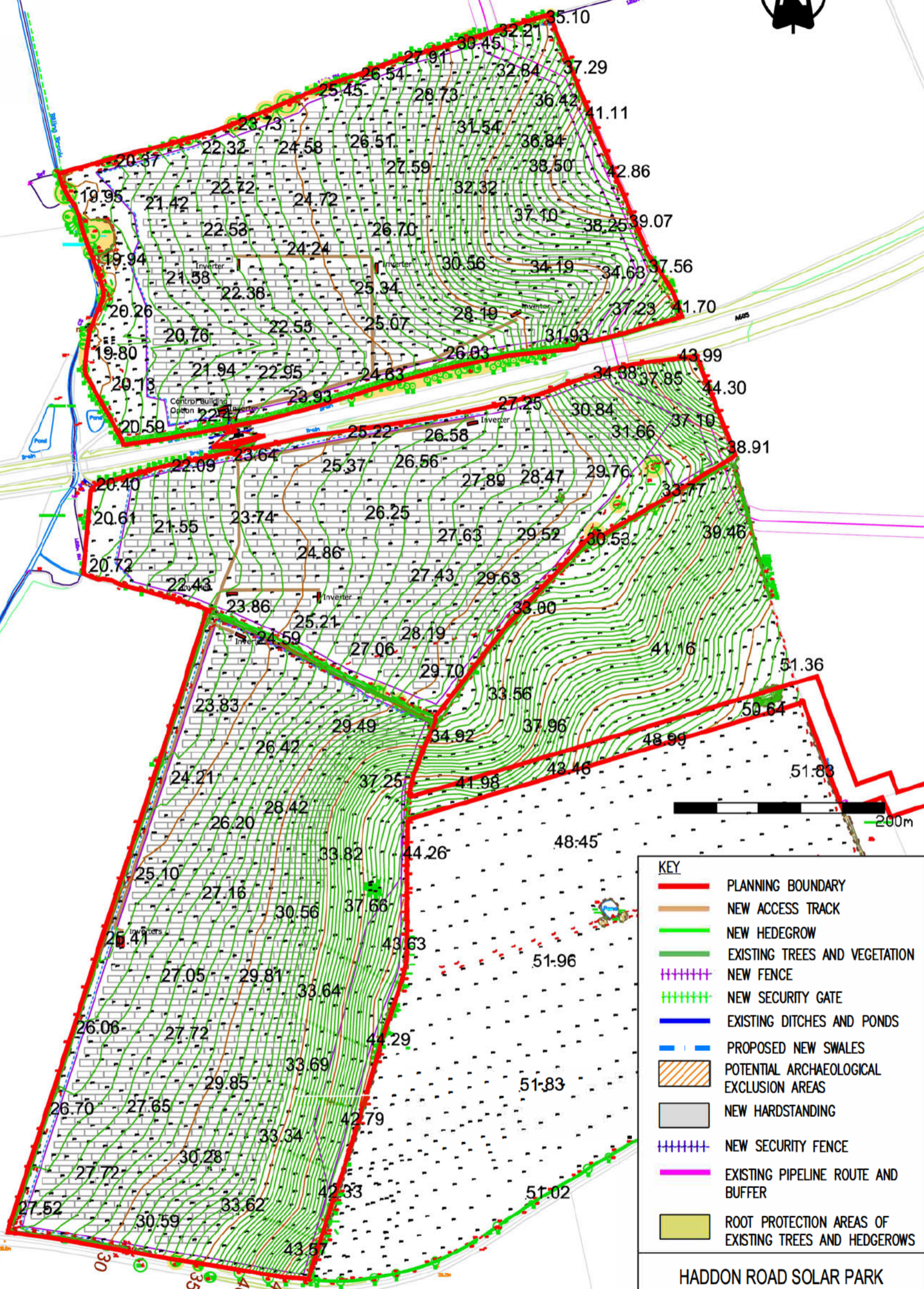
<i>Cornus sanguinea</i>	Dogwood	60-80cms bare root	3 fertilizer tablets	30%
<i>Salix capraea</i>	Goat Willow	60-80cms bare root	3 fertilizer tablets	30%
<i>Salix cinnerea</i>	Grey Willow	60-80cms bare root	3 fertilizer tablets	20%
<i>Viburnum opulus</i>	Guelder Rose	60-80cms bare root	3 fertilizer tablets	10%
<i>Corylus avellana</i>	Hazel	60-80cms bare root	3 fertilizer tablets	10%

**Native Climber Planting along perimeter fence in the northern field**

Possible Species  
(Lonicera spp.) Honeysuckle  
(L. periclymenum)

Revision E Incorporates new permissive bridleway planting.

Client: Wessex Solar Energy Developments Ltd.  
 Site: Land north of Haddon Road, Haddon, Peterborough  
 Project: Proposed Haddon Road Solar Park  
 Title: Landscape Masterplan Sheet 2 of 2.  
 Scale: 1:4,000 @ A3. Drawing No: LL149.01 G North  
 Prepared by: . WSE: 27.11.2023



KEY	
	PLANNING BOUNDARY
	NEW ACCESS TRACK
	NEW HEDEGROW
	EXISTING TREES AND VEGETATION
	NEW FENCE
	NEW SECURITY GATE
	EXISTING DITCHES AND PONDS
	PROPOSED NEW SWALES
	POTENTIAL ARCHAEOLOGICAL EXCLUSION AREAS
	NEW HARDSTANDING
	NEW SECURITY FENCE
	EXISTING PIPELINE ROUTE AND BUFFER
	ROOT PROTECTION AREAS OF EXISTING TREES AND HEDGEROWS

HADDON ROAD SOLAR PARK

FIGURE 1.2D

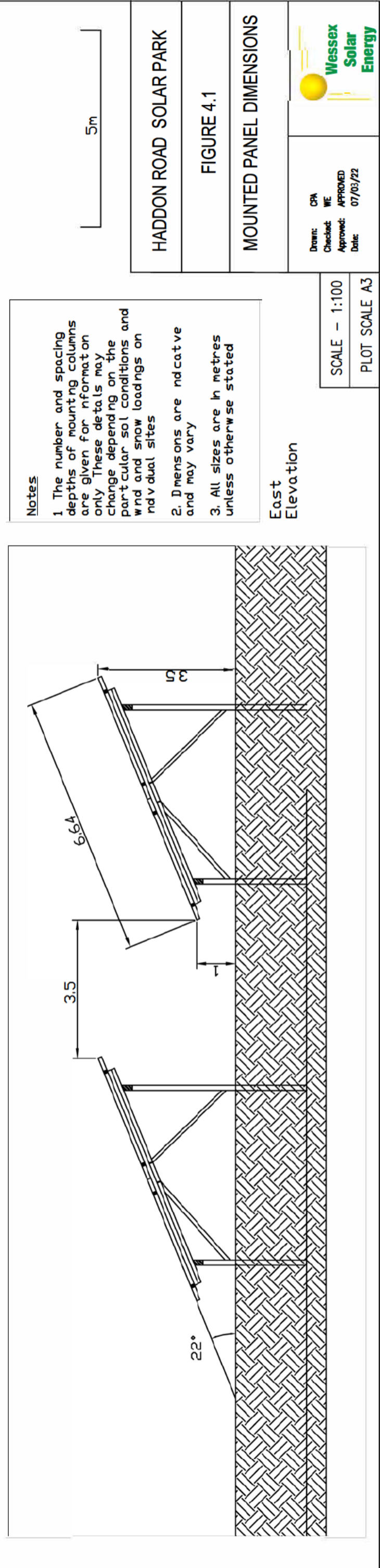
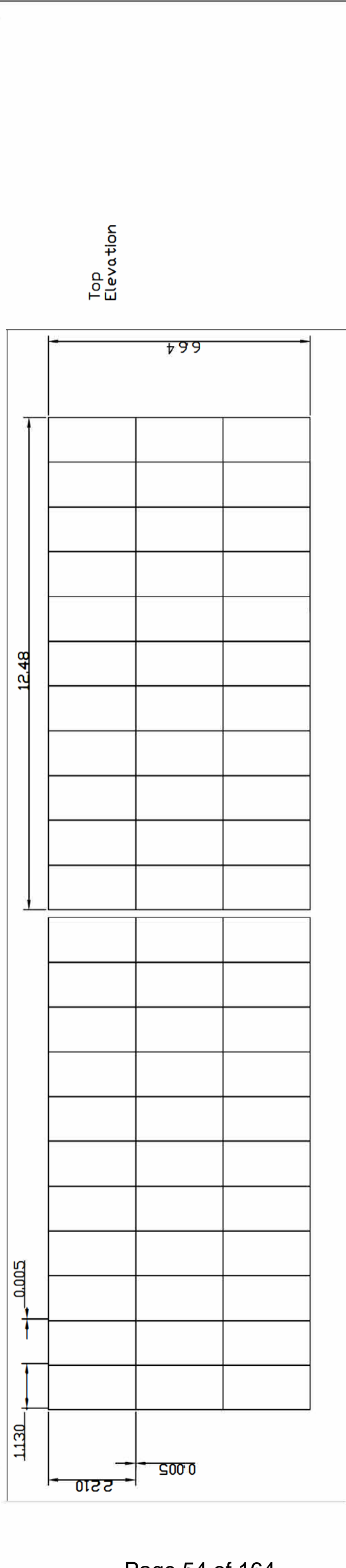
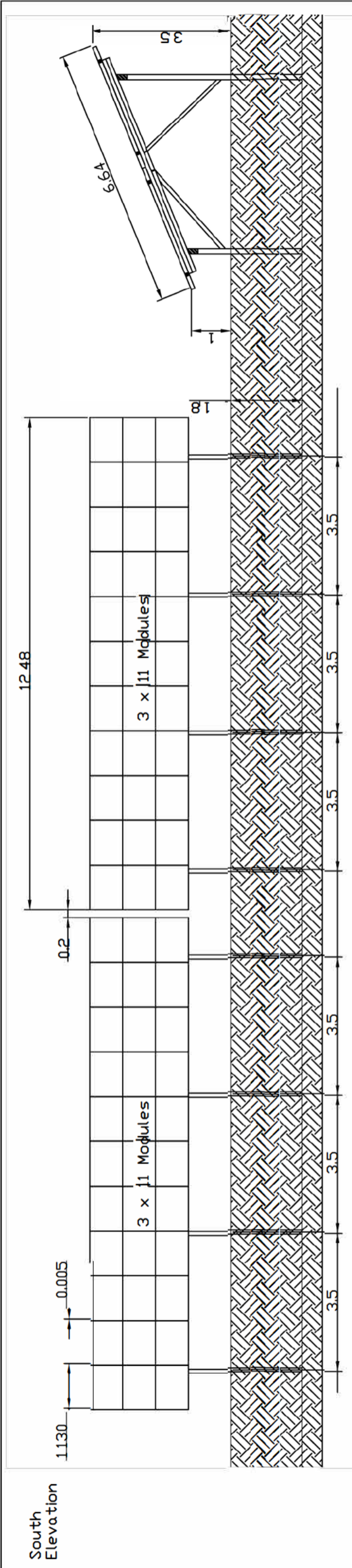
SITE BOUNDARY AND INDICATIVE LAYOUT - MAIN SITE PLUS TOPOGRAPHICAL DATA

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SCALE - 1:4,000  
PLOT SCALE A3

Drawn: CPA  
Checked: WE  
Approved: APPROVED  
Date: 18/12/2022





**Notes**

1. The number and spacing depths of mounting columns are given for information only. These details may change depending on the particular soil conditions and wind and snow loadings on individual sites.
2. Dimensions are indicative and may vary.
3. All sizes are in metres unless otherwise stated.

East Elevation

5m

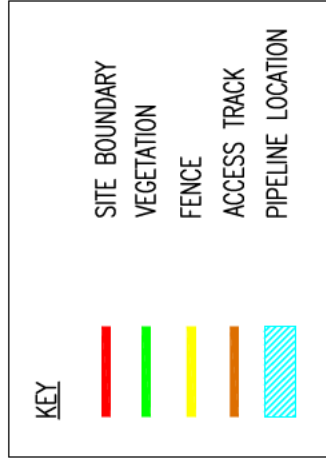
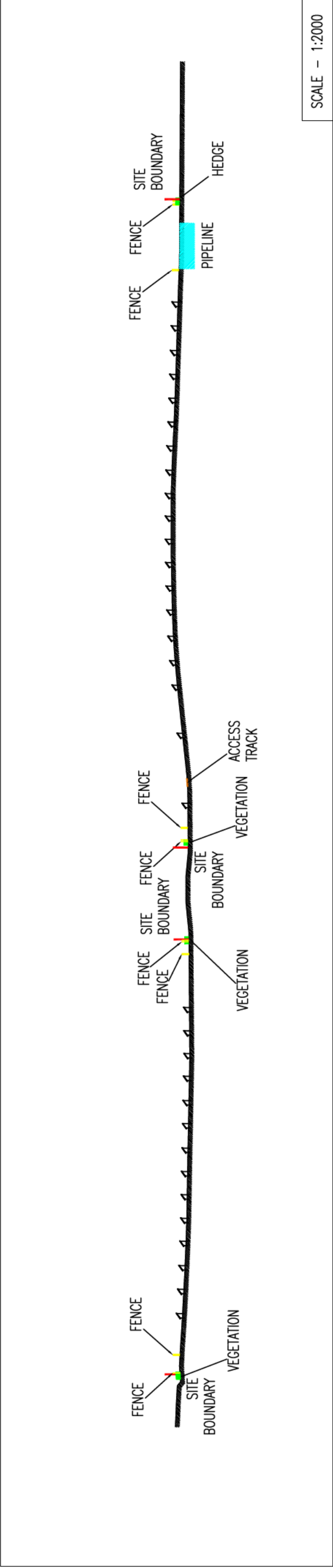
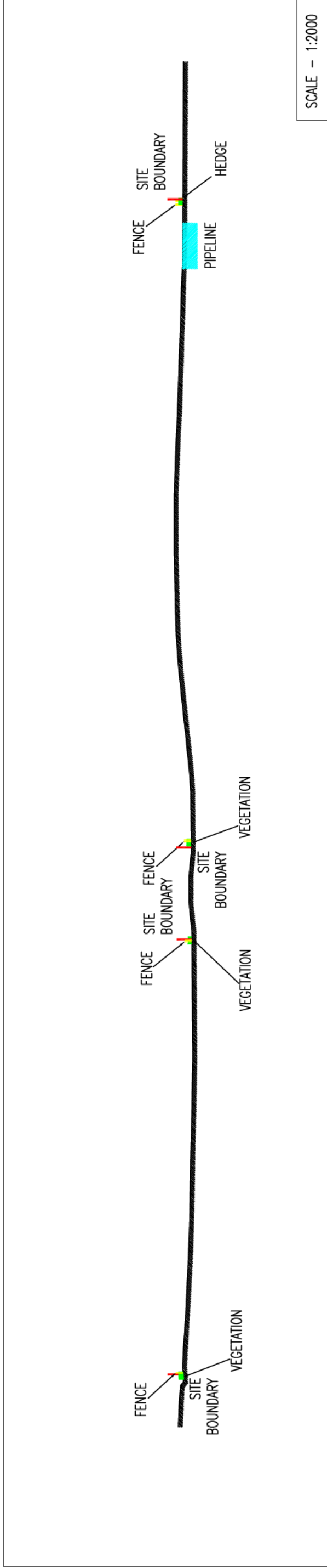
**HADDON ROAD SOLAR PARK**

**FIGURE 4.1**

**MOUNTED PANEL DIMENSIONS**

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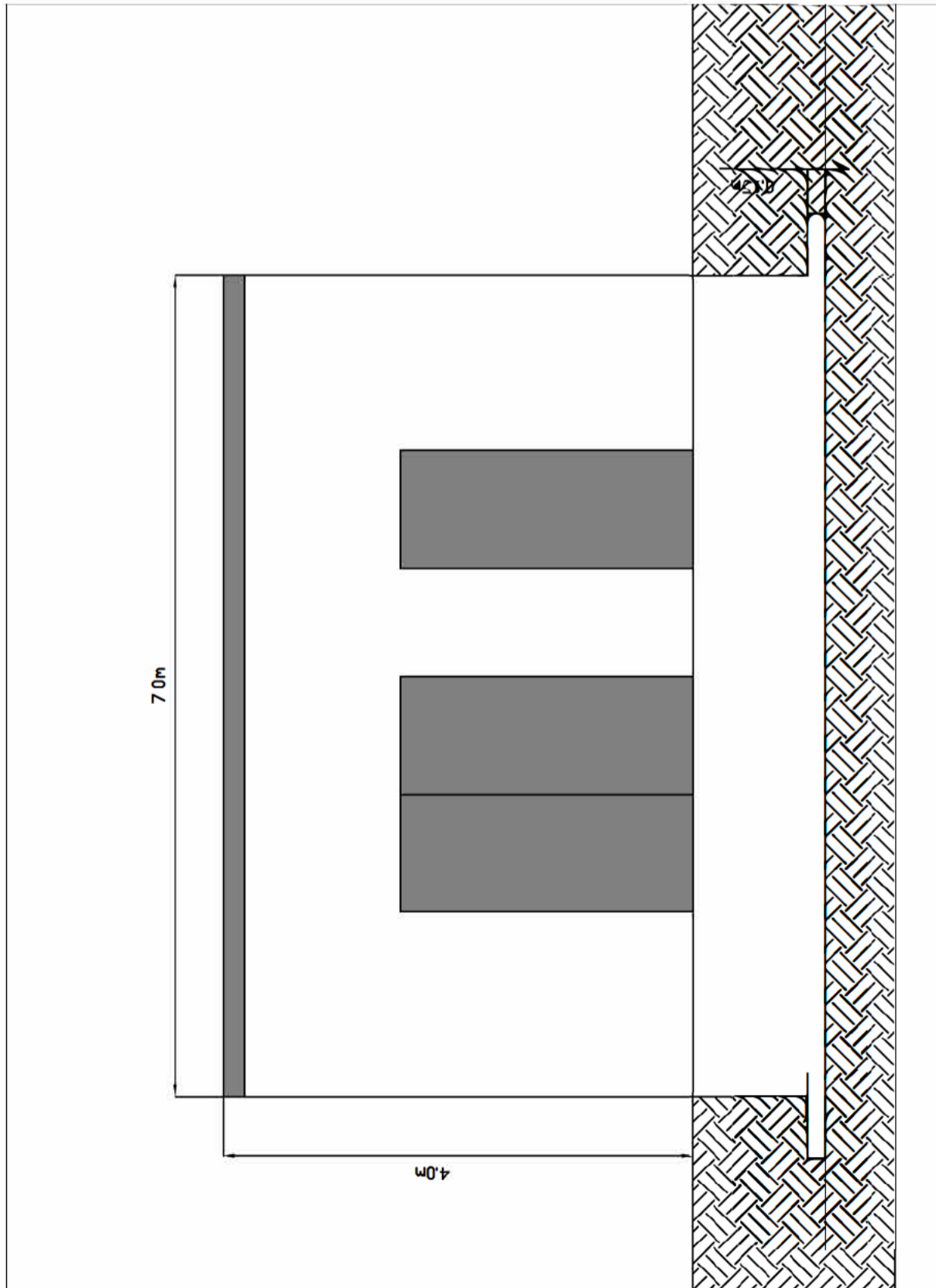
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PLOT SCALE A3



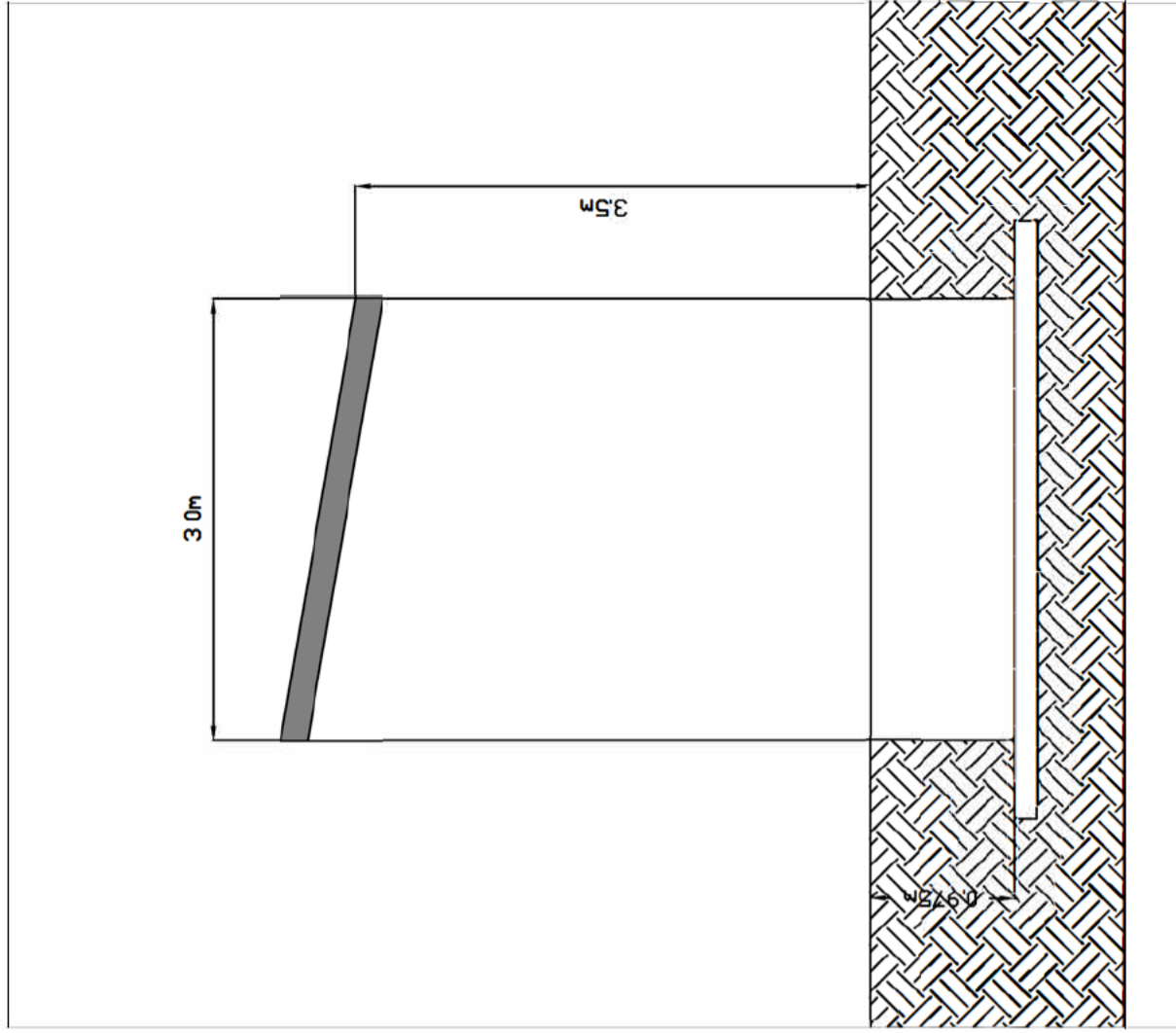
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PLOT SCALE A3

HADDON ROAD SOLAR PARK	
PLAN B	
EXISTING AND PROPOSED ELEVATIONS	
Drawn: CPA Checked: WSE Approved: 10/03/22 Date:	



FRONT ELEVATION

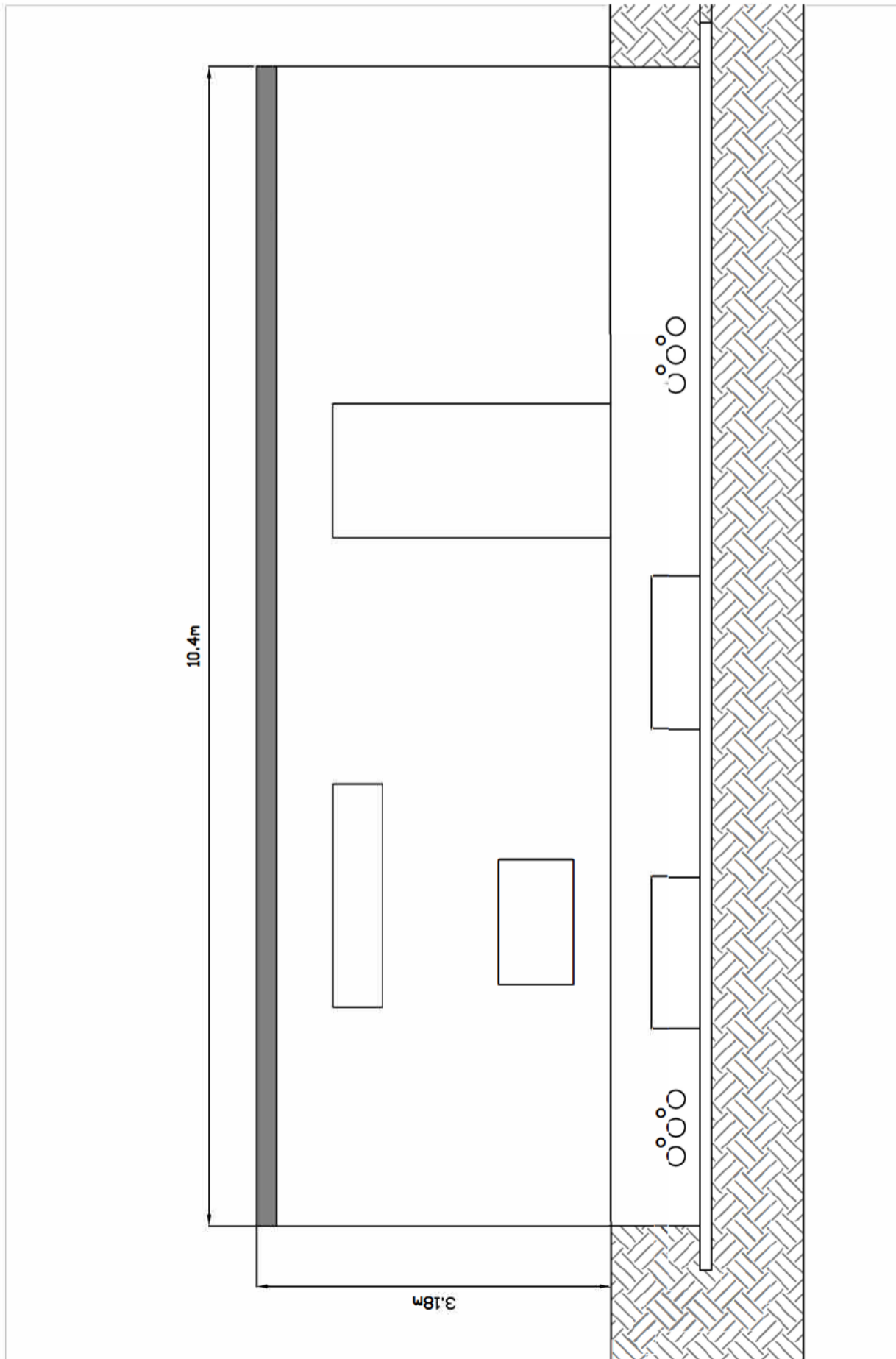


SIDE ELEVATION

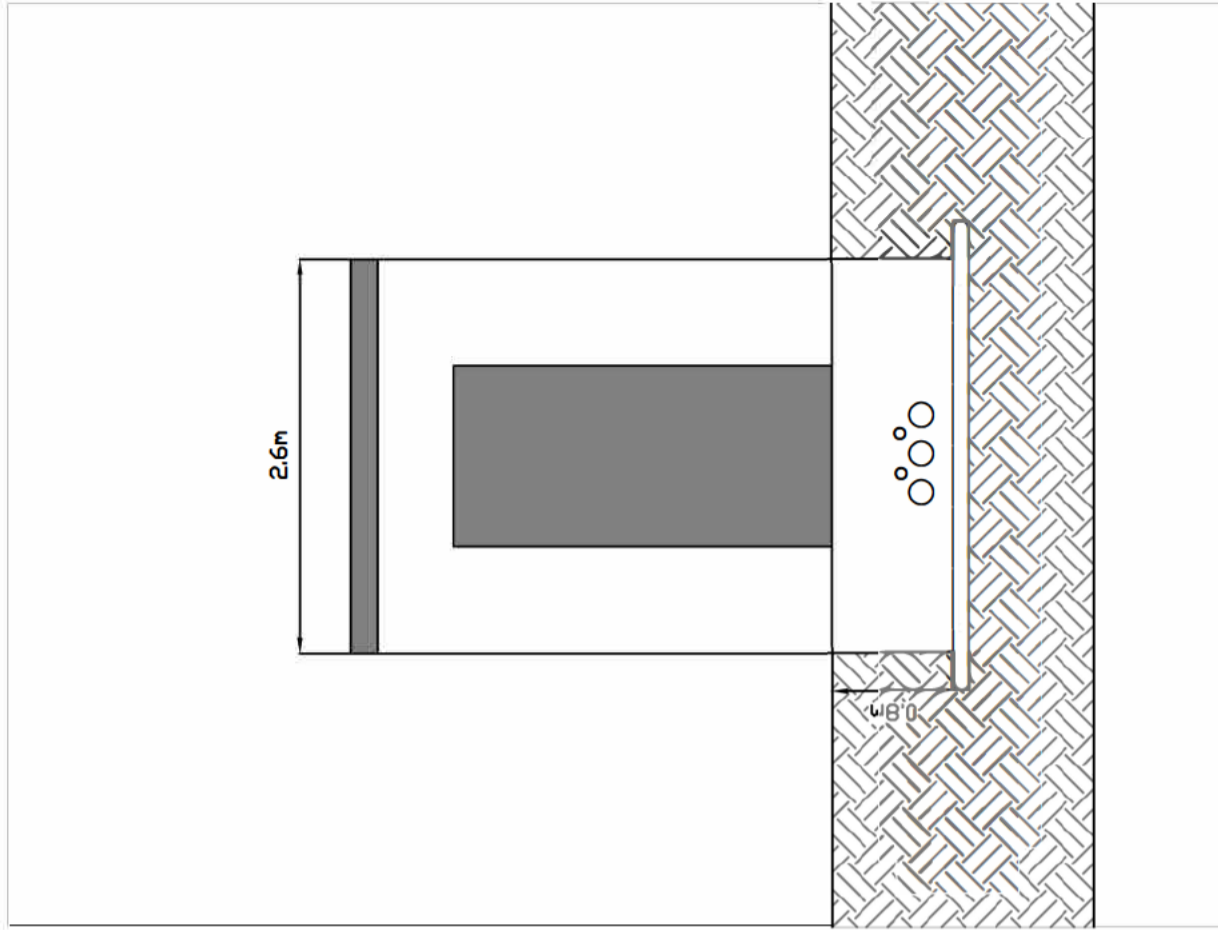


HADDON ROAD SOLAR PARK	
FIGURE 4.2B	
CONTROL BUILDING	
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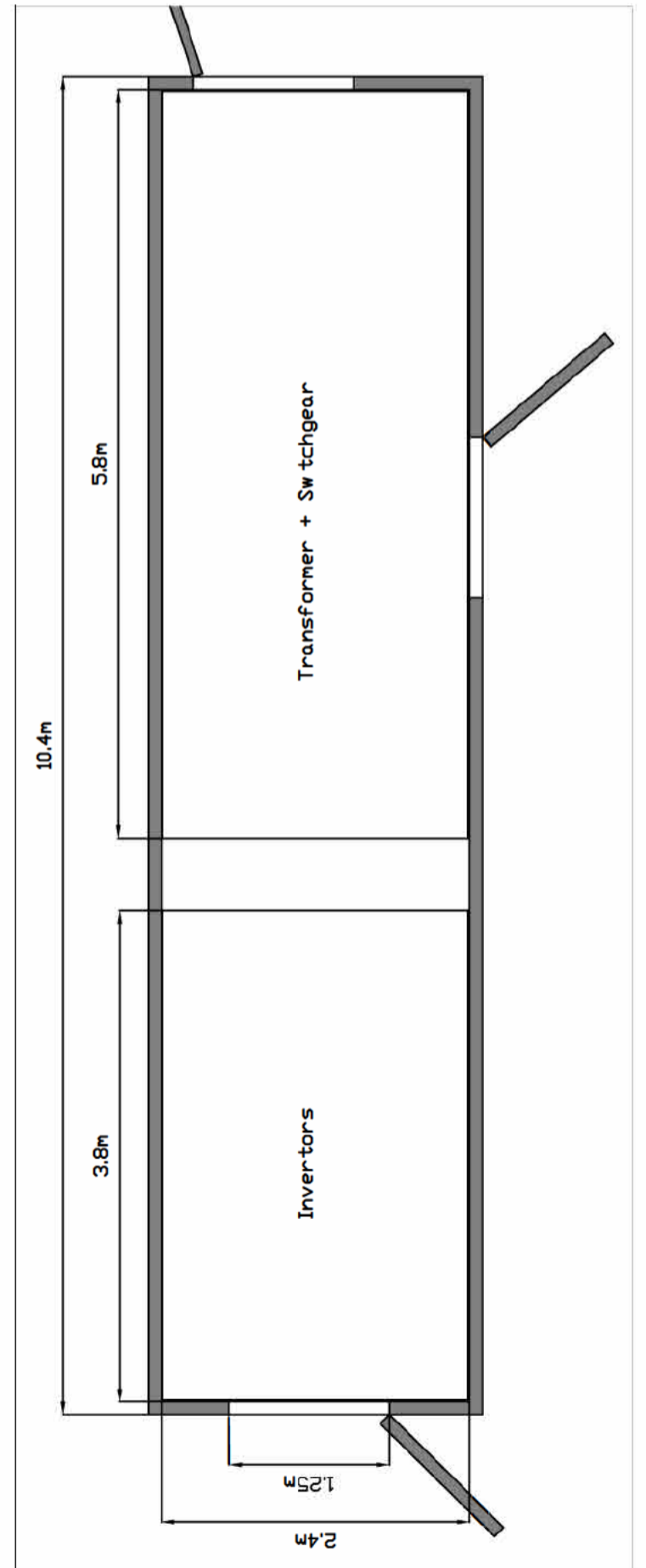





FRONT ELEVATION



SIDE ELEVATION



FRONT ELEVATION

HADDON ROAD SOLAR PARK	Drawn: CPA	
FIGURE 4.2A	Checked: WE	
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	Date: 07/03/22	

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## DEVELOPMENT MANAGEMENT COMMITTEE 18<sup>th</sup> DECEMBER 2023

**Case No:** 23/01137/S73

**Proposal:** Variation of Condition 2 (Plans listed in table above) to allow for revised ridge heights and fenestration changes for 20/01146/FUL as amended by 22/00964/S73 (Retrospective).

**Location:** The White Gates, Thrapston Road, Bythorn PE28 0QN

**Applicant:** Mr Mark Fitzgerald

**Grid Ref:** 505727 275631

**Date of Registration:** 27.06.2023

**Parish:** Bythorn and Keyston

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### RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) because the Officer recommendation of approval conflicts with Bythorn & Keyston Parish Council's recommendation of refusal.

#### 1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This application relates to land South East of White Gates, along Thrapston Road, Bythorn. Full planning permission was granted in September 2020 under planning reference 20/0114/FUL for "Construction of a single dwelling house".
- 1.2 Planning permission 20/01146/FUL was issued as a delegated decision because the Officer recommendation aligned with Bythorn and Keyston Parish Council's recommendation of approval. The development has since been built out.
- 1.3 A Section 73 application (22/00964/S73) was approved in January 2023 for the addition of further living accommodation and solar panels on the rear elevation.
- 1.4 This current application is for a variation of Condition 2 (Plans) to allow for revised ridge heights and fenestration changes for 20/01146/FUL as amended by 22/00964/S73. It is noted that this is a retrospective application.

- 1.5 The site within the Bythorn Conservation Area. It is surrounded by agricultural land to the east and south, immediately south of the site is a storage and distribution building which has been recently converted to residential dwellings. To the north of the site is Thrapston Road which runs east/west and acts as the major thoroughfare through the settlement. A Grade II Listed Building sits on the corner of this road and is opposite (approximately) the application site. The dwelling is largely screened from the roadside by a large mature hedgerow.

## **2. NATIONAL GUIDANCE**

- 2.1 The National Planning Policy Framework 2023 (NPPF 2023) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2023 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 2023 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 (PPG) and the National Design Guide 2023 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)
- LP1: Amount of Development
  - LP2: Strategy for Development
  - LP4: Contributing to Infrastructure Delivery
  - LP5: Flood Risk
  - LP10: The Countryside
  - LP11: Design Context
  - LP12: Design Implementation
  - LP14: Amenity
  - LP15: Surface Water
  - LP16: Sustainable Travel
  - LP17: Parking Provision and Vehicle Movements
  - LP25: Housing Mix
  - LP30: Biodiversity and Geodiversity
  - LP31: Trees, Woodland, Hedges and Hedgerows

- LP34: Heritage Assets and their Settings

Local For full details visit the government website [Local policies](#)

### 3.2 Supplementary Planning Documents

- Huntingdonshire Design Guide (2017)
- Developer Contributions SPD (2011)
- Huntingdonshire Townscape and Landscape Assessment SPD (2022)
- Cambridgeshire Flood and Water SPD 2017
- Huntingdonshire Tree Guidance Note 3
- Annual Monitoring Report
- ECAP CCC Waste Management Design Guide (CCC SPD) 2012

Local policies are viewable at <https://www.huntingdonshire.gov.uk>

## 4. PLANNING HISTORY

- 4.1 8301131FUL - Attic conversion - Permission granted 19.09.1983
- 4.2 99/00537/FUL - Part change of use of outbuilding to manufacture of wrought iron products (Retention) - Permission granted 09.06.1999
- 4.3 0301060FUL - Construction of noise reduction sound bund - Refused 29.05.2003
- 4.4 0702765FUL - Erection of triple garage with playroom over - Permission granted 23.10.2007
- 4.5 1001675REP - Replacement of planning permission 0702765FUL for erection of triple garage with playroom over - Permission granted 07.12.2010
- 4.6 15/01757/HHFUL - Detached building providing for two open carports and a single garage-store - Permission granted 05.02.20216
- 4.7 20/01146/FUL - Construction of a single dwelling house - Permission granted 18.09.2020
- 4.8 22/00964/S73 - Variation of condition 2 of permission 20/01146/FUL (to allow further living accommodation, and solar panels on the rear elevation) - Permission granted 05.01.2023
- 4.9 23/80278/COND - Discharge of condition10 (Cycle and Bin Store) of 22/00964/S73 - Condition discharged 12.09.2023
- 4.10 23/80339/COND - Discharge of condition 7 (hard and soft landscaping) of 22/00964/S73 - Condition discharged 09.10.2023

## 5. CONSULTATIONS

Copies of full comments are available on the public access system to view.

### 5.1 **Bythorn and Keyston Parish Council: Recommend refusal** – points summarised below.:

- Application made under the wrong provision. It should be under section 73A (retrospective planning permission).
- Development not sympathetic to the local character, including the surrounding built environment and landscape setting.
- It is the view of the Parish Council that the increased height of the development as built has compromised the original design that was "carefully considered to take into account the constraints presented by existing vegetation and the change in level within the site".
- The Parish Council notes that the original design intention was for "the form and massing of the building to reflect the shape and composition of an agricultural barn..... which would easily assimilate into the existing setting". With the addition of the extension, and the increased height of the overall structure, the building is now disproportionate in scale and mass in relation to the surrounding buildings.
- When entering the village from the east when the trees are not in leaf, the building is now completely disproportionate in scale and size to the local character of the village and this part of the conservation area.
- The Huntingdonshire Design Guide states that the scale, massing and height of any proposed development should be considered in relation to that of adjoining buildings, the topography and general pattern of heights in the area. This development now fails to comply with this guidance.
- Overall, the Parish Council considers that the layout, scale and design of the development as built is no longer sympathetic to the local character, including the surrounding built environment and landscape setting, and therefore considers that the development has and will have a detrimental impact upon the visual amenity and character of the area.
- The Parish Council considers that the proposed variation to Condition 2 to increase the ridge height has failed to consider the context of the site and the edge of settlement location in accordance with national policies and local policies LP9(c), LP 11 and LP 12 of the local plan to 2036. On this basis, and others detailed above and below, the Parish Council recommends the application be refused.

- It is the view of the Parish Council that the development as built, with particular reference to its ridge height, can no longer claim to seek to replicate a small, rural outbuilding by using a traditional form and historic materials; it is a much more substantial building than originally approved. The development as built fails to minimise the negative impacts on the roofscape, skyline and landscape, and fails to retain and reinforce local distinctiveness with reference to height, scale and massing.
- On this basis, it is the Parish Council's view that the proposal fails to comply with policy LP34 of Huntingdonshire's Local Plan to 2036.
- With respect to the multiple applications submitted for this site, the Parish Council wishes to record its ongoing concerns with respect to the landscaping proposals and tree protection measures on the site.
- The site plan (028.P01C), the tree protection plan (AAA/0142.01), and the Arboricultural Impact Assessment (AIA, dated 21st of April 2020), all formed part of, and are listed, within the approved application for the original development.
- Notwithstanding the fact that approved drawing 028.P01C was not updated to comply with the recommendations contained within the AIA and the tree protection plan, the recommendations contained within the AIA should still apply to the works constructed using drawing 028.P01C.
- The construction of the retaining wall in the front drive within the root protection zone for tree T4 does not comply with the recommendations contained within the AIA report. The hard paving present on site within the root protection zone for tree T6 is not shown on the drawing 028.P01C and should not be approved under condition 7 of application reference 22/00964/S73 if the recommendations of the AIA are to be complied with.
- The layout of front drive has been constructed using the site layout drawing, 028.P01C, without reference or consideration of the tree protection plan. Appropriate construction methods should have been adopted for the construction of the driveway to comply with established good practice for the construction of driveways within the area of root protection zones, in accordance with the recommendations contained within the AIA for the long term protection of tree T4., and under Condition 7 of the approval.

- If the Huntingdon District Council is minded to approve Application 23/01137/S73, we trust that the Council will ensure that the additional applicable CIL will be charged to the applicant for the increase in floor area over 2 metres high created at first floor level by the increase in height of the building.
- The Parish Council note that Application 23/80278/COND has been submitted as a NMA to discharge Condition 2 and 7 of planning application 20/01146/FUL. Please note that the content of clauses 17 to 21 in our letter of 21 July 2023 specifically relate to the landscaping proposals submitted in this application to satisfy Condition 7.

- 5.2 **CCC Highways Departments: Recommend approval** – following a review of the documents provided, no significant adverse effect upon the Public Highway should result from the proposal.
- 5.3 **CCC Archaeologist: Recommend approval** – raising no archaeological recommendations or objections.
- 5.4 **HDC Conservation Team: Recommend approval** – taken as a whole, it is considered that the dwelling as built, will not have an unduly increased impact on the character and appearance of the conservation area than the schemes already given permission. The dwelling as constructed preserves the character and appearance of The Bythorn Conservation Area in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990. It satisfies NPPF paragraph 195 and local plan policy LP34 by maintaining local distinctiveness with reference to height, scale, massing, form and materials.



## **6. REPRESENTATIONS**

- 6.1 No representations received.

## **7. ASSESSMENT**

- 7.1 Section 73 of the Town and Country Planning Act 1990 relates to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.

- 7.2 Part 2 of Section 73 states that on such an application, the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and —

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

- 7.3 The PPG advises that "Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission unless they have already been discharged".

- 7.4 In this case, the principle of the development has been established under planning permission 20/01146/FUL and subsequent 22/00964/S73 which have been implemented and fully built out. All conditions have been discharged, with the exception of the requirement to provide a Biodiversity Method Statement. The matter for assessment under this application is the increased ridge height of 45 centimetres and changes to the fenestration details. The main issues to consider as part of this application are impact on visual amenity and the impact on the surrounding area, including the conservation area.

### **Visual Amenity and Impact on the Surrounding Area and Conservation Area**

- 7.5 The site lies within the Bythorn Conservation Area and is located approximately 60 metres south west from The Corner House, which is a Grade II listed building.
- 7.6 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have 'special regard' to the desirability of preserving a Listed Building or its setting and to pay 'special attention' to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 7.7 Great weight and importance is given to the conservation of heritage assets and their settings. The statutory presumption of the avoidance of harm can only be outweighed if there are public benefits that are powerful enough to do so.
- 7.8 Policy LP34 of the Local Plan states, "where a proposal is for conversion, alteration, other works to a heritage asset or within its setting it must be demonstrated that the proposal:
- f. protects the significance of designated heritage assets and their settings by protecting and enhancing architectural and historic character, historical associations, landscape and townscape features and through consideration of scale, design, materials, siting, layout, mass, use, and views both from and towards the asset;
  - g. does not harm or detract from the significance of the heritage asset, its setting and any special features that contribute to its special architectural or historic interest and the proposal conserves and enhances its special character and qualities;
  - h. respects the historic form, fabric and special interest that contributes to the significance of the affected heritage asset;
  - i. will conserve or enhance the quality, distinctiveness and character of the affected heritage asset; and

- j. contributes to securing the long-term maintenance and management of the heritage asset.
- 7.9 The Council will consider the significance of a designated heritage asset and where there is less than substantial harm, this will be weighed against the public benefits of the proposal. Where there is deemed to be substantial harm, then the proposal would need to achieve substantial public benefits to outweigh that harm.”
- 7.10 Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings, including natural, historic and built environment, to help create distinctive, high quality and well-designed places, having regard to the Huntingdon Design Guide (2017).
- 7.11 Furthermore, Policy LP12 of the Local Plan states that new development will be expected to be well designed based upon a thorough understanding of constraints and appraisal of the site's context, delivering attractive, usable and long lasting buildings and spaces, listing criteria relating to response to context, ease of getting around, well designed public spaces and sustainable design and construction methods.
- 7.12 The application has been reviewed by HDC's Conservation Officer who supports the proposal. It is noted that the site is located at a distance from the more significant parts of the conservation area which are generally nearer the historic core of the village near the parish church. The character of the conservation area in the locality of the new dwelling is one of dispersed detached houses that form part of settlement edge to the south of the village as it merges with its wider countryside setting. The scale of dwellings is generally vernacular and predominantly of one and a half storey height although there is a scattering of more formal two storey dwellings both historic and modern.
- 7.13 The dwelling as built has an increased scale and massing compared to that which was initially given permission. However, a large proportion of that increase is due to the extension that was given permission in 2022. The issue is therefore whether the additional height of the roof and taller appearance of the building results in a building that fails to preserve the character and appearance of the Bythorn Conservation Area.
- 7.14 The Conservation Officer has considered the proposal and has confirmed that when looking at the building in context it is not uncharacteristically larger than neighbouring dwellings and its appearance in the conservation area remains mitigated by its set back location and use of traditional materials. At a maximum ridge height of 7.45 metres above ground level is not excessively larger than other nearby dwellings. Taken as a whole it is considered that

the dwelling as built will not have an unduly increased impact on the character and appearance of the conservation area than the schemes already given permission.

- 7.15 The fenestration changes are minor in detail with an additional small window and an increase in size to one window at ground floor level on the south elevation. Roof lights on the west elevation are more evenly positioned. Two ground floor windows on the north elevation are increased in size to be full height windows.
- 7.16 The Parish Council comments are noted regarding the impact of the increased ridge height on the Conservation Area and surrounding area, however, as discussed above, it is considered that the dwelling as constructed preserves the character and appearance of The Bythorn Conservation Area in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990. It satisfies NPPF paragraph 195 and Policy LP34 of the Local Plan by maintaining local distinctiveness with reference to height, scale, massing, form and materials.

#### Other Matters

- 7.17 Landscaping and Trees - The Parish Council has raised concerns regarding the landscaping and tree protection measures for the site. It is noted that these matters have been dealt with under a separate Discharge of Condition application (planning reference 23/80339/COND) and have been discharged. The tree protection measures were secured by condition on both the original application and the subsequent S73 application, as a compliance condition. This would be repeated for this application.
- 7.18 The Parish Council has also raised concerns regarding the layout of the front drive and the construction of the front retaining wall, both impacting the root protection zones for trees within this area. It is noted that works have already been completed and that a tree protection compliance condition was in place for the duration of the works.
- 7.19 For clarification, it is noted that CIL is calculated on floor space area, not on height. A CIL payment has been paid on the additions arising from the previous S73 application (22/00964/S73), but is not relevant for this application, as the floor plan has not been affected.

#### Conclusion

- 7.19 This application relates solely to the increased ridge height and fenestration changes to the development. There have been no neighbour objections and HDC's Conservation Team are satisfied that the application does not impact negatively upon the Conservation Area and surrounding area.

- 7.20 In this case, it is considered that the proposed development is not uncharacteristically larger than neighbouring dwellings and its appearance in the conservation area is mitigated by being set back within the site and the use of traditional materials. Its height is not considered to be excessive and therefore, taken as a whole, Officers are of the view that the dwelling as built does not have an excessively increased impact on the character and appearance of the conservation area.
- 7.21 Therefore, it is considered that the proposed development accords with Local Plan Policies LP11, LP12 and LP34 and as such, the application is recommended for approval.
- 7.22 All conditions imposed under parent permission 20/01146/FUL and the subsequent 22/00964/S73 permission will be repeated, where relevant and amended to compliance conditions where the conditions have been discharged, as per advice in the PPG.

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

- Time limit
- Approved plans
- On-site parking and turning area
- Arboricultural Impact Assessment and Tree Protection Measures
- Preliminary Ecological Appraisal mitigation measures
- Biodiversity Method Statement
- Hard and Soft Landscape works
- Water Efficiency
- Accessible and adaptable dwelling
- Cycle and Bins Store

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: Olivia Manton**

Enquiries [olivia.manton@huntingdonshire.gov.uk](mailto:olivia.manton@huntingdonshire.gov.uk)

# Bythorn and Keyston Parish Council

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Head of Planning Services  
Huntingdonshire District Council  
Pathfinder House  
St Mary's Street  
Huntingdon PE29 3TN

15 November 2023

Dear Clara Kerr

## **Application Ref. 23/01137/S73**

**Application for variation of Condition 2 to allow for revised ridge heights for 20/01146/FUL  
Location: Land South East of the White Gates (AKA Applegate Lodge), Thrapston Road, Bythorn**

We refer to your letter dated 25 October 2023 in relation to the above application.

Bythorn and Keyston Parish Council continue to recommend this application be refused for the reasons detailed in our letter and email dated 24 July 2023, repeated below for ease of reference.

### Application made under wrong provision

1. The first thing to note is that the Developer brings the application under section 73 of the Town and Countryside Planning Act 1990. This is not appropriate in these circumstances because the permission has now been built out. The Applicant should have applied under section 73A (retrospective planning permission).

### Development not sympathetic to the local character, including the surrounding built environment and landscape setting

2. The Application seeks to vary Condition 2 of Planning Permission 20/01146/FUL to raise the approved West elevation ridge height.
3. In practice, this application seeks retrospective approval to raise the overall height of the original building proposed, and the later extension, by 450 mm. The increase in height is made up by increasing the heights of the walls of the original house and extension by approximately 450mm, as the pitch of the roof does not appear to have been changed.
4. By way of relevant background, the Parish Council was consulted in relation to the original application for this property – ref 20/01146/FUL - and recommended approval, which was subsequently granted.
5. The Parish Council was also consulted with respect to application ref 22/00346/HHFUL which was submitted for the construction of the extension to the house, but that application was later withdrawn. At that time of the consultation for application ref 22/00346/HHFUL, the Parish Council commented on the proposal for the new extension as follows:

# Bythorn and Keyston Parish Council

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**Reason for Bythorn and Keyston Parish Council's refusing the application:  
22/00346/HHFUL**

**Land East of White Gates**

*The application is to construct a double garage with first floor room above as an extension to a property currently under construction. This will bring the property 6.35m closer to the road.*

*The Parish Council are concerned that the proposal enlarges the scale of the original approved development, leading to the property being far more visible from the approach to the village from the east and upon exiting the centre of the village from Main Street. The proposal will impact on the open nature of the residential development and rural character in the southern part of the village.*

*We agree with the comments in the officer's report for the original application for this property (20/01146/FUL) that the layout, scale and design for the original dwelling was sympathetic to the local character including surrounding built environment and landscape setting. The Parish Council consider the significant enlargement of the property by the introduction of the proposed extension will compromise the discreet nature of the existing approved development to an unacceptable degree, and on this basis cannot support the application.*

*It is noted that the application does not appear to have included any details for amendments to the on-site parking and turning area and the protection of trees and hedgerows. The original application for the house conditioned the layout of the turning area and parking, and tree protection. We would question how access to the proposed new garage is proposed to be achieved and protection to nearby trees maintained in accordance with the conditions attached to the planning approval for the original development.*

6. The application for the extension was re-submitted as a variation of Condition 2 of permission 20/001146/FUL and approved under application reference 22/00964/S73.
7. With respect to this latest application 23/01137/S73 to vary Condition 2 to allow for an increased ridge height, the Parish Council refers to the section on the "impact on visual amenity and the character of the area" from the planning officer's report for the original application, as follows:

***"Impact on visual amenity and the character of the area***

***Paragraph 127 of the National Planning Policy Framework states planning decisions should ensure that development will, amongst others, function well and add to the overall quality of the area, is visually attractive as a result of good architecture, layout, appropriate landscaping and is sympathetic to local character including surrounding built environment and landscape settings.*** (Emphasis added)

*Local Policy LP11 of the Local Plan to 2036 sets out mechanisms for achieving high standards of design for all development, particularly those that will significantly add to, or create new communities and will be supported where it is demonstrated that it*

# Bythorn and Keyston Parish Council

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*responds positively to its context and has drawn inspiration from the key characteristics of its surroundings, including natural, historic and built environment.*

*Local Policy LP12 of the Local Plan to 2036 states new development will be expected to be well designed based upon a thorough understanding of the constraints and appraisal of the site's context, delivering attractive, usable and long-lasting buildings and spaces. A proposal will be supported where it can demonstrate that it contributes positively to the areas character and identity, successfully integrates with adjoining buildings, the routes and spaces between buildings, topography and landscape. (Emphasis added)*

*The scheme proposes to construct a two-storey dwelling with a gable roof form. The ground floor will comprise of open plan living area, a bedroom with ensuite, internal amenities area and a double garage. The first floor will consist of three bedrooms, bedroom one will have an ensuite and small balcony, bathroom and hall. The gross internal area of the dwelling will be 204sqm which includes the porch and balcony.*

*The materials schedule will consist of red clay tile roof, horizontal timber cladding stained black, a twin wall stainless steel flue coated black.*

*The statements submitted as part of the application outline that the siting of the dwelling has been chosen to minimise impacts on perimeter tree planting established on the site and provide convenient access to the new dwelling. The proposed dwelling comprises one and a half storey in a L shaped building and has been carefully considered to take into account the constraints presented by existing vegetation and the change in level within the site but also create private garden amenity areas around the new dwelling without comprising existing garden associated with the existing dwelling on the site.*

*The form and massing of the building has been designed to reflect the shape and composition of an agricultural barn, with the external appearance incorporating features and detailing which can be found on rural buildings in the locality. The statement puts forwards that, with the existing trees and shrubs along the plot boundaries being retained and reinforced with the planting of new hedgerows, the proposed dwelling will be easily assimilated into the existing setting of this landscaped garden area.*

*The submitted Design and Access Statement highlights the intention to retain consistency in separation between detached dwellings, which reflects the guidance within the Huntingdonshire Design Guide which states the scale, massing and height of any proposed development should be considered in relation to that of adjoining buildings, the topography and general pattern of heights in the area. (Emphasis added)*

*Whilst the Landscape Officer recommended reducing the proposed building footprint to allow further landscaping on the eastern boundary, having undertaken a site visit on 9 September 2020, officers note that significant established vegetation exists on this boundary and will assist in HUNTINGDONSHIRE DISTRICT COUNCIL 20/01146/FUL d8be0ddf-55e5-486c-9877-85c8c6bb0a6b screening the building from*



# Bythorn and Keyston Parish Council

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*westbound traffic along Thrapston Road and the development as proposed is considered acceptable in this regard.*

*Overall it is considered that the layout, scale and design of the dwelling is sympathetic to the local character including surrounding built environment and landscape setting and as such, would not have a detrimental impact upon visual amenity or the character of the area. Whilst the concerns raised by the Parish Council regarding the design of the proposed flue are noted, given the black finish proposed to this, Officers consider the flue would satisfactorily assimilate with the design of the proposed dwelling and do not consider it necessary to require revisions to the design of the flue.*

*It is considered the application has appropriately considered the context of the site and the edge of settlement location in accordance with national policies and local policies LP9(c), LP11 and LP12 of the Local Plan to 2036."*

8. It is the view of the Parish Council that the increased height of the development as built has compromised the original design that was "*carefully considered to take into account the constraints presented by existing vegetation and the change in level within the site*".
9. The Parish Council notes that the original design intention was for "*the form and massing of the building to reflect the shape and composition of an agricultural barn... .... which would easily assimilate into the existing setting*". With the addition of the extension, and the increased height of the overall structure, the building is now disproportionate in scale and mass in relation to the surrounding buildings.
10. When entering the village from the east when the trees are not in leaf, the building is now completely disproportionate in scale and size to the local character of the village and this part of the conservation area.
11. The Huntingdonshire Design Guide states that the scale, massing and height of any proposed development should be considered in relation to that of adjoining buildings, the topography and general pattern of heights in the area. This development now fails to comply with this guidance.
12. Overall, the Parish Council considers that the layout, scale and design of the development as built is no longer sympathetic to the local character, including the surrounding built environment and landscape setting, and therefore considers that the development has and will have a detrimental impact upon the visual amenity and character of the area.
13. The Parish Council considers that the proposed variation to Condition 2 to increase the ridge height has failed to consider the context of the site and the edge of settlement location in accordance with national policies and local policies LP9(c), LP 11 and LP 12 of the local plan to 2036. On this basis, and others detailed above and below, the Parish Council recommends the application be refused.

Impact on the heritage assets

# Bythorn and Keyston Parish Council

Contact BKPC via the Clerk – [clerk@bythornkeystonparishcouncil.org.uk](mailto:clerk@bythornkeystonparishcouncil.org.uk)

14. With respect to the impact on the heritage assets, the planning officer's report for the original application stated as follows:

*"Policy LP34 of the Local Plan to 2036 states a proposal within, affecting the setting of, or affecting views into or out of, a conservation area should preserve, and wherever possible enhance, features that contribute positively to the area's character, appearance and setting as set out in character statements and applicable documents.* (Emphasis added) *A proposal should:*

*a) Minimise negative impacts on the townscape, roofscape, skyline and landscape through retention of buildings/ groups of buildings, existing street patterns, historic buildings lines and land form;*

*b) Retain and reinforce local distinctiveness with reference to height, scale, massing, form, materials and plot widths of the existing built environment as well as retaining architectural details that contribute to the character and appearance of the conservation area; and*

*c) Where relevant and practical, remove features that are incompatible with or detract significantly from the conservation area.*

*The application site is partly within the Bythorn Conservation Area which does not have a character statement. The site is located some distance from the more significant parts of the Conservation Area which are generally nearer church. The proposal seeks to replicate a small rural outbuilding by using a traditional form and historic materials. The design reflects local character and distinctiveness. The reduced curtilage of the existing dwelling will not compromise the open nature of residential development in this southern part of the built-up area. It is considered that the proposal would have a neutral impact within the rural character of the settlement edge.*

*Corner House to the north-east of the site is Grade II Listed. Given the separation distance to this Listed Building, with intervening trees along the northern boundary of the site and southern boundary of the Corner House and the highway between, it is considered that the proposed development would have a neutral impact upon the setting of this nearby Listed Building.*

*Overall, it is considered the proposal would have a neutral impact upon the character and appearance of the Conservation Area including to the rural character of the settlement edge and a neutral impact upon the setting of the Corner House (Grade II Listed). As such, the proposed development is considered to accord with policy LP34 of Huntingdonshire's Local Plan to 2036 and the NPPF (2019) in this regard.*

15. It is the view of the Parish Council that the development as built, with particular reference to its ridge height, can no longer claim to seek to replicate a small, rural outbuilding by using a traditional form and historic materials; it is a much more substantial building than originally approved. The development as built fails to minimise

# Bythorn and Keyston Parish Council

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the negative impacts on the roofscape, skyline and landscape, and fails to retain and reinforce local distinctiveness with reference to height, scale and massing.

16. On this basis, it is the Parish Council's view that the proposal fails to comply with policy LP34 of Huntingdonshire's Local Plan to 2036.

## Other concerns relating to landscaping and tree protection measures

17. With respect to the multiple applications submitted for this site, the Parish Council wishes to record its ongoing concerns with respect to the landscaping proposals and tree protection measures on the site.
18. The site plan (028.P01C), the tree protection plan (AAA/0142.01), and the Arboricultural Impact Assessment (AIA, dated 21st of April 2020), all formed part of, and are listed, within the approved application for the original development.
19. Notwithstanding the fact that approved drawing 028.P01C was not updated to comply with the recommendations contained within the AIA and the tree protection plan, the recommendations contained within the AIA should still apply to the works constructed using drawing 028.P01C.
20. The construction of the retaining wall in the front drive within the root protection zone for tree T4 does not comply with the recommendations contained within the AIA report. The hard paving present on site within the root protection zone for tree T6 is not shown on the drawing 028.P01C and should not be approved under condition 7 of application reference 22/00964/S73 if the recommendations of the AIA are to be complied with.
21. The layout of front drive has been constructed using the site layout drawing, 028.P01C, without reference or consideration of the tree protection plan. Appropriate construction methods should have been adopted for the construction of the driveway to comply with established good practice for the construction of driveways within the area of root protection zones, in accordance with the recommendations contained within the AIA for the long term protection of tree T4., and under Condition 7 of the approval.
22. If the Huntingdon District Council is minded to approve Application 23/01137/S73, we trust that the Council will ensure that the additional applicable CIL will be charged to the applicant for the increase in floor area over 2 metres high created at first floor level by the increase in height of the building.
23. The Parish Council note that Application 23/80278/COND has been submitted as a NMA to discharge Condition 2 and 7 of planning application 20/01146/FUL. Please note that the content of clauses 17 to 21 in our letter of 21 July 2023 specifically relate to the landscaping proposals submitted in this application to satisfy Condition 7.

# Bythorn and Keyston Parish Council

Contact BKPC via the Clerk – [clerk@bythornkeystonparishcouncil.org.uk](mailto:clerk@bythornkeystonparishcouncil.org.uk)

The Parish Council is available for further consultation and discussion as may be required.

Yours faithfully

Bythorn and Keyston Parish Council

## Design and Conservation Consultation

<b>Proposal:</b> Variation of Condition 2 application 20/01146/FUL.		<b>Location:</b> The White Gates, Thrapston Road, Bythorn.
<b>DC Case Officer:</b> ██████████	<b>Conservation Officer:</b> ██████████	<b>Application Ref. No:</b> 23/01137/S73 -

Application 23/01137/S73 seeks permission for a variation of Condition 2 of application 20/01146/FUL to seek approval of amended plans that incorporate an increase in ridge height of approximately 450mm above the previously approved scheme. The site is partially located within the Bythorn Conservation Area and the application is retrospective.

### Planning History

The first application for development of the site (0900530FUL) was refused and dismissed at appeal (APP/H0520/A/10/2125912). The Inspector concluded that the site was within the open countryside and the development would be harmful to the rural character and appearance of Bythorn. The Policy objections to development within the countryside were re-stated in the response to a preliminary enquiry (1207035PENQ) for a bungalow on the site. At that time the assessment of impact to the conservation area considered that the bungalow would be mostly obscured behind planting which would mitigate its impact.

The current dwelling was granted permission under application 20/01146/FUL after changes to the Local Plan. At that time it was considered that the scheme was appropriate as it would reflect local character and distinctiveness by reproducing a small rural outbuilding using a traditional form and historic materials. The building was extended with permission under application 22/00964/S73.

The completed building has been constructed with a ridge height approximately 450mm over the height of the approved plans.

### Significance

The site is located at a distance from the more significant parts of the conservation area which are generally nearer the historic core of the village near the parish church. The character of the conservation area in the locality of the new dwelling is one of dispersed detached houses that form part of settlement edge to the south of the village as it merges with its wider countryside setting. The scale of dwellings is generally vernacular and predominantly of one and a half storey height although there is a scattering of more formal two storey dwellings both historic and modern.

### Assessment

The dwelling as built has an increased scale and massing compared to that which was initially given permission. However, a large proportion of that increase is due to the extension that was given permission in 2022. The issue is therefore whether the additional height of the roof and taller appearance of the building results in a building that fails to preserve the character and appearance of the Bythorn Conservation Area.

When looking at the building in context it is not uncharacteristically larger than neighbouring dwellings and its appearance in the conservation area remains mitigated by its set back location and use of traditional materials. At a maximum ridge height of 7m above ground level the building offers at most a one and a half storey scale which is not excessively larger than other nearby

dwellings. Taken as a whole it is considered that the dwelling as built will not have an unduly increased impact on the character and appearance of the conservation area than the schemes already given permission.

**Conclusion**

The dwelling as constructed preserves the character and appearance of The Bythorn Conservation Area in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990. It satisfies NPPF paragraph 195 and local plan policy LP34 by maintaining local distinctiveness with reference to height, scale, massing, form and materials.

**Conclusion: No objections.**

Signed



Date: 22/11/2023

Signed.....Date.....

# Development Management Committee



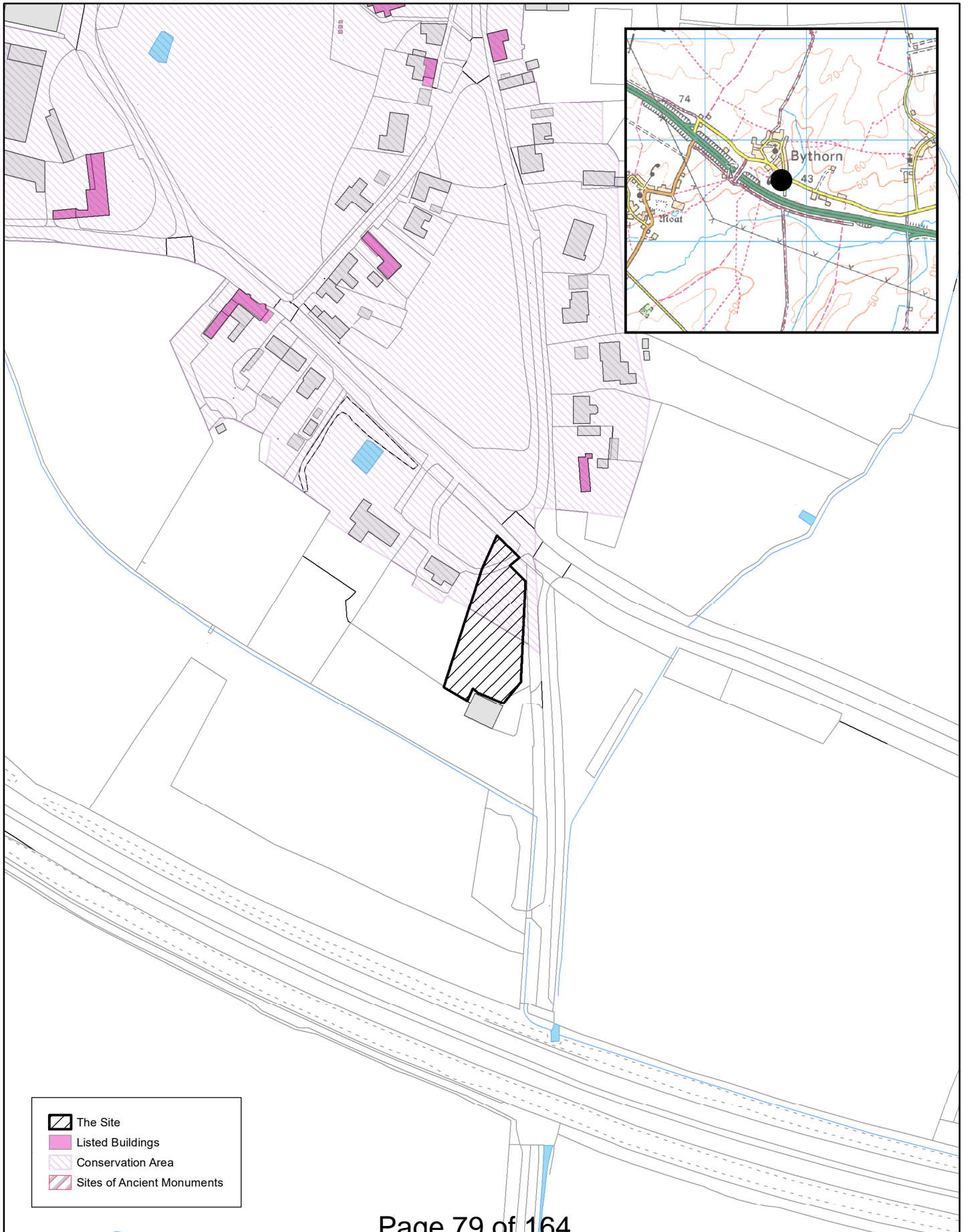
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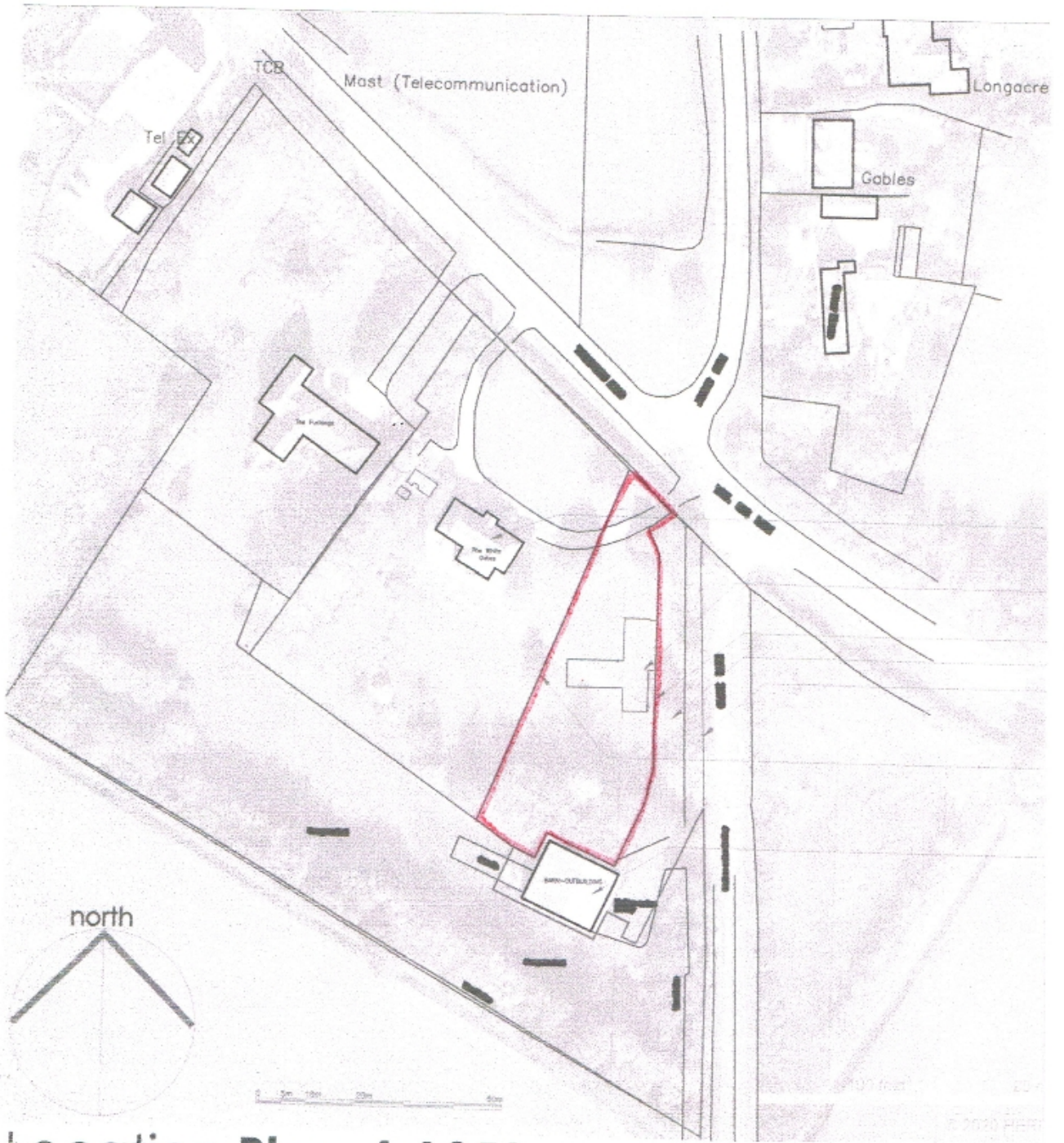
Application Ref: 23/01137/S73

Date Created: 05/12/2023

Parish: Bythorn

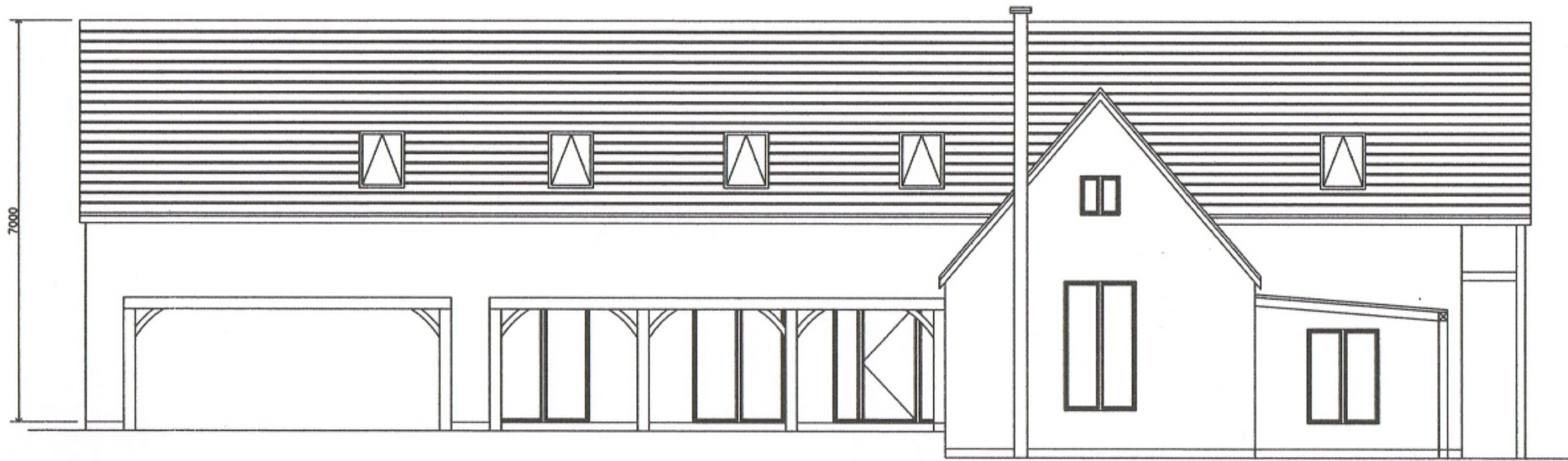
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Ordnance Survey HDC 100022322



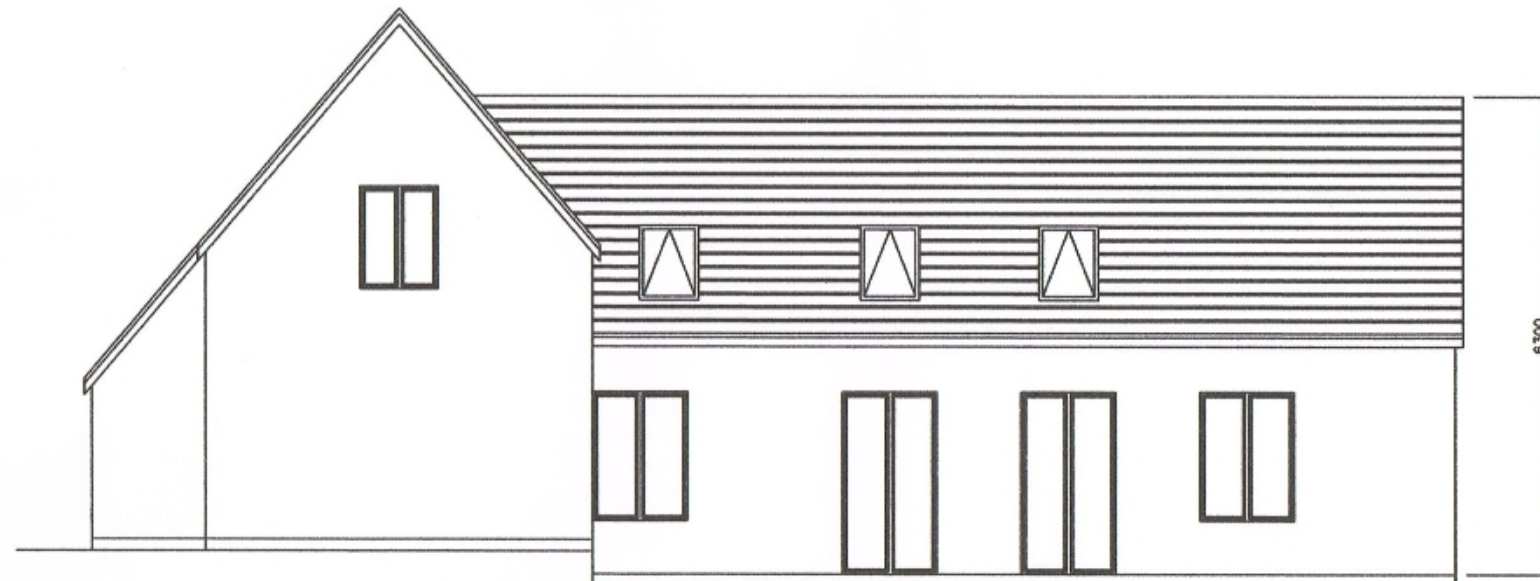


Location **Plan** 1:1250





WEST ELEVATION



NORTH ELEVATION

B.	As Built.	Jun 23	M.J.F.
A.	Dimensions added.	Feb 22	M.J.F.
No	Description	Date	Dem

Revision

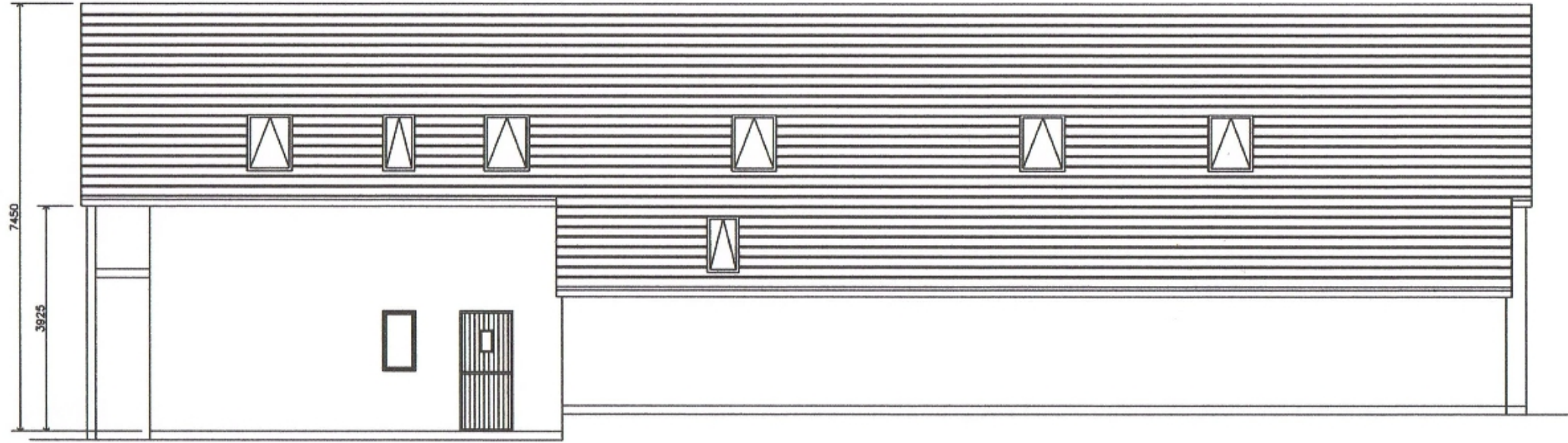
Project  
Proposed Development @  
White Gates, Thrapston Rd,  
Bythorn

Drawing  
Proposed Elevations

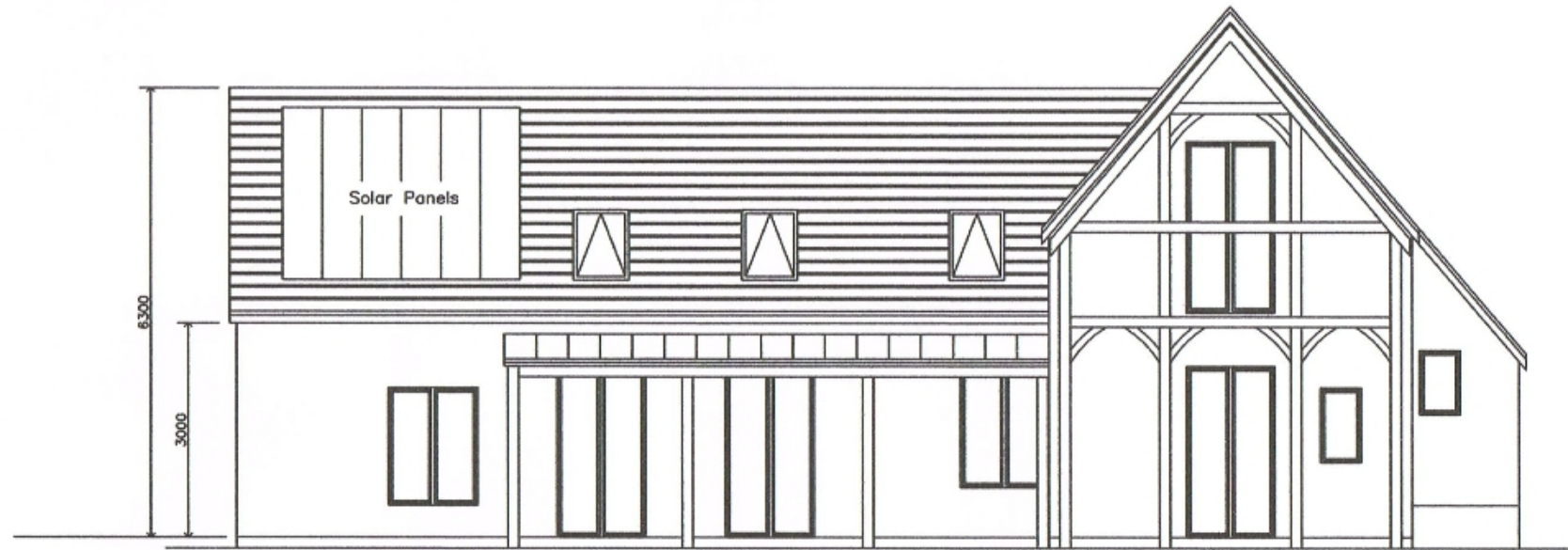
Dwg No WG/52<sup>B</sup> Scale 1:100

**M. V. G.**  
DESIGN

M.V.G Design  
Dovecote House  
Dovecote Close  
Barton Seagrave  
Northants. NN15 6GT  
Tel: 01536 410309  
Fax: 01536 410309



EAST ELEVATION



SOUTH ELEVATION

C. As Built.	Jun 23	M.J.F.
B. Solar Panels added	Apr 22	M.J.F.
A. Dimensions added.	Feb 22	M.J.F.

No	Description	Date	Drm
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Revision

Project  
Proposed Development @  
White Gates, Thrapston Rd,  
Bythorn

Drawing  
Proposed Elevations

Dwg No WG/53<sup>c</sup> Scale 1:100

**M. V. G.**  
DESIGN

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Fax: 01536 410309

**From:** [REDACTED]  
**Sent:** 25 August 2023 17:43  
**To:** [REDACTED]  
**Subject:** 23/01137/S73 - The White Gates Thrapston - site photos

















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## DEVELOPMENT MANAGEMENT COMMITTEE 18<sup>th</sup> DECEMBER 2023

**Case No:** 23/01327/FUL

**Proposal:** CHANGE OF USE OF MONTAGU HOUSE FROM CURRENT E CLASS. REVERSION TO ORIGINAL BUILT INTENT (C3 DOMESTIC) TO PROVIDE 3 SELF CONTAINED DOMESTIC DWELLINGS, WITH EACH DWELLING TO HAVE OWN OFF ROAD PARKING, AND GARDEN AMENITY SPACE.

**Location:** 81 HIGH STREET HUNTINGDON

**Applicant:** WARNER PLANNING

**Grid Ref:** 523582 272124

**Date of Registration:** 17<sup>th</sup> JULY 2023

**Parish:** HUNTINGDON

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### RECOMMENDATION - REFUSE

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

#### 1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

- 1.1 Montagu House, 81 High Street is a Grade II Listed Building and is located within the Huntingdon Conservation Area. No's 76, 77, 78 and 79 Ermine Street are Grade II Listed Buildings immediately to the north across the street. The site is located within the Huntingdon Neighbourhood Plan area and within the Air Quality Management Area. The site is located within the Environment Agency's Flood Zone 2 (medium probability) within the Huntingdonshire SFRA (2017). There are no other constraints.

Proposal

- 1.2 This application seeks approval for the change of use of Montagu House, 81 High Street, Huntingdon from Use Class E to three self-contained dwellings and associated works. The proposal would provide a six-bedroom dwelling (Unit A) and two, two-bedroom dwellings (Units B and C). The associated works involve the provision of off-street car parking and amenity space for each dwelling. The proposal involves the installation of two dormer

windows on the south-west elevation roofslope and the installation of two velux windows on the north-east elevation roofslope. The proposal also involves the erection of a 2m high brick wall to demarcate Unit A and C's private amenity spaces and the parking area.

- 1.3 This application is an amended scheme following the withdrawal of a previous application (reference 23/00507/FUL).
- 1.4 The Local Planning Authority is also considering a Listed Building Consent application of the same proposal (planning reference 23/01328/LBC).
- 1.5 Officers gave the applicant an opportunity to provide correct drawings, the applicant stated that they have decided to not prepare or submit any additional information, as they believe that there is sufficient information already available to the Local Planning Authority to approve the applications at Montagu House.
- 1.6 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.
- 1.7 The application is supported by the following documents:
  - Design and Access Statement;
  - Heritage Statement;
  - Flood Risk Assessment;
  - Biodiversity checklist;
  - Structural Inspection Report;
  - Air Quality Assessment; and
  - A Unilateral Undertaking relating to wheeled bins.

## **2. NATIONAL GUIDANCE**

- 2.1 The National Planning Policy Framework (5th September 2023) (NPPF 2023) 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 2023 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 [National Guidance](#)

### 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
  - LP21: Town Centre Vitality and Viability
  - 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
- 3.4 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](#)

Huntingdon Neighbourhood Plan 2018-2026 (September 2019):

- \* Policy NE3 – Setting of Huntingdon
- \* Policy BE1 – Design and Landscaping
- \* Policy BE2 – Local Distinctiveness and Aesthetics
- \* Policy BE3 – Heritage Assets
- \* Policy TT1 – Sustainable Transport

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

- 4.1 Given the heritage of the property there is a wide planning history associated with it. The history from November 1974 onwards is available to view on HDC's Public Access Site. The most recent, relevant history is detailed below:
- 4.2 23/01328/LBC - Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self-contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space - Pending consideration.
- 4.3 23/00508/LBC - Change of Use of Montagu House from current E Class. Reversion to original built intent - C3 Domestic - to provide 3 self-contained domestic dwellings. Each dwelling to have own off-road parking, and garden amenity space - Withdrawn.
- 4.4 23/00507/FUL - Change of Use of Montagu House from current E Class. Reversion to original built intent - C3 Domestic - to provide 3 self-contained domestic dwellings. Each dwelling to have own off-road parking, and garden amenity space - Withdrawn.
- 4.5 23/01328/LBC - Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space – Pending.

#### **5. CONSULTATIONS**

- 5.1 Huntingdon Town Council – Recommend approve, no objections.
- 5.2 Local Highway Authority – No objections following contact with the applicant and the subsequent revised parking layout for Ermine Street and confirmation that the parking and turning proposed is possible. The applicant has also indicated that he will not be relocating the gates and that it will remain ungated because of the sensitive location. The effect of the proposed development should therefore be mitigated with the recommended conditions.
- 5.3 Environmental Health Team- No objection.

#### 5.4 Conservation Team – Object.

There are a number of plan irregularities and discrepancies. Some works are acceptable in principle but require amendments or will require conditions to ensure that the works are carried out correctly, however, these can only be drafted on receipt of an acceptable scheme. Whilst there may be scope for the subdivision of this building to form 3 dwellings the lack of accurate drawings is still unacceptable. Where features are missing from drawings the legal conclusion would be that they were being removed from the building, if this were the case these works would result in harm and would not be supported. The works to the roof of unit c are unacceptable in principle.

There is insufficient accurate information to ensure that the Council is able to assess the proposals and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area. The proposal is therefore not in accordance with ss. 16, 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Policy LP 34 of the adopted Huntingdonshire Local Plan. The works are unacceptable.

## **6. REPRESENTATIONS**

6.1 None 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 the 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)

- 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 the surrounding area and heritage areas
  - Residential Amenity
  - Parking Provision and Highway safety
  - Flood Risk and Drainage
  - Biodiversity
  - Accessible and Adaptable Dwellings
  - Water Efficiency
  - Developer contributions

### **Principle of Development**

- 7.6 The site is located within Huntingdon and therefore falls within the Huntingdon Spatial Planning Area. The site is considered to be within the built up area of Huntingdon.
- 7.7 Policy LP7 (Spatial Planning Areas) states for Development Proposals on Unallocated Sites:

*A proposal for development on a site which is additional to those allocated in this plan will be supported where it fulfils the following requirements and is in accordance with other policies:*

#### *Residential Development*

*A proposal for housing development (class 'C3') or for a residential institution use (class 'C2') will be supported where it is appropriately located within a built-up area of an identified Spatial Planning Area settlement.*

- 7.8 The proposal would result in the loss of Use Class E floorspace (office space). However, as the site is located outside the Huntingdon Town Centre boundary, there are no policies in the Huntingdon Neighbourhood Plan or the Huntingdonshire Local Plan restricting its loss.
- 7.9 The principle of development is therefore acceptable, subject to the development being in accordance with other relevant policies discussed below.



## **Design, Visual Amenity and impact on the surrounding area and Heritage Assets**

- 7.10 The property of Montagu House is a Grade II Listed Building and is located within the Huntingdon Conservation Area. No's 76, 77, 78 and 79 Ermine Street are Grade II Listed Buildings immediately to the north across the street.
- 7.11 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.
- 7.12 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.
- 7.13 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...'* The NPPF goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use.
- 7.14 Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.15 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. 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.
- 7.16 Section 12 of the NPPF (2021) seeks to achieve well-designed places, noting that the creation of high quality buildings and places is fundamental to what the planning and development process

should achieve. Good design is a key aspect of sustainable development.

7.17 The National Design Guide (2020) sets out the characteristics of well-designed places and demonstrates what good design means in practice. It covers the following: context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan. Of particular note to the current proposals is guidance relating to design and how this understands and relates well to the site within its local and wider context, how the history of the place has evolved and that local sense of place and identity are shaped by local history, culture and heritage, how a proposal responds to existing local character and identity, whether proposals are well-designed, high quality and attractive and whether they are of an appropriate building type and form.

7.18 The HDC Design Guide 2017 is particularly relevant to the application proposals, in particular chapter 4 and sections 3.7 and 3.8. The guide states that the size, shape and orientation (the form) of a building can have a significant impact upon its surroundings. The form of new buildings should generally reflect traditional building forms found in Huntingdonshire. The scale, massing and height of proposed development should be considered in relation to that of adjoining buildings, the topography, pattern of heights in the area and views, vistas and landmarks.

The guide notes that with regard to building detailing, the district has various architectural styles and materials which reflects the local vernacular. It is noted that new buildings should be designed in harmony and proportional to each other, complimenting the overall street character of the place. Appropriate spaces between buildings helps to create an interesting streetscape. Detailed guidance is also provided relating to roofs, eaves and ridge lines and chimneys. With regard to materials, these should complement the successful parts of any surrounding developments in order to conserve or enhance the distinctive character of the various parts of the district and to ensure that buildings sit comfortably within the landscape.

7.19 The proposed development involves the change of use of the existing building of Montagu House from office space to three residential dwellings and associated works. The proposal involves the installation of two dormer windows on the south-west elevation roofslope and the installation of two velux windows on the north-east elevation roofslope. The proposal also involves the erection of a 2m high brick wall to demarcate Unit A and C's private amenity spaces and the parking area.

7.20 Following a review of the submitted plans and a site visit undertaken by the case officer and Council's Conservation Officer, it is concluded that there are significant and fundamental drawing

discrepancies and errors - including but not limited to, missing windows and chimney breasts, the alignment of the staircase in unit C and the attic area above unit C.

- 7.21 As such, it is considered that the plans have not been drawn correctly and therefore it can be argued that there is insufficient accurate information to ensure that the Local Planning Authority is able to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area.
- 7.22 While there are some matters and discrepancies that can be addressed by the implementation of suitably worded conditions, the absence of certain features such as the built in dresser in Unit B ground floor need to be clearly shown on the submitted plans to ensure that they are not being removed. The errors in the drawings are therefore considered to be fundamental and undermine the proposal.
- 7.23 There is also an objection from the Conservation Officer to the loss of the tie beam and lack of information submitted regarding the conversion of the attic (unit C). No details of the proposed cranked beams, roof insulation, doubling up of roof joists or detailed drawings of the dormers are provided. This information is considered necessary to fully consider the impact of the proposals and the works proposed to the roof of unit c. Although it is accepted that it may be structurally possible to convert the roof space, the Conservation Officer maintains that the current proposals will result in harm to the significance of the Listed Building through the loss of an original tie beam.
- 7.24 The proposed change of use would secure a long-term viable use for the listed building and this is considered a benefit of the scheme. Whilst certain aspects of the development such as the loss of the original tie beam is considered to be harmful, overall it is not possible to assess the potential impact of the development upon the heritage asset. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must therefore determine that the proposal would result in harm to the heritage asset. Such harm would not be outweighed by the benefits.
- 7.25 The plans submitted with the application have not been drawn accurately as there are significant and fundamental drawing errors. As the application is not supported by sufficient and accurate information, the Council is unable to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting, and have due regard to the preservation and enhancement of the Huntingdon Conservation Area. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must

therefore determine that the proposal would result in harm to the heritage asset. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm. As such, the proposed development is considered to be contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of the Huntingdonshire Local Plan to 2036, Policies BE1, BE2 and BE3 of the Huntingdon Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2023).

## **Residential Amenity**

### Amenity of neighbouring properties

- 7.26 Policy LP14 states that a proposal will be supported where a high standard of amenity is maintained for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

### Amenity of neighbouring properties

- 7.27 The closest neighbouring residential properties are those at the south-east end of Drovers Place and No. 1 Ermine Street, Huntingdon.
- 7.28 As no extensions are proposed to the existing building, the proposal is not considered to result in any overbearing or overshadowing impacts on neighbouring properties over and above the existing arrangements.
- 7.29 The proposed dwellings would utilise existing windows with some upper-floor windows serving habitable rooms. However, given the distance to the neighbouring property of No. 1 Ermine Street and the orientation and relationship between the existing building of No. 81 High Street and the neighbouring properties on Drovers Place, the Local Planning Authority are satisfied that the proposal would not result in any unacceptable overlooking impacts on neighbouring properties amenities. Given the nature of the change of use and the town centre location of the site, the proposal is not considered to result in any significant increase in comings and goings from the site, nor any detrimental general noise and disturbance impacts on the neighbouring properties. The proposal is therefore considered to accord with Policy LP14 of the Local Plan in respect of its impact upon neighbouring properties.

### Amenity for future occupiers

- 7.30 Policy LP14 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development. A proposal will therefore be required to ensure:

- a. adequate availability of daylight and sunlight for the proposed use, minimising the effects of overshadowing and the need for artificial light;
- 7.31 It would appear all the habitable rooms within all the proposed units have windows serving them and therefore should have an acceptable level of daylight, sunlight and outlook.
- 7.32 The proposal is also considered to provide a high standard of amenity for future owners/occupiers of the proposed dwellings with appropriately sized private amenity spaces surrounded by 2m high perimeter walls.
- 7.33 The site is within an Air Quality Management Area. Therefore, an Air Quality Assessment has been submitted with the application. This has been reviewed by the Environmental Health Team who raise no objection in regard to air quality.
- 7.34 The proposal is therefore considered to accord with Policy LP12 and LP14 (a) of the Local Plan in respect of residential amenity standards for future occupiers.

### **Parking Provision and Highway Safety**

- 7.35 Policy LP16 (Sustainable Travel) aims to promote sustainable travel modes and supports development where it provides safe physical access from the public highway. Policy LP17 (Parking Provision and Vehicle Movement) states a proposal will be supported where it incorporates appropriate space for vehicle movements, facilitates accessibility for service and emergency vehicles and incorporates adequate parking for vehicles and cycles.

#### Highway Safety & Car Parking

- 7.36 The proposed development would be accessed via two existing access points - one from Ermine Street and the other from St Johns Street, both classified B roads subject to a 30mph speed limit. As a result of the proposal, the existing access arrangements would remain unaltered. The Local Highway Authority has been consulted as part of the application and raise no objection as the accesses are considered to be of appropriate dimensions to serve the proposed three dwellings. Furthermore, given the existing and proposed uses, the site is not considered to result in any significant increase in comings and goings from the site.
- 7.37 The site would include a total of 10 bedrooms and seeks to provide two areas of off-street car parking provision - a small area north of the existing building, accessed via the existing access off Ermine Street, and a larger area south of the building, accessed via the existing access off St John's Street. While the configuration of the

parking arrangements in the area north of the building would result in some functionality concerns - particularly in the south-east corner, the Highway Authority has confirmed that the applicant has proved that parking and turning is possible. The Local Planning Authority is therefore satisfied the remaining off-street car parking provision is sufficient to accommodate all three properties and therefore is unlikely to result in significant highway safety concerns.

- 7.38 Officers therefore consider the proposal would not have an adverse impact upon highway safety and would be acceptable in regard to car parking in accordance with Policies LP16 and LP17 of the Huntingdonshire Local Plan to 2036.

#### Cycle Parking

- 7.39 There is adequate space within each garden to accommodate secure cycle parking which could be secured by condition if the proposal were to be recommended for approval. Subject to the above-mentioned condition, Officers consider the proposal complies with aims of Policies LP16 and LP17 for cycle parking.

#### **Flood Risk and Drainage**

- 7.40 National guidance and Policy LP5 of the Local Plan seek to steer new development to areas at lowest risk of flooding and advises this should be done through application of the Sequential Test, and if appropriate the Exceptions Test (as set out in paragraphs 159-169 of the NPPF (2021)).
- 7.41 The majority of the application site is located within the Environment Agency's Flood Zone 2 (medium probability) within the Huntingdonshire SFRA (2017). As a result of the proposed development the site would go from a Less Vulnerable use (Offices) to a More Vulnerable use (Residential). While the site would increase in flood risk vulnerability, More Vulnerable development is considered to be compatible with Flood Zone 2 - as such, an Exception Test is not considered relevant in this instance. Furthermore, as the proposal involves a change of use, a sequential test is not required.
- 7.42 The proposed change of use seeks to dispose of surface water via sustainable drainage systems and foul sewage via the existing mains sewer. The use of sustainable drainage systems is considered acceptable and a condition would be imposed on any planning permission granted to secure specific details. Furthermore, the foul sewage disposal method is also considered to be acceptable.
- 7.43 The proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore accords

with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework in this regard.

### **Biodiversity**

- 7.44 Paragraph 174 of the NPPF (2021) states Planning policies and decisions should contribute to and enhance the natural and local environment 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.
- 7.45 Whilst the proposals at this stage do not indicate any measures for biodiversity enhancement, given the nature of the proposed development, the Local Planning Authority are satisfied that the proposal would ensure no biodiversity net loss. It is also worth noting that the Local Planning Authority's records indicate no presence of protected species in the area.
- 7.46 Overall, subject to the imposition of conditions, the proposal is considered to broadly accord with the objectives of Policy LP30 of Huntingdonshire's Local Plan to 2036 and Section 15 of the National Planning Policy Framework in this regard.

### **Accessible and Adaptable Dwellings**

- 7.47 Policy LP25 of the Local Plan states that proposals for new housing will be supported where they meet the optional Building Regulation requirement M4(2) 'accessible and adaptable homes' unless it can be demonstrated that site specific factors make this impractical or unviable. Given that the proposal is for a change of use, this would not be applicable in this instance.

### **Water Efficiency**

- 7.48 Policy LP12 (j) of the Local Plan to 2036 states that new dwellings must comply with the optional Building Regulation requirement for water efficiency set out in Approved Document G of the Building Regulations. A condition can be attached to any consent to ensure compliance with the above, in accordance with Policy LP12 (j) of Huntingdonshire's Local Plan to 2036.

### **Developer Contributions**

#### Bins

- 7.49 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. Whilst a form for a Unilateral Undertaking (UU) in respect of wheeled bins has been received by the Local Planning Authority dated 10th April 2023, it is considered to be inadequate and incomplete due to the fact it does not include the most up-to-date cost figures and is not accompanied by a site location plan which are required. The proposal therefore fails to meet the requirements of Policy LP4 of the Local Plan to 2036 and the Developer Contributions SPD (2011).

#### Community Infrastructure Levy (CIL)

- 7.50 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**

- 7.51 As outlined above, all planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.52 The building in question is a Grade II Listed Building set within the Huntingdon Conservation Area. The Council has a statutory duty to preserve the listed building and its setting, and have due regard to the preservation and enhancement of the Huntingdon Conservation Area.
- 7.53 The application is not supported by correct or sufficient information regarding the heritage asset. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must therefore determine that the proposal would result in harm to the heritage asset. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm.
- 7.54 The application also does not have a correct complete UU for the provision of bins.
- 7.55 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 plans submitted with the application have not been drawn accurately as there are significant and fundamental drawing errors. As the application is not supported by sufficient and



accurate information, the Local Planning Authority is unable to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting, and have due regard to the preservation and enhancement of the Huntingdon Conservation Area. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must therefore determine that the proposal would result in harm to the heritage asset. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm. As such, the proposed development is considered to be contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of the Huntingdonshire Local Plan to 2036, Policies BE1, BE2 and BE3 of the Huntingdon Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2023).

2. 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. Whilst a form for a Unilateral Undertaking (UU) in respect of wheeled bins has been received by the Local Planning Authority dated 10th April 2023, it is considered to be inadequate and incomplete due to the fact it does not include the most up-to-date cost figures and is not accompanied by a site location plan which are required. 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** – [lewis.tomlinson@huntingdonshire.gov.uk](mailto:lewis.tomlinson@huntingdonshire.gov.uk)

HUNTINGDON TOWN COUNCILPLANNING COMMENTS : 10<sup>th</sup> AUGUST 2023

<p>21/02422/FUL</p> <p>Erection of factory extension and creation of additional parking areas and associated works 3 Redwongs Way Huntingdon PE29 7HF</p> <p><b>Deemed Approve.</b></p> <p><b>Members noted the need for compliance and enforcement of all planning conditions to minimise impact on nearby residents.</b></p>
<p>23/01327/FUL</p> <p>Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space. 81 High Street Huntingdon</p> <p><b>Recommend Approve. No objections.</b></p>
<p>23/01328/LBC</p> <p>Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space. 81 High Street Huntingdon</p> <p><b>Recommend Approve. No objections.</b></p>
<p>23/01153/FUL</p> <p>Change of use of the existing internal car parking area (Use Class Sui Generis) into a mixed office, storage, and distribution facility (Sui Generis). Dryden House St Johns Street Huntingdon PE29 3NU</p> <p><b>Recommend Approve. No objections.</b></p>
<p>23/01400/HHFUL</p> <p>Erection of ground floor extension, replace rear window and door with bifold door. 39 Hartford Road Huntingdon PE29 3RF</p> <p><b>Recommend Approve. No objections.</b></p>

## Design and Conservation Consultation

<b>Proposal: C/u to form 3 domestic town houses and associated alterations to facilitate this c/u to the listed building</b>	<b>Location 81 High Street Huntingdon</b>	
<b>Dc case officer:</b> MR	<b>Conservation Officer:</b> LB	<b>Application Ref.No: 23/00507/FUL &amp; 23/00508/LBC</b>

**23/00507/FUL Planning Permission** is sought for the change of use of 81 High Street Montagu House a grade II listed building located within the Huntingdon Conservation Area. The proposal is for the subdivision of the building to form 3 town houses. The impact on the significance of the listed building is a material consideration in the determination of this application.

**23/00508/LBC Listed Building Consent** is sought for a programme of works to facilitate the change of use of the building from offices to domestic. The building is to be subdivided to form 3 individual town houses.

Submitted drawings incl

Block plan revised parking	-		
Existing location plan	EX01	Proposed site plan	P01
Existing GF	EX02	Proposed GF	P02
Existing F and 2F Plan	EX03	Proposed first floor	P03
		Proposed second floor	P04
Existing roof Plan	Ex04	Proposed Roof Plan	P05
Existing front elevation	EX05	Proposed front elevation	P06
Existing side elevation	EX06	Proposed side elevation	P07
Existing rear elevation	EX07	Proposed rear elevation	P08
Existing side 2 elevation	EX08	Proposed side 2 elevation	P09

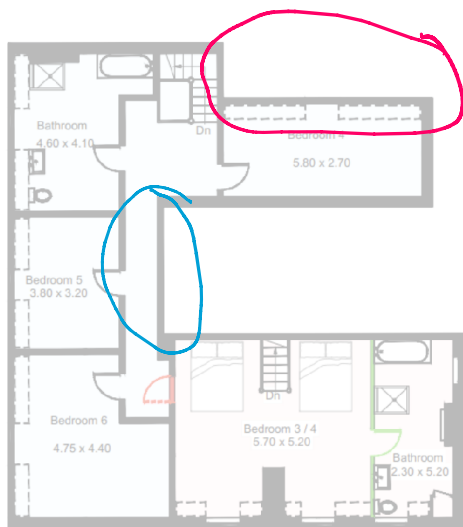
Following a site inspection it is evident that there are substantial errors in these drawings



I have superimposed P03 over P02 The attic above unit 3 occupies the entire length of the building the building the area highlighted in red is a discrepancy/ error

I have concerns about the alignment of the staircase proposed in unit 2, it appears to go through a chimney breast and is not straight, it will most likely breach the line of the roof in this location and may not be possible.

I have also looked at the plan for the second floor,



Highlighted in red The bedroom wall is not stepped in as shown, the chimney breast is missing and the dormer appears to be off centre rather than the position shown on the drawing.



Highlighted in blue opposite the entrance to bedroom 2 there is a dormer – not shown on the plans

The errors in the drawings are fundamental and undermine the proposals. A listed building application that is incorrectly drawn can not be supported as it is unclear what the works are or their impact on the building.

#### Further concerns

The proposal to subdivide the building along the lines indicated may have some credibility if the drawings can accurately reflect the building.

I do have a fundamental concern that these drawings have not been drafted on the basis of building regulation advice and that there may be fundamental fire safety issues to consider which will have an impact on the fabric of the building. These may include the need for fire separation works and provision of safe fire escape egress. The intention to remove the existing fire escape stair may not be possible

I am also not convinced that the proposed new staircase in the living room to unit b is compliant with building regulations.

I am also concerned about the proposals for the bedroom area of unit 3. The plans are incorrect and fail to show a large tie beam at waist high across the space or the raised area at the western end of the room



This is not an exhaustive list however without certainty or clarity of the proposals further assessment is not appropriate.

Support therefore can not be given to either the proposed change of use planning permission or the proposed listed building consent application.

#### **Recommendation:.** **Do not support**

There is insufficient accurate information to ensure that the Council is able to assess the proposals and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area

The proposal is therefore not in accordance with ss. 16, 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and policy LP

34 of the adopted Huntingdonshire Local Plan. The works are unacceptable.

**For the avoidance of doubt this recommendation carries considerable weight in the determination of this application, this is a legal duty. Should the case officer consider that this recommendation should be altered then this application must be referred to the Planning Strategic Forum for senior officer consideration, this must include conservation representation.**

**Signed.....L.B Date: 7 june 2023**

# Development Management Committee



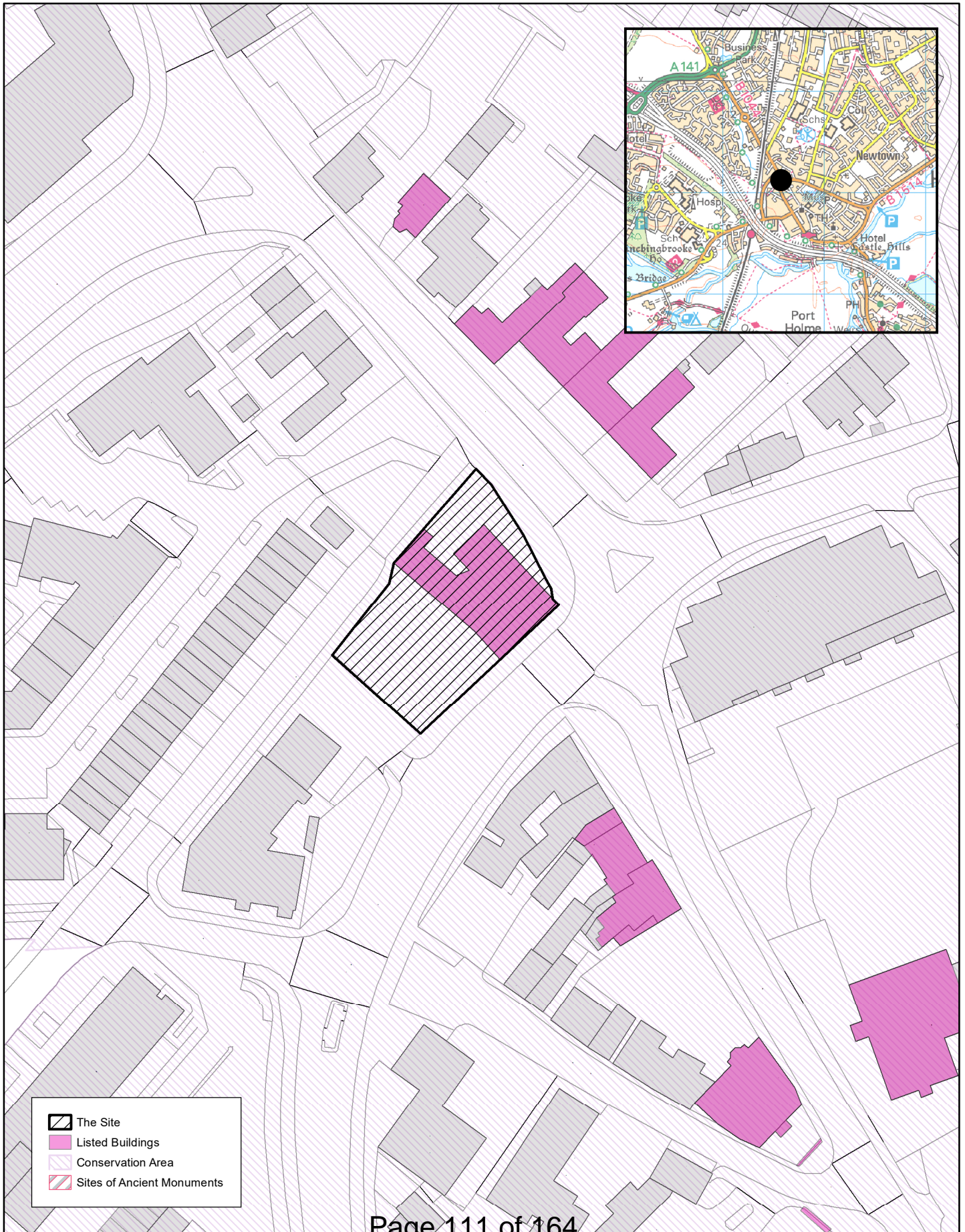
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Application Ref: 23/01327/FUL and 23/01328/LBC

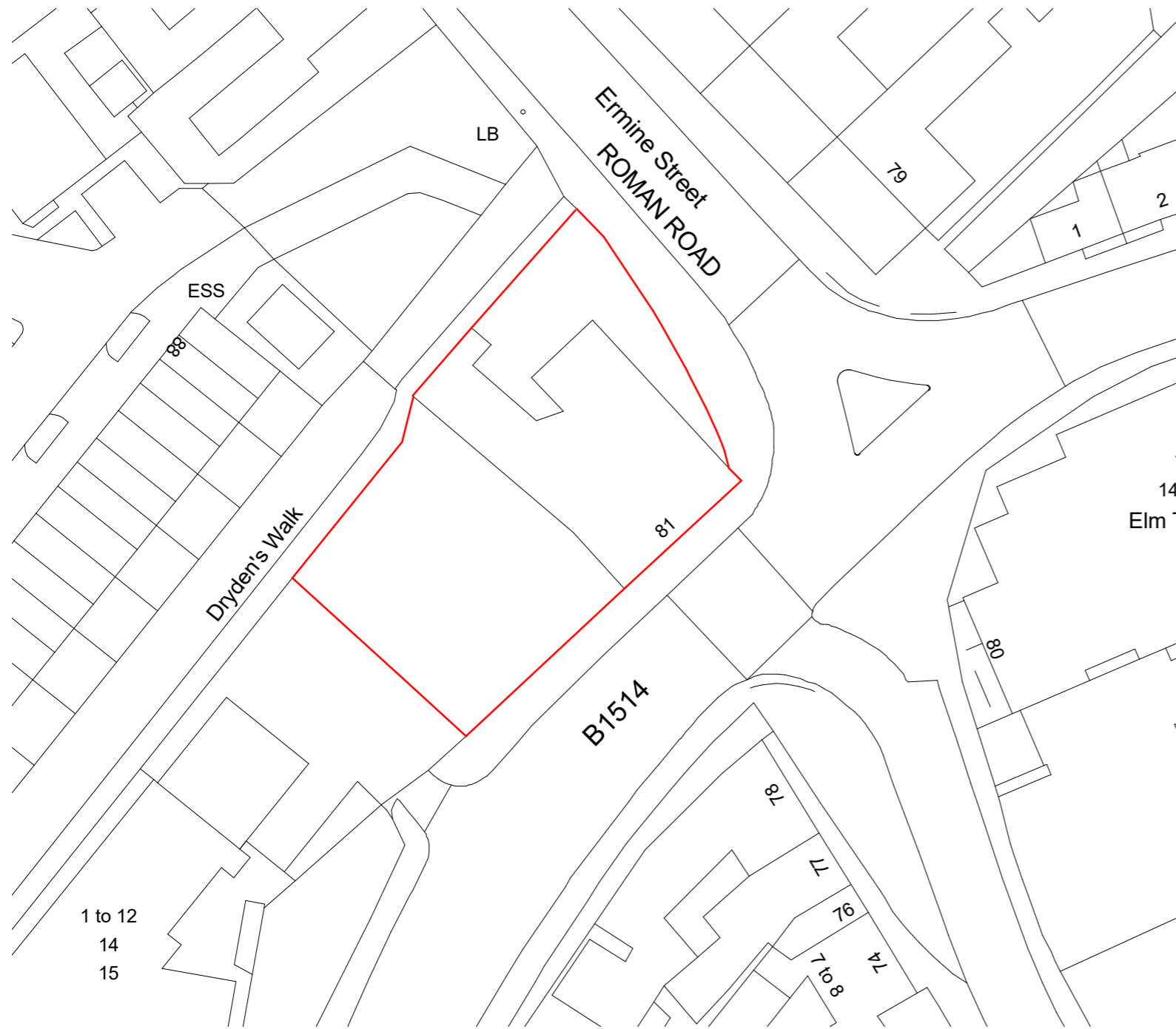
Date Created: 05/12/2023

Parish: Huntingdon

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- The Site
- Listed Buildings
- Conservation Area
- Sites of Ancient Monuments



**Location Plan**  
1 : 1250

**Site Plan**  
1 : 500

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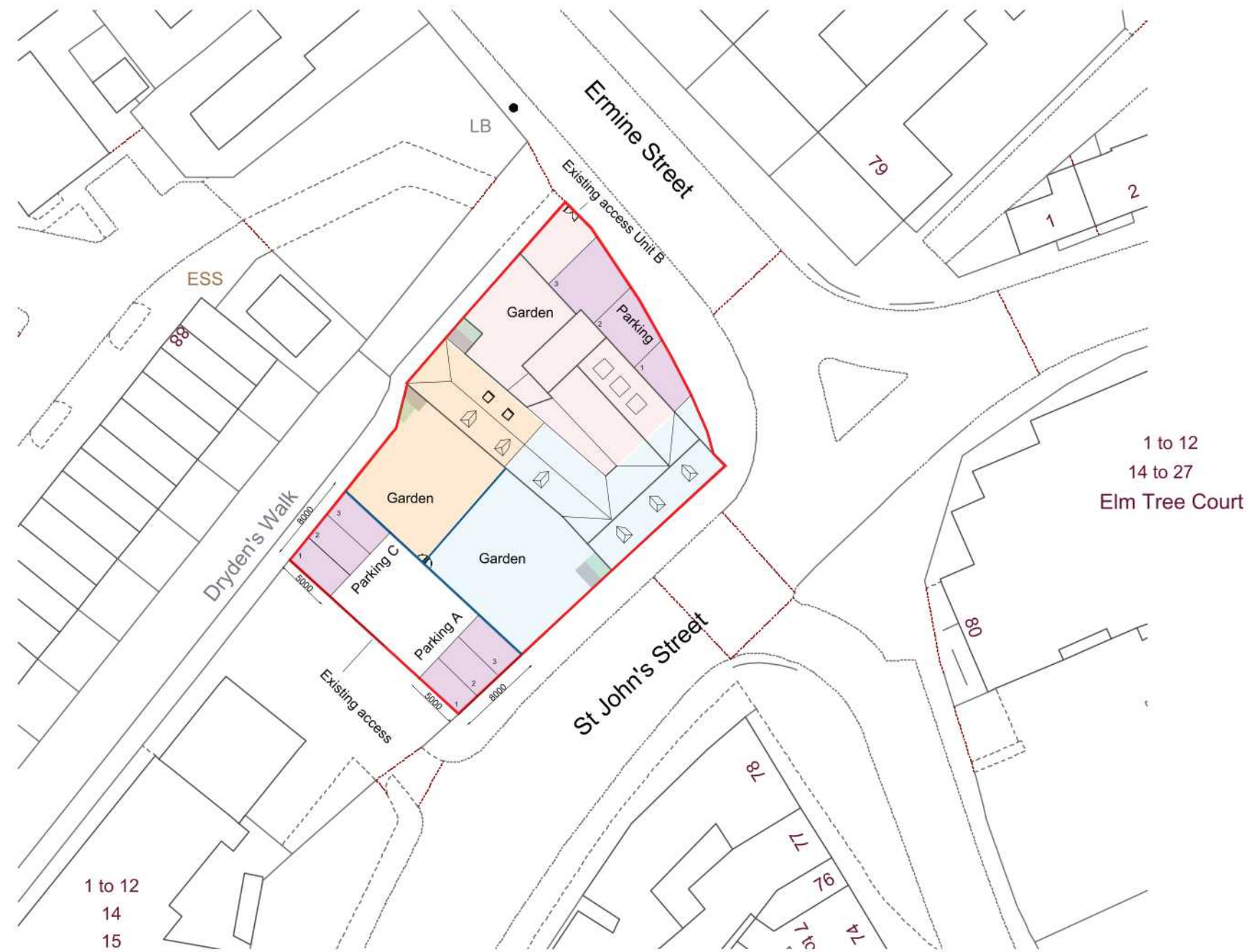
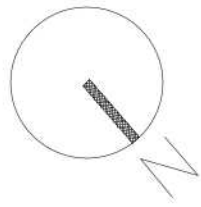
**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Location Plan		

CLIENT			M. Smith		
Date	Project number	Scale (@ A3)			
13/03/23	P054	As indicated			
Drawn by	DRAWING NUMBER			REV	
SA	EX-01				
Checked by					
SA					





**Key**

- Unit A
- Unit B
- Unit C
- Bin Storage
- Cycle Storage
- Parking Spaces
- New brick wall 2 metres high to delineate parking and amenity space

**Proposed Site Plan**  
1 : 500

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No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Site Plan		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)		REV	
19/07/23	P054	1 : 500		A	
Drawn by	DRAWING NUMBER			REV	
SA	P-01			A	
Checked by					
SA					



**Existing Front Elevation**  
1 : 100

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DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Front Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER			REV	
SA	EX-05				
Checked by					
SA					



**Existing Rear Elevation**  
1 : 100

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**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Rear Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER			REV	
SA	EX-07				
Checked by					
SA					



## Existing Side Elevation

1 : 100

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# IONIC DESIGN

No.	Description	Date

PROJECT

Montagu House

SHEET

Existing Side Elevation

CLIENT

M. Smith

Date  
13/03/23

Project number  
P054

Scale (@ A3)  
1 : 100

Drawn by  
SA

DRAWING NUMBER

REV

Checked by  
SA

EX-06



## Existing Side 2 Elevation

1 : 100

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# IONIC DESIGN

No.	Description	Date

PROJECT  
**Montagu House**

SHEET  
**Existing Side 2 Elevation**

CLIENT <b>M. Smith</b>			
Date 13/03/23	Project number P054	Scale (@ A3) 1 : 100	
Drawn by SA	DRAWING NUMBER <b>EX-08</b>		REV
Checked by SA			



**Proposed Front Elevation**  
1 : 100

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**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Front Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER		REV		
SA	P-06				
Checked by					
SA					



**Proposed Rear Elevation**  
1 : 100

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DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Rear Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER		REV		
SA	P-08				
Checked by					
SA					



**Proposed Side Elevation**  
1 : 100

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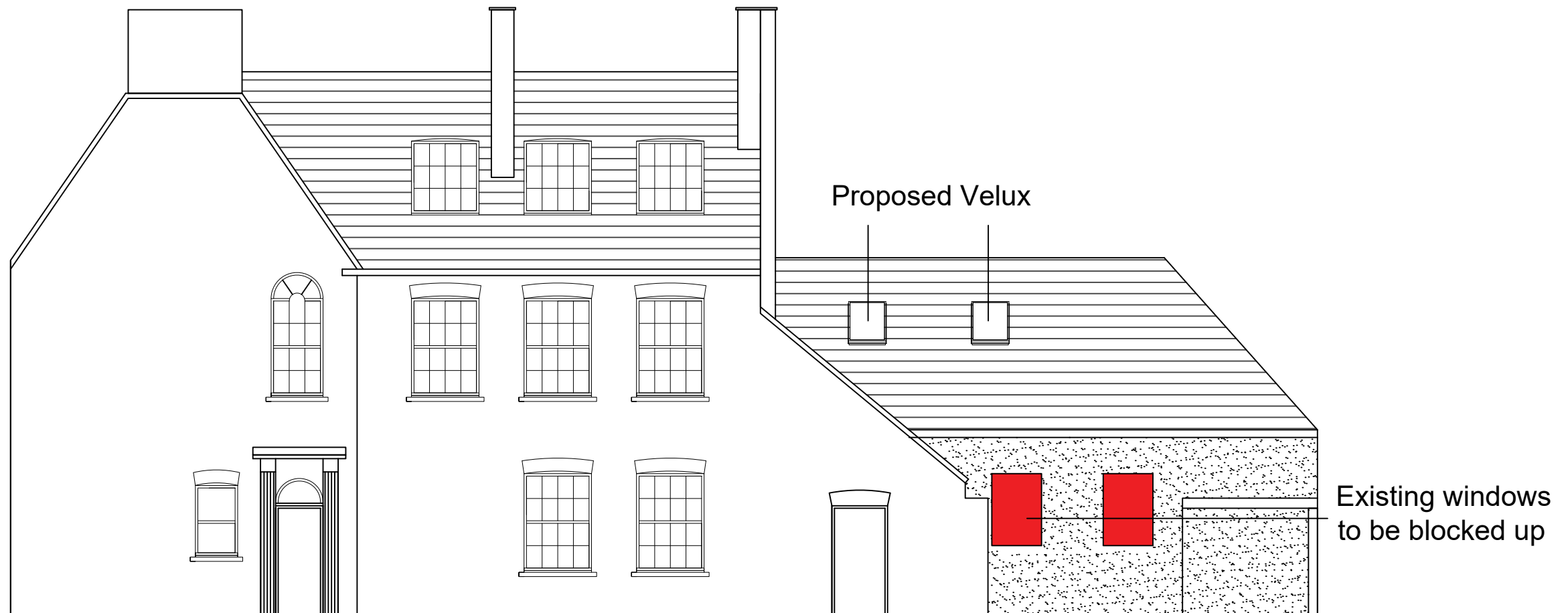
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No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Side Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER			REV	
SA	P-07				
Checked by					
SA					





**Proposed Side 2 Elevation**  
1 : 100

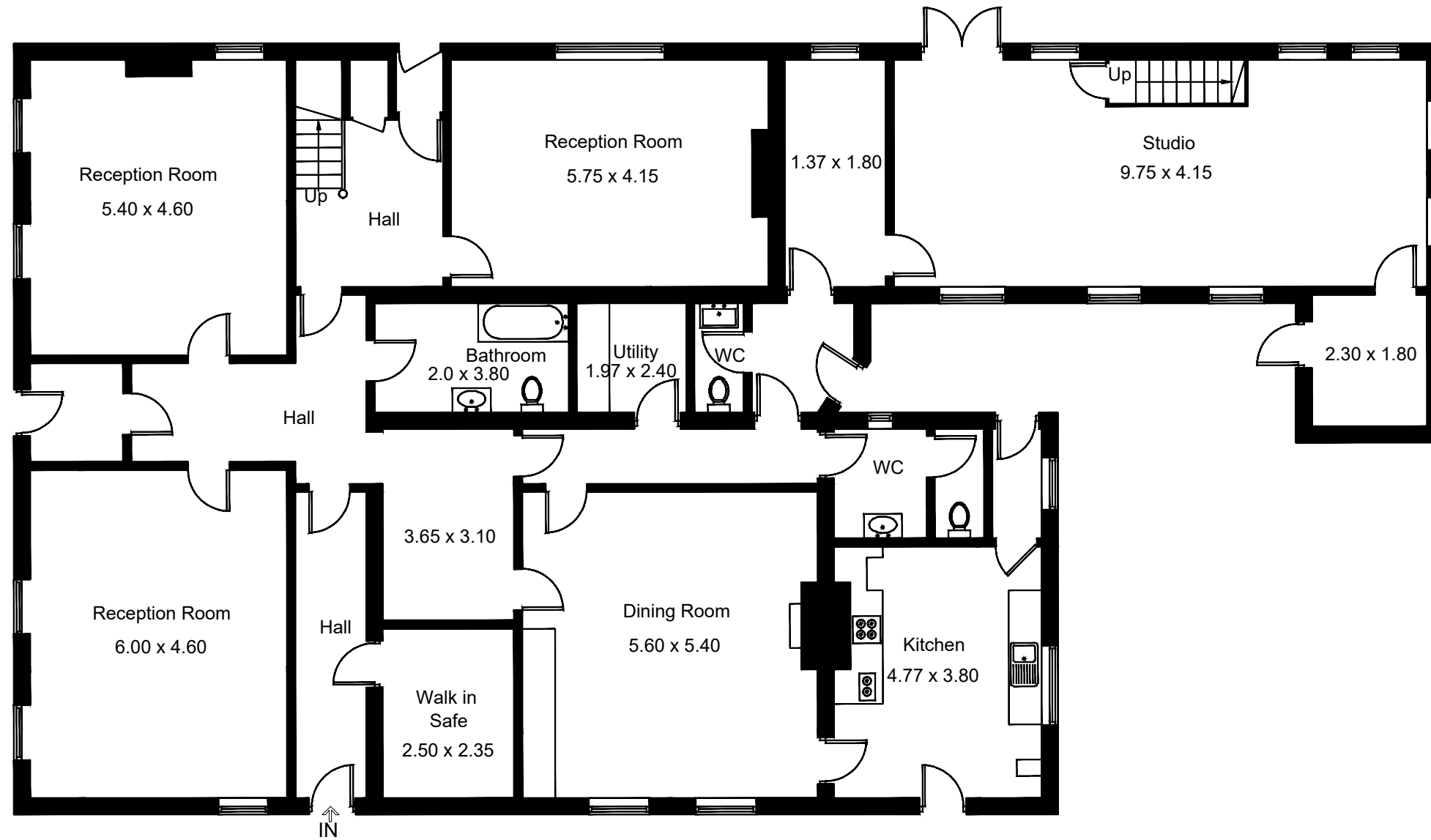
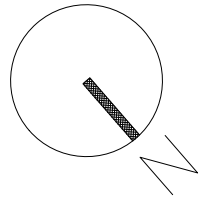
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DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Side 2 Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER		REV		
SA	P-09				
Checked by					
SA					



## Existing Ground Floor

1 : 100

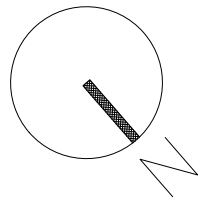
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# IONIC DESIGN

No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Ground Floor		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)		REV	
21/06/23	P054	1 : 100		A	
Drawn by	DRAWING NUMBER			REV	
SA	EX-02			A	
Checked by					
SA					

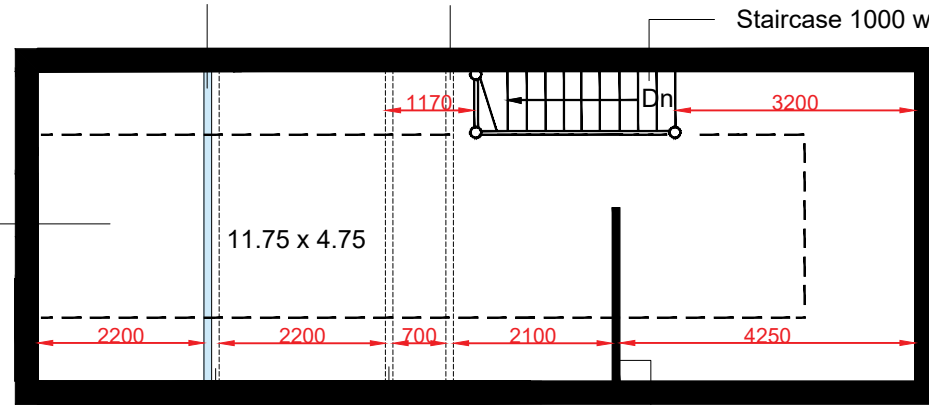


Internal Brick wall 700mm high, forming storage area upstand

Tie beam collar approx 1850mm to underside from floor

Staircase 1000 w x 2700mm

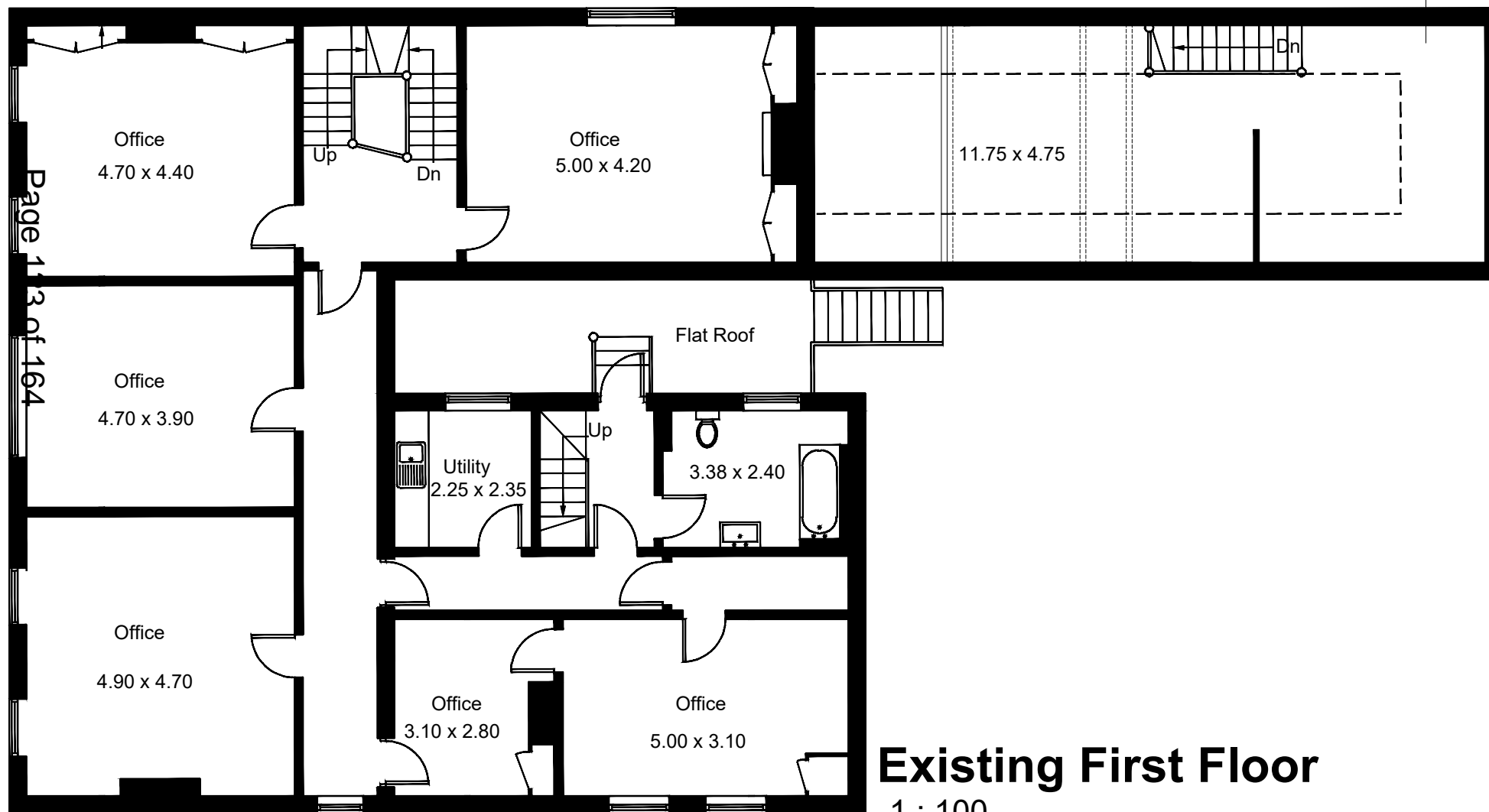
Raised platform 700mm above floor  
Boarded over, storage, accessible from ground floor ceiling below



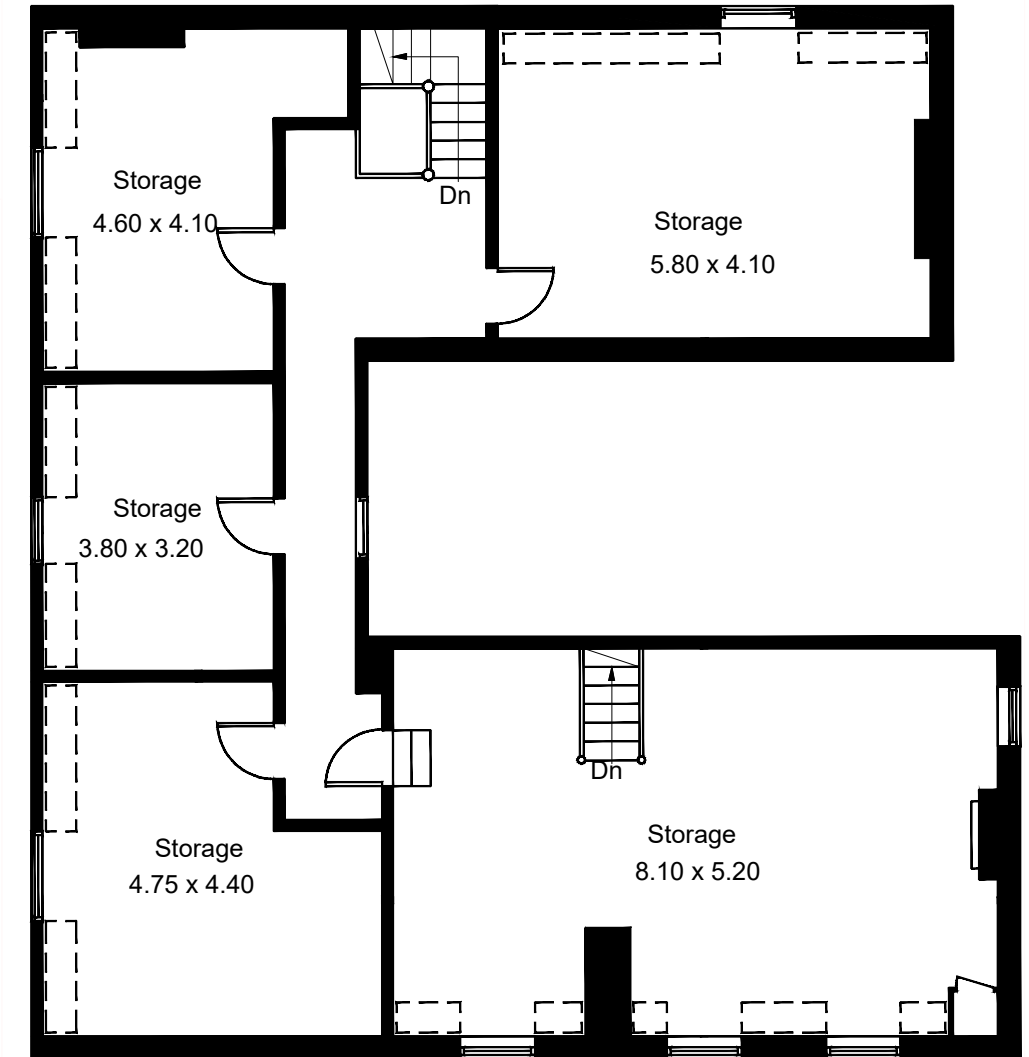
Beam approx. 100x175mm  
700mm above floor

Beam approx. 150x175mm  
700mm above floor

modern partition stud wall



**Existing First Floor**  
1 : 100



**Existing Second Floor**  
1 : 100

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**IONIC  
DESIGN**

No.	Description	Date

PROJECT

Montagu House

SHEET

Existing First & Second Floor

CLIENT

M. Smith

Date  
21/06/23

Project number  
P054

Scale (@ A3)  
1 : 100

Drawn by  
SA

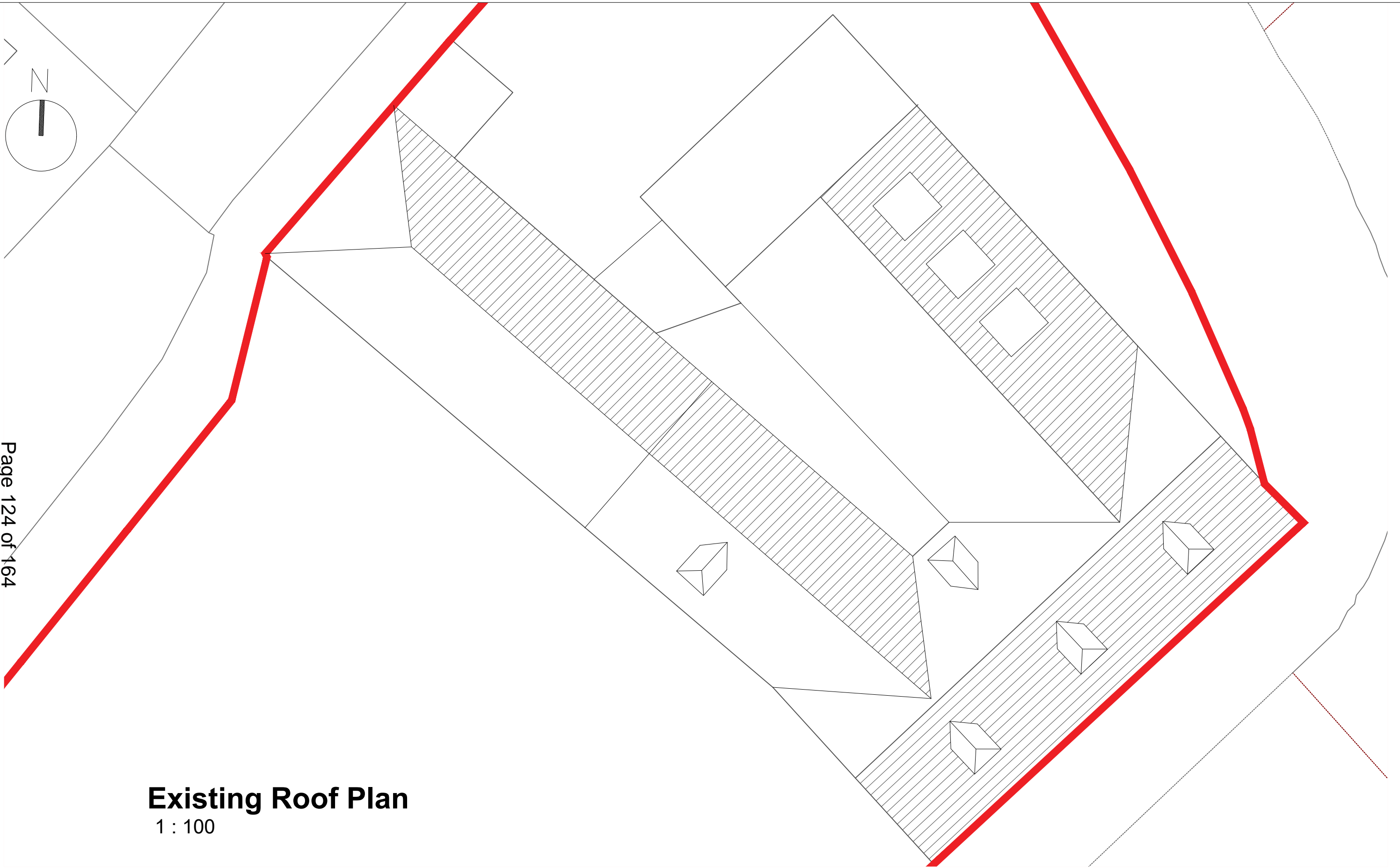
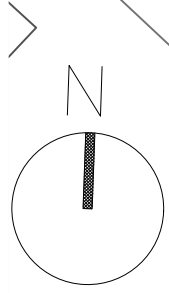
DRAWING NUMBER

REV

Checked by  
SA

EX-03

A



**Existing Roof Plan**  
1 : 100

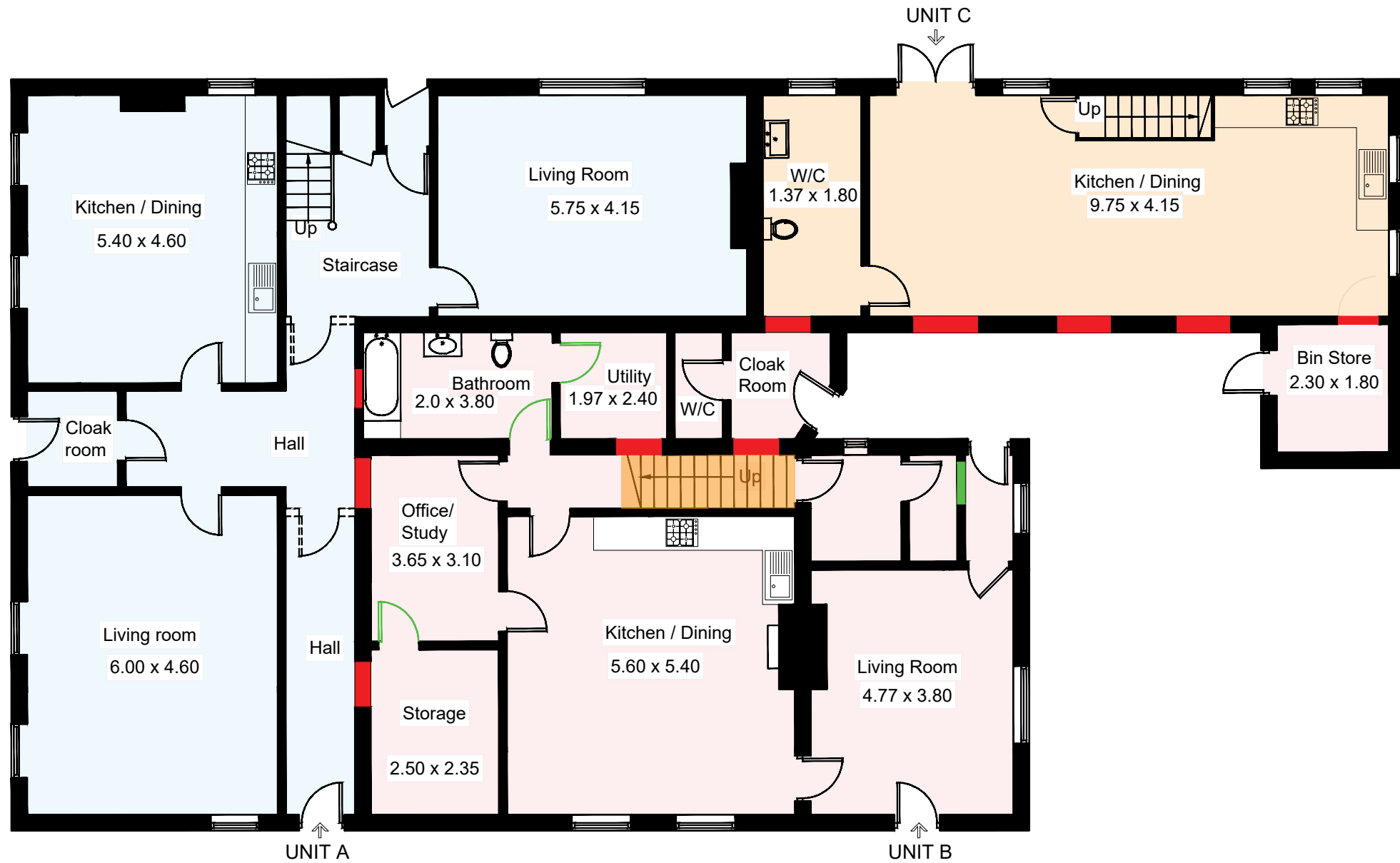
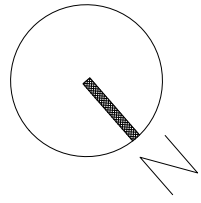
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No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Roof Plan		

CLIENT				M. Smith	
Date	13/03/23	Project number	P054	Scale (@ A3)	1 : 100
Drawn by	SA	DRAWING NUMBER		REV	
Checked by	SA	EX-04			



Key

- Unit A
- Unit B
- Unit C
- Door infilled
- New door / opening Unit B
- Staircase to be Re-instated
- Firedoors retained

## Proposed Ground Floor

1 : 100

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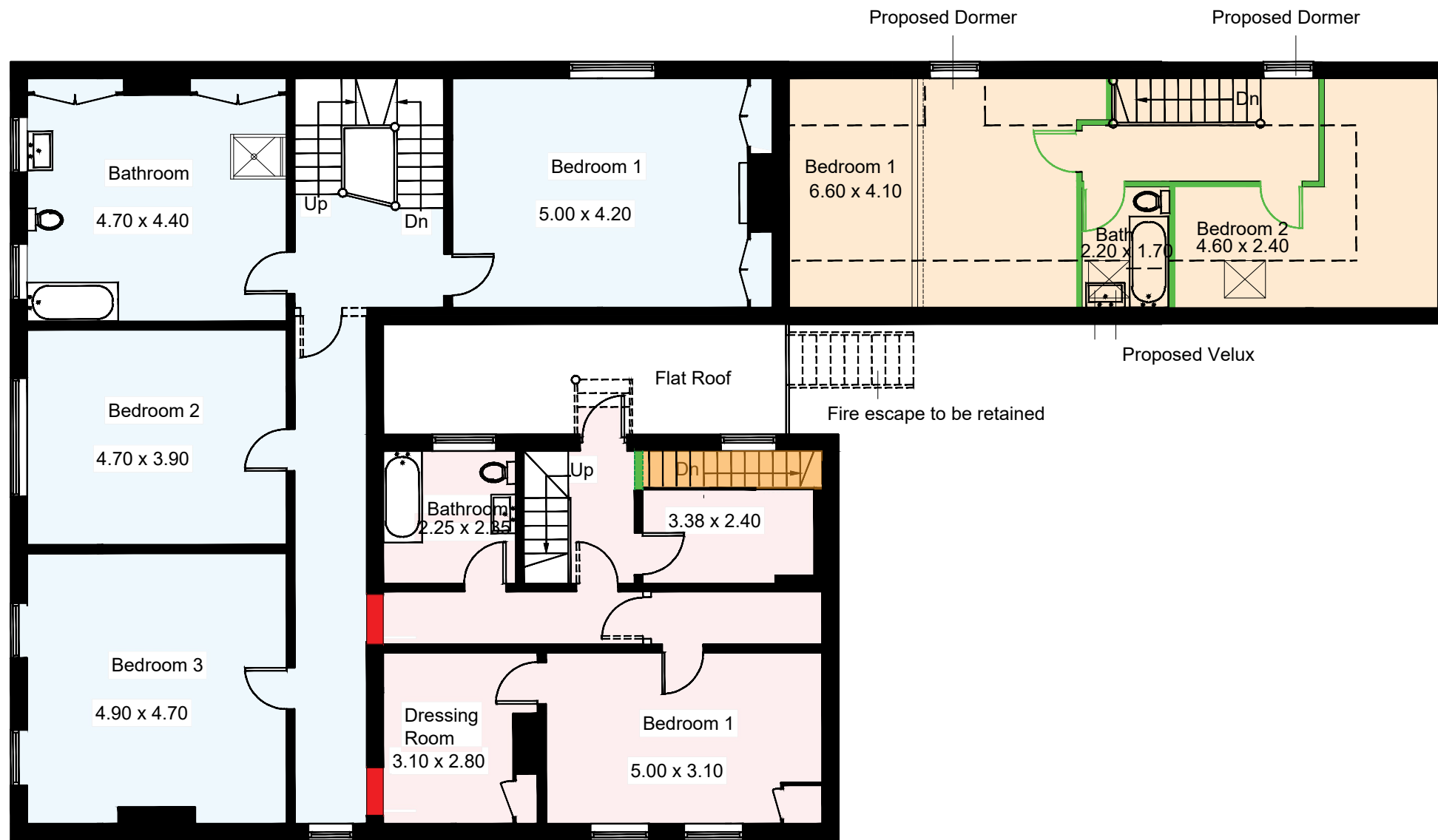
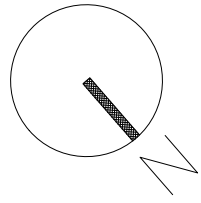
Land registry title and ownership boundaries are produced by IONIC STUDIO using all reasonable endeavours. We cannot be held responsible for scale discrepancy of plans supplied to us.

# IONIC DESIGN

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Ground Floor		

CLIENT				M. Smith	
Date	21/06/23	Project number	P054	Scale (@ A3)	1 : 100
Drawn by	SA	DRAWING NUMBER		REV	A
Checked by	SA	P-02			



- Key**
- Unit A
  - Unit B
  - Unit C
  - Door infilled
  - New partition wall / door - Unit C.
  - New Staircase opening Unit B
  - Staircase to be Re-instated
  - Firedoors retained

**Proposed First Floor**  
1 : 100

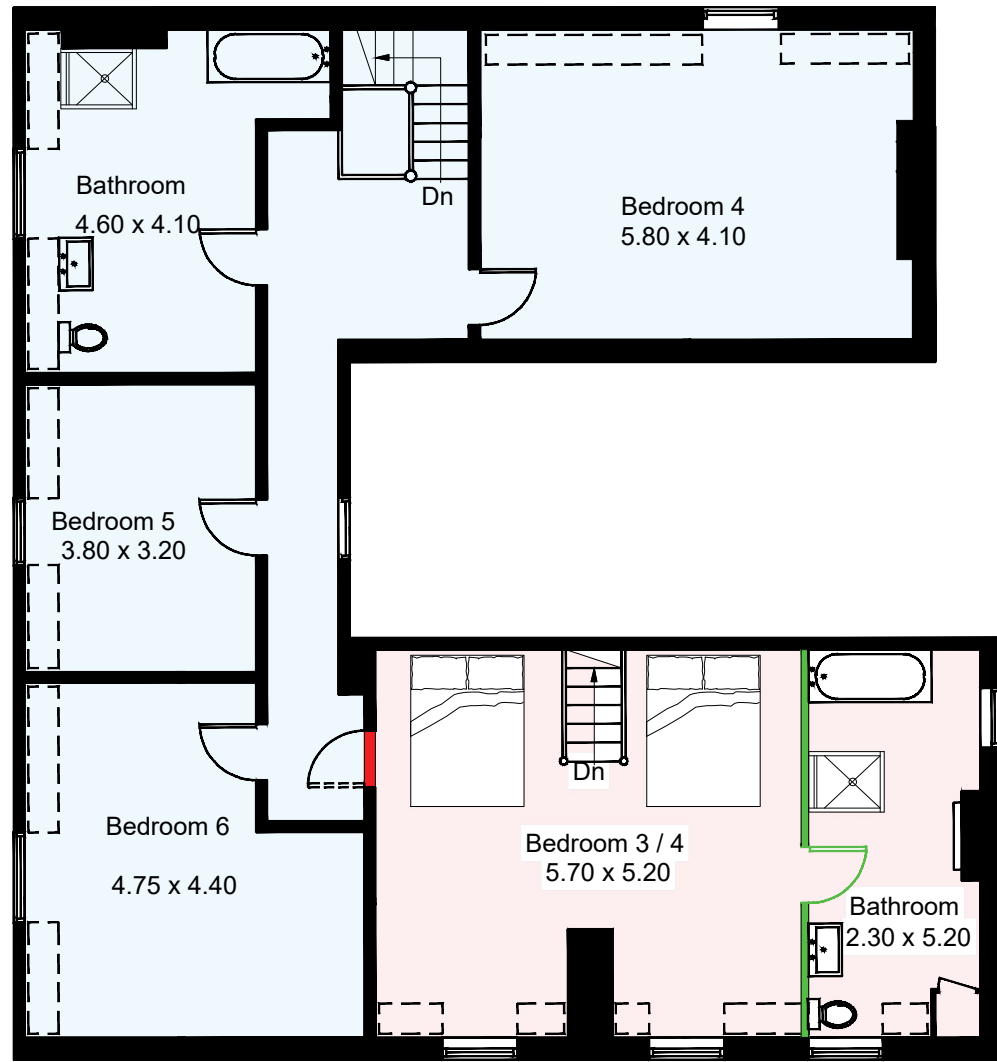
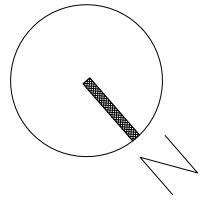
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No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed First Floor		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)		REV	
21/06/23	P054	1 : 100		A	
Drawn by	DRAWING NUMBER				
SA	P-03				
Checked by					
SA					



Key

- Unit A
- Unit B
- Unit C
- Door / Windows infilled
- New partition wall / door

## Proposed Second Floor

1 : 100

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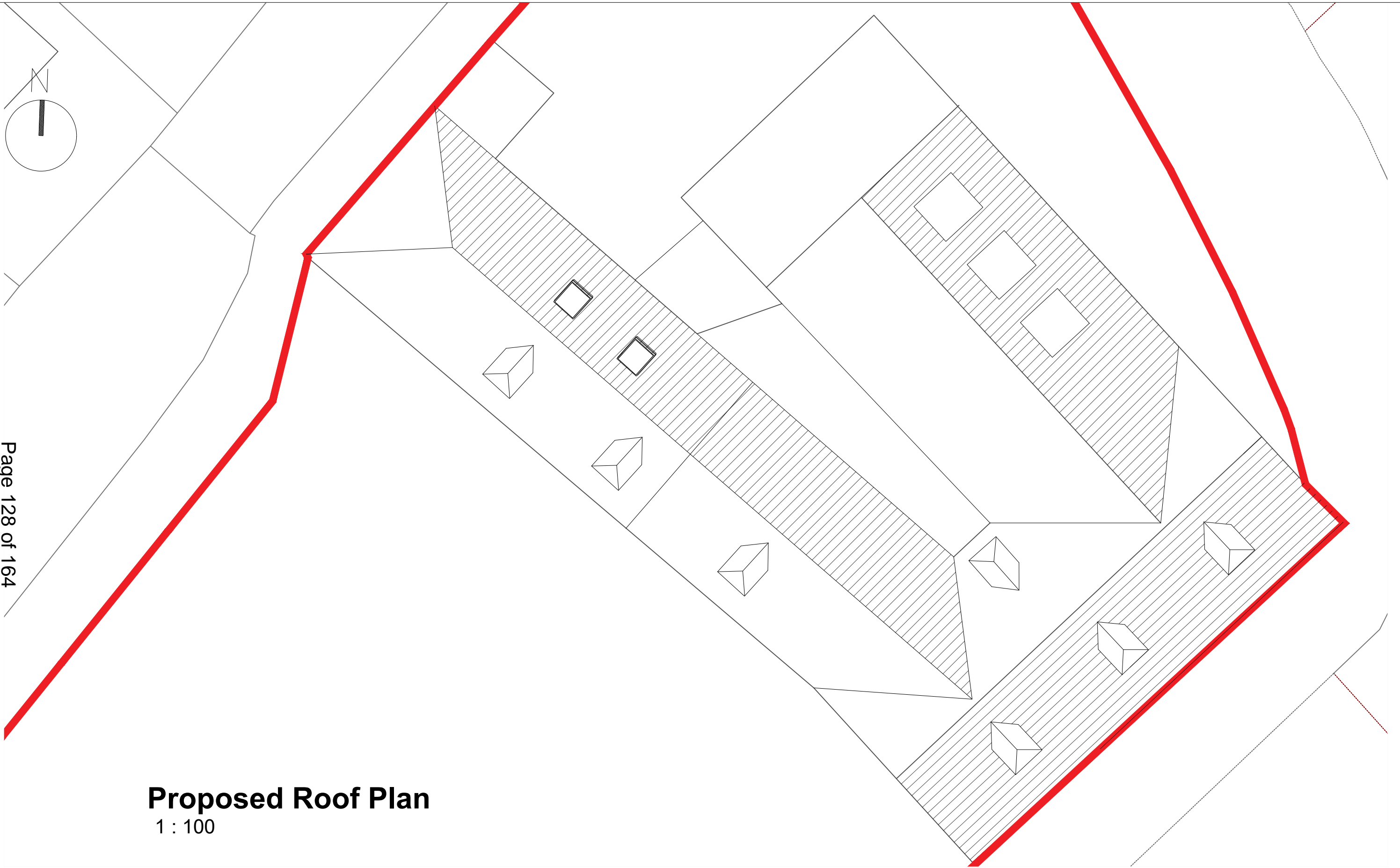
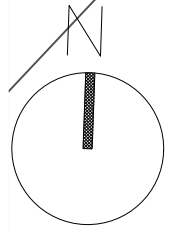
Land registry title and ownership boundaries are produced by IONIC STUDIO using all reasonable endeavours. We cannot be held responsible for scale discrepancy of plans supplied to us.

# IONIC DESIGN

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Second Floor		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)		REV	
21/06/23	P054	1 : 100		A	
Drawn by	DRAWING NUMBER				
SA	P-04				
Checked by					
SA					



**Proposed Roof Plan**  
1 : 100

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No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Roof Plan		

CLIENT				M. Smith	
Date	13/03/23	Project number	P054	Scale (@ A3)	1 : 100
Drawn by	SA	DRAWING NUMBER		REV	
Checked by	SA	P-05			



## DEVELOPMENT MANAGEMENT COMMITTEE 18<sup>th</sup> DECEMBER 2023

**Case No:** 23/01328/LBC

**Proposal:** CHANGE OF USE OF MONTAGU HOUSE FROM CURRENT E CLASS. REVERSION TO ORIGINAL BUILT INTENT (C3 DOMESTIC) TO PROVIDE 3 SELF CONTAINED DOMESTIC DWELLINGS, WITH EACH DWELLING TO HAVE OWN OFF ROAD PARKING, AND GARDEN AMENITY SPACE.

**Location:** 81 HIGH STREET HUNTINGDON

**Applicant:** WARNER PLANNING

**Grid Ref:** 523582 272124

**Date of Registration:** 17<sup>th</sup> JULY 2023

**Parish:** HUNTINGDON

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### RECOMMENDATION - REFUSE

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

#### 1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

- 1.1 Montagu House, 81 High Street is a Grade II Listed Building and is located within the Huntingdon Conservation Area. No's 76, 77, 78 and 79 Ermine Street are Grade II Listed Buildings immediately to the north across the street. The site is located within the Huntingdon Neighbourhood Plan area and within the Air Quality Management Area. The site is located within the Environment Agency's Flood Zone 2 (medium probability) within the Huntingdonshire SFRA (2017). There are no other constraints.

Proposal

- 1.2 This application seeks approval for the change of use of Montagu House, 81 High Street, Huntingdon from Use Class E to three self-contained dwellings and associated works. The proposal would provide a six-bedroom dwelling (Unit A) and two, two-bedroom dwellings (Units B and C). The associated works involve the provision of off-street car parking and amenity space for each dwelling. The proposal involves the installation of two dormer

windows on the south-west elevation roofslope and the installation of two velux windows on the north-east elevation roofslope. The proposal also involves the erection of a 2m high brick wall to demarcate Unit A and C's private amenity spaces and the parking area.

- 1.3 This application is an amended scheme following the withdrawal of a previous application (reference 23/00508/LBC).
- 1.4 The Local Planning Authority is also considering a full planning application of the same proposal (23/01327/FUL).
- 1.5 Officer gave the applicant an opportunity to provide correct drawings, the applicant stated that they have decided to not prepare or submit any additional information, as they believe that there is sufficient information already available to the Local Planning Authority to approve the applications at Montagu House.
- 1.6 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.
- 1.7 The application is supported by the following documents;
  - Design and Access Statement;
  - Heritage Statement
  - Flood Risk Assessment;
  - Biodiversity checklist;
  - Structural Inspection Report;
  - Air Quality Assessment; and
  - A Unilateral Undertaking relating to wheeled bins

## **2. NATIONAL GUIDANCE**

- 2.1 The National Planning Policy Framework (5th September 2023) (NPPF 2023) 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 2023 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 [National Guidance](#)

### 3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
- LP11: Design Context
  - LP12: Design Implementation
  - 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
- 3.4 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](#)

Huntingdon Neighbourhood Plan 2018-2026 (September 2019):

- \* Policy NE3 – Setting of Huntingdon
- \* Policy BE1 – Design and Landscaping
- \* Policy BE2 – Local Distinctiveness and Aesthetics
- \* Policy BE3 – Heritage Assets

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

- 4.1 Given the heritage of the property there is a wide planning history associated with it. The history from November 1974 onwards is available to view on HDC's Public Access Site. The most recent, relevant history is detailed below:
- 4.2 23/01327/FUL - Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self-contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space - Pending consideration.
- 4.3 23/00508/LBC - Change of Use of Montagu House from current E Class. Reversion to original built intent - C3 Domestic - to provide 3 self-contained domestic dwellings. Each dwelling to have own off-road parking, and garden amenity space - Withdrawn.
- 4.4 23/00507/FUL - Change of Use of Montagu House from current E Class. Reversion to original built intent - C3 Domestic - to provide 3 self-contained domestic dwellings. Each dwelling to have own off-road parking, and garden amenity space - Withdrawn.

#### **5. CONSULTATIONS**

- 5.1 Huntingdon Town Council – Recommend approve, no objections.
- 5.2 Conservation Team – Object.

There are a number of plan irregularities and discrepancies. Some works are acceptable in principle but require amendments or will require conditions to ensure that the works are carried out correctly, however, these can only be drafted on receipt of an acceptable scheme. Whilst there may be scope for the subdivision of this building to form 3 dwellings the lack of accurate drawings is still unacceptable. Where features are missing from drawings the legal conclusion would be that they were being removed from the building, if this were the case these works would result in harm and would not be supported. The works to the roof of unit c are unacceptable in principle.

There is insufficient accurate information to ensure that the Local Planning Authority is able to assess the proposals and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area. The proposal is therefore not in accordance with ss. 16, 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and policy LP 34 of the adopted Huntingdonshire Local Plan. The works are unacceptable.

## **6. REPRESENTATIONS**

6.1 None 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 the 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)

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 areas

## Impact on Heritage Assets

- 7.6 The property of Montagu House is a Grade II Listed Building and is located within the Huntingdon Conservation Area. No's 76, 77, 78 and 79 Ermine Street are Grade II Listed Buildings immediately to the north across the street.
- 7.7 Section 16 of the Planning (LBCA) Act 1990 states that in considering whether to grant listed building consent for any works, the Council is required to 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.
- 7.8 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.
- 7.9 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....'* The NPPF goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use.
- 7.10 Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.11 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. 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.
- 7.12 Section 12 of the NPPF (2021) seeks to achieve well-designed places, noting that the creation of high quality buildings and places is fundamental to what the planning and development process

should achieve. Good design is a key aspect of sustainable development.

- 7.13 The National Design Guide (2020) sets out the characteristics of well-designed places and demonstrates what good design means in practice. It covers the following: context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan. Of particular note to the current proposals is guidance relating to design and how this understands and relates well to the site within its local and wider context, how the history of the place has evolved and that local sense of place and identity are shaped by local history, culture and heritage, how a proposal responds to existing local character and identity, whether proposals are well-designed, high quality and attractive and whether they are of an appropriate building type and form.
- 7.14 The HDC Design Guide 2017 is relevant to the application proposals, in particular (chapter 4 and sections 3.7 and 3.8). The guide states that the size, shape and orientation (the form) of a building can have a significant impact upon its surroundings. The form of new buildings should generally reflect traditional building forms found in Huntingdonshire. The scale, massing and height of proposed development should be considered in relation to that of adjoining buildings, the topography, pattern of heights in the area and views, vistas and landmarks.

The guide notes that with regard to building detailing, the district has various architectural styles and materials which reflects the local vernacular. It is noted that new buildings should be designed in harmony and proportional to each other, complimenting the overall street character of the place. Appropriate spaces between buildings helps to create an interesting streetscape. Detailed guidance is also provided relating to roofs, eaves and ridge lines and chimneys. With regard to materials, these should complement the successful parts of any surrounding developments in order to conserve or enhance the distinctive character of the various parts of the district and to ensure that buildings sit comfortably within the landscape.

- 7.15 The proposed development involves the change of use of the existing building of Montagu House from office space to three residential dwellings and associated works. The proposal involves the installation of two dormer windows on the south-west elevation roofslope and the installation of two velux windows on the north-east elevation roofslope. The proposal also involves the erection of a 2m high brick wall to demarcate Unit A and C's private amenity spaces and the parking area.
- 7.16 Following a review of the submitted plans and a site visit undertaken by the case officer and Council's Conservation Officer, it is concluded that there are significant and fundamental drawing discrepancies and errors - including but not limited to, missing

windows and chimney breasts, the alignment of the staircase in unit C and the attic area above unit C.

- 7.17 As such, it is considered that the plans have not been drawn correctly and therefore it can be argued that there is insufficient accurate information to ensure that the Local Planning Authority is able to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area.
- 7.18 While there are some matters and discrepancies that can be addressed by the implementation of suitably worded conditions, the absence of certain features such as the built in dresser in Unit B ground floor need to be clearly shown on the submitted plans to ensure that they are not being removed. The errors in the drawings are therefore considered to be fundamental and undermine the proposal.
- 7.19 There is also an objection from the Conservation Officer to the loss of the tie beam and lack of information submitted regarding the conversion of the attic (unit C). No details of the proposed cranked beams, roof insulation, doubling up of roof joists or detailed drawings of the dormers are provided. This information is considered necessary to fully consider the impact of the proposals and the works proposed to the roof of unit c. Although it is accepted that it may be structurally possible to convert the roof space, the Conservation Officer maintains that the current proposals will result in harm to the significance of the Listed Building through the loss of an original tie beam.
- 7.20 The proposed change of use would secure a long-term viable use for the listed building and this is considered a benefit of the scheme. Whilst certain aspects of the development such as the loss of the original tie beam is considered to be harmful, overall it is not possible to assess the potential impact of the development upon the heritage asset. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must therefore determine that the proposal would result in harm to the heritage asset. Such harm would not be outweighed by the benefits.
- 7.21 The plans submitted with the application have not been drawn accurately as there are significant and fundamental drawing errors. As the application is not supported by sufficient and accurate information, the Local Planning Authority is unable to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting, and have due regard to the preservation and enhancement of the Huntingdon Conservation Area. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, Officers must therefore determine that the proposal would result



in harm to the heritage asset. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm. As such, the proposed development is considered to be contrary to Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of the Huntingdonshire Local Plan to 2036, Policies BE1, BE2 and BE3 of the Huntingdon Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2023).

## **Conclusion**

- 7.22 The building in question is a Grade II Listed Building set within the Huntingdon Conservation Area. The Local Planning Authority has a statutory duty to preserve the listed building and its setting, and have due regard to the preservation and enhancement of the Huntingdon Conservation Area.
- 7.23 The application is not supported by correct or sufficient information regarding the heritage asset. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must therefore determine that the proposal would result in harm to the heritage asset. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm.
- 7.24 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 plans submitted with the application have not been drawn accurately as there are significant and fundamental drawing errors. As the application is not supported by sufficient and accurate information, the Local Planning Authority is unable to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting, and have due regard to the preservation and enhancement of the Huntingdon Conservation Area. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, Officers must therefore determine that the proposal would result in harm to the heritage asset. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm. As such, the proposed development is considered to be contrary to Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of the Huntingdonshire

Local Plan to 2036, Policies BE1, BE2 and BE3 of the Huntingdon Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2023).

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** – [lewis.tomlinson@huntingdonshire.gov.uk](mailto:lewis.tomlinson@huntingdonshire.gov.uk)

HUNTINGDON TOWN COUNCILPLANNING COMMENTS : 10<sup>th</sup> AUGUST 2023

<p>21/02422/FUL</p> <p>Erection of factory extension and creation of additional parking areas and associated works 3 Redwongs Way Huntingdon PE29 7HF</p> <p><b>Deemed Approve.</b></p> <p><b>Members noted the need for compliance and enforcement of all planning conditions to minimise impact on nearby residents.</b></p>
<p>23/01327/FUL</p> <p>Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space. 81 High Street Huntingdon</p> <p><b>Recommend Approve. No objections.</b></p>
<p>23/01328/LBC</p> <p>Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space. 81 High Street Huntingdon</p> <p><b>Recommend Approve. No objections.</b></p>
<p>23/01153/FUL</p> <p>Change of use of the existing internal car parking area (Use Class Sui Generis) into a mixed office, storage, and distribution facility (Sui Generis). Dryden House St Johns Street Huntingdon PE29 3NU</p> <p><b>Recommend Approve. No objections.</b></p>
<p>23/01400/HHFUL</p> <p>Erection of ground floor extension, replace rear window and door with bifold door. 39 Hartford Road Huntingdon PE29 3RF</p> <p><b>Recommend Approve. No objections.</b></p>

## Design and Conservation Consultation

<b>Proposal: C/u to form 3 domestic town houses and associated alterations to facilitate this c/u to the listed building</b>	<b>Location 81 High Street Huntingdon</b>	
<b>Dc case officer:</b> MR	<b>Conservation Officer:</b> LB	<b>Application Ref.No: 23/00507/FUL &amp; 23/00508/LBC</b>

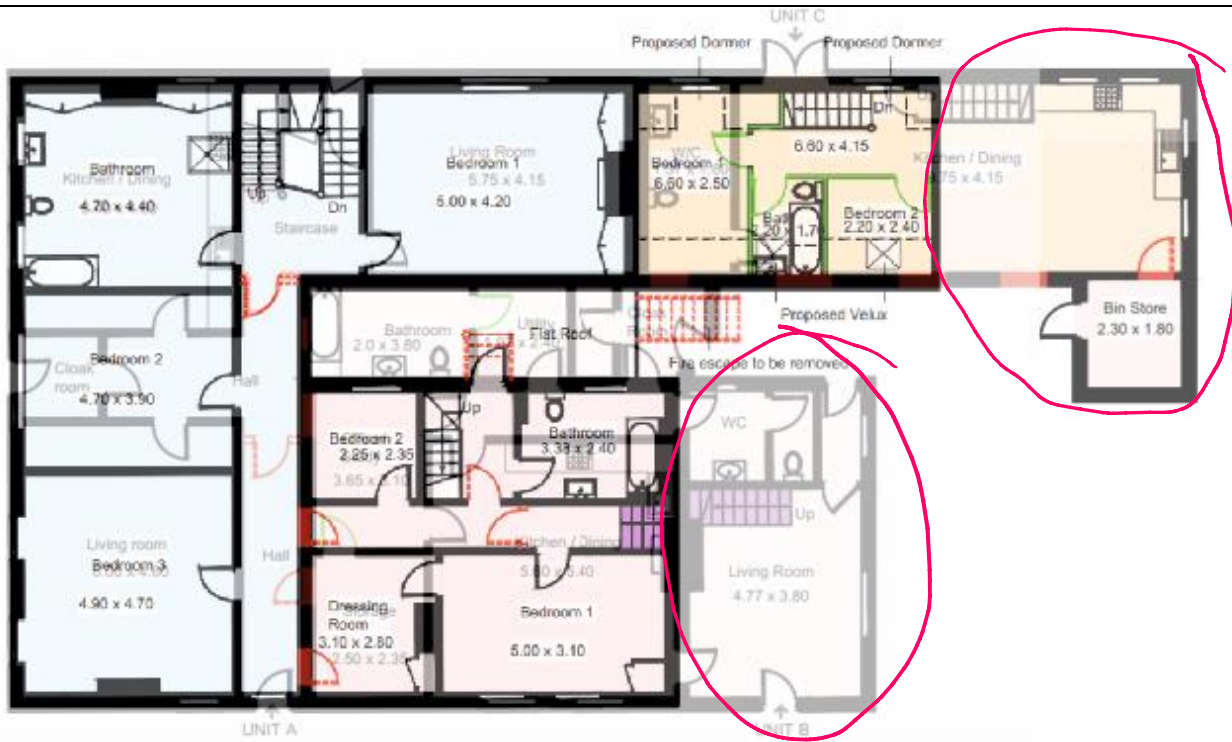
**23/00507/FUL Planning Permission** is sought for the change of use of 81 High Street Montagu House a grade II listed building located within the Huntingdon Conservation Area. The proposal is for the subdivision of the building to form 3 town houses. The impact on the significance of the listed building is a material consideration in the determination of this application.

**23/00508/LBC Listed Building Consent** is sought for a programme of works to facilitate the change of use of the building from offices to domestic. The building is to be subdivided to form 3 individual town houses.

Submitted drawings incl

Block plan revised parking	-		
Existing location plan	EX01	Proposed site plan	P01
Existing GF	EX02	Proposed GF	P02
Existing F and 2F Plan	EX03	Proposed first floor	P03
		Proposed second floor	P04
Existing roof Plan	Ex04	Proposed Roof Plan	P05
Existing front elevation	EX05	Proposed front elevation	P06
Existing side elevation	EX06	Proposed side elevation	P07
Existing rear elevation	EX07	Proposed rear elevation	P08
Existing side 2 elevation	EX08	Proposed side 2 elevation	P09

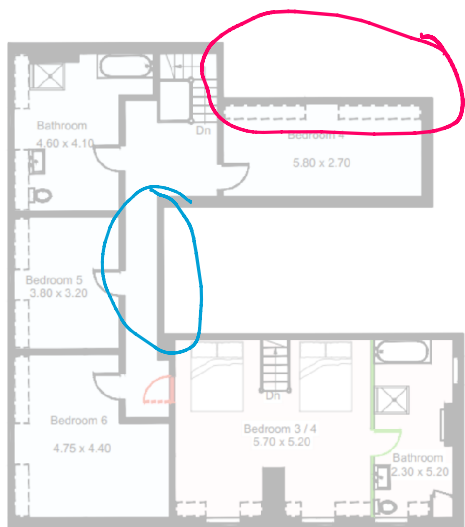
Following a site inspection it is evident that there are substantial errors in these drawings



I have superimposed P03 over P02 The attic above unit 3 occupies the entire length of the building the building the area highlighted in red is a discrepancy/ error

I have concerns about the alignment of the staircase proposed in unit 2, it appears to go through a chimney breast and is not straight, it will most likely breach the line of the roof in this location and may not be possible.

I have also looked at the plan for the second floor,



Highlighted in red The bedroom wall is not stepped in as shown, the chimney breast is missing and the dormer appears to be off centre rather than the position shown on the drawing.



Highlighted in blue opposite the entrance to bedroom 2 there is a dormer – not shown on the plans

The errors in the drawings are fundamental and undermine the proposals. A listed building application that is incorrectly drawn can not be supported as it is unclear what the works are or their impact on the building.

#### Further concerns

The proposal to subdivide the building along the lines indicated may have some credibility if the drawings can accurately reflect the building.

I do have a fundamental concern that these drawings have not been drafted on the basis of building regulation advice and that there may be fundamental fire safety issues to consider which will have an impact on the fabric of the building. These may include the need for fire separation works and provision of safe fire escape egress. The intention to remove the existing fire escape stair may not be possible

I am also not convinced that the proposed new staircase in the living room to unit b is compliant with building regulations.

I am also concerned about the proposals for the bedroom area of unit 3. The plans are incorrect and fail to show a large tie beam at waist height across the space or the raised area at the western end of the room



This is not an exhaustive list however without certainty or clarity of the proposals further assessment is not appropriate.

Support therefore can not be given to either the proposed change of use planning permission or the proposed listed building consent application.

#### **Recommendation:.** **Do not support**

There is insufficient accurate information to ensure that the Council is able to assess the proposals and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area

The proposal is therefore not in accordance with ss. 16, 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and policy LP

34 of the adopted Huntingdonshire Local Plan. The works are unacceptable.

**For the avoidance of doubt this recommendation carries considerable weight in the determination of this application, this is a legal duty. Should the case officer consider that this recommendation should be altered then this application must be referred to the Planning Strategic Forum for senior officer consideration, this must include conservation representation.**

**Signed.....L.B Date: 7 june 2023**

# Development Management Committee



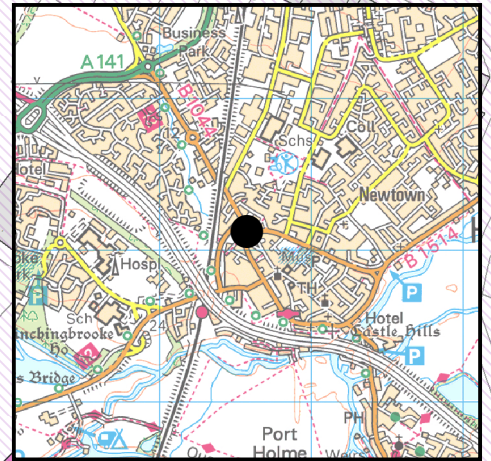
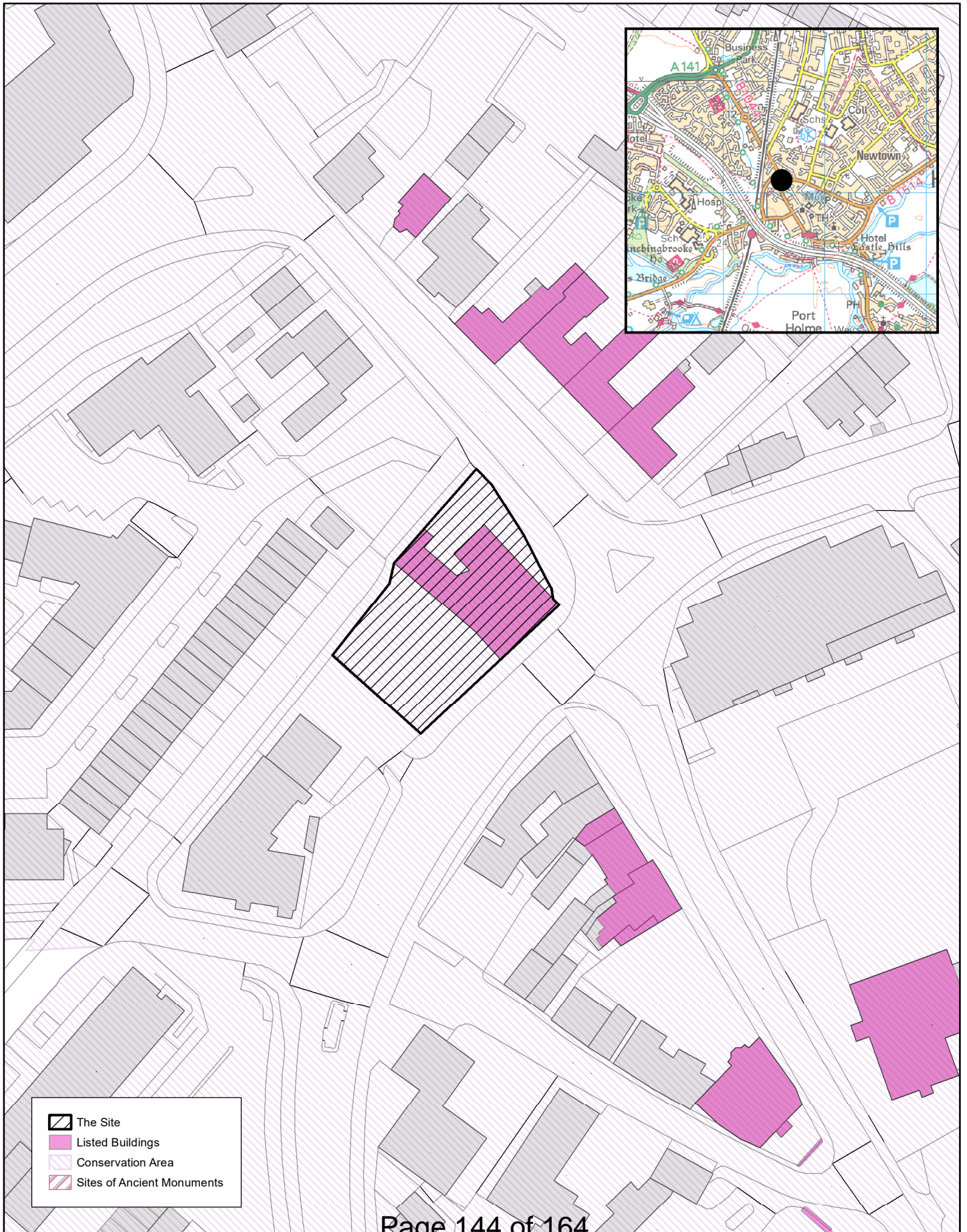
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Application Ref: 23/01327/FUL and 23/01328/LBC

Date Created: 05/12/2023

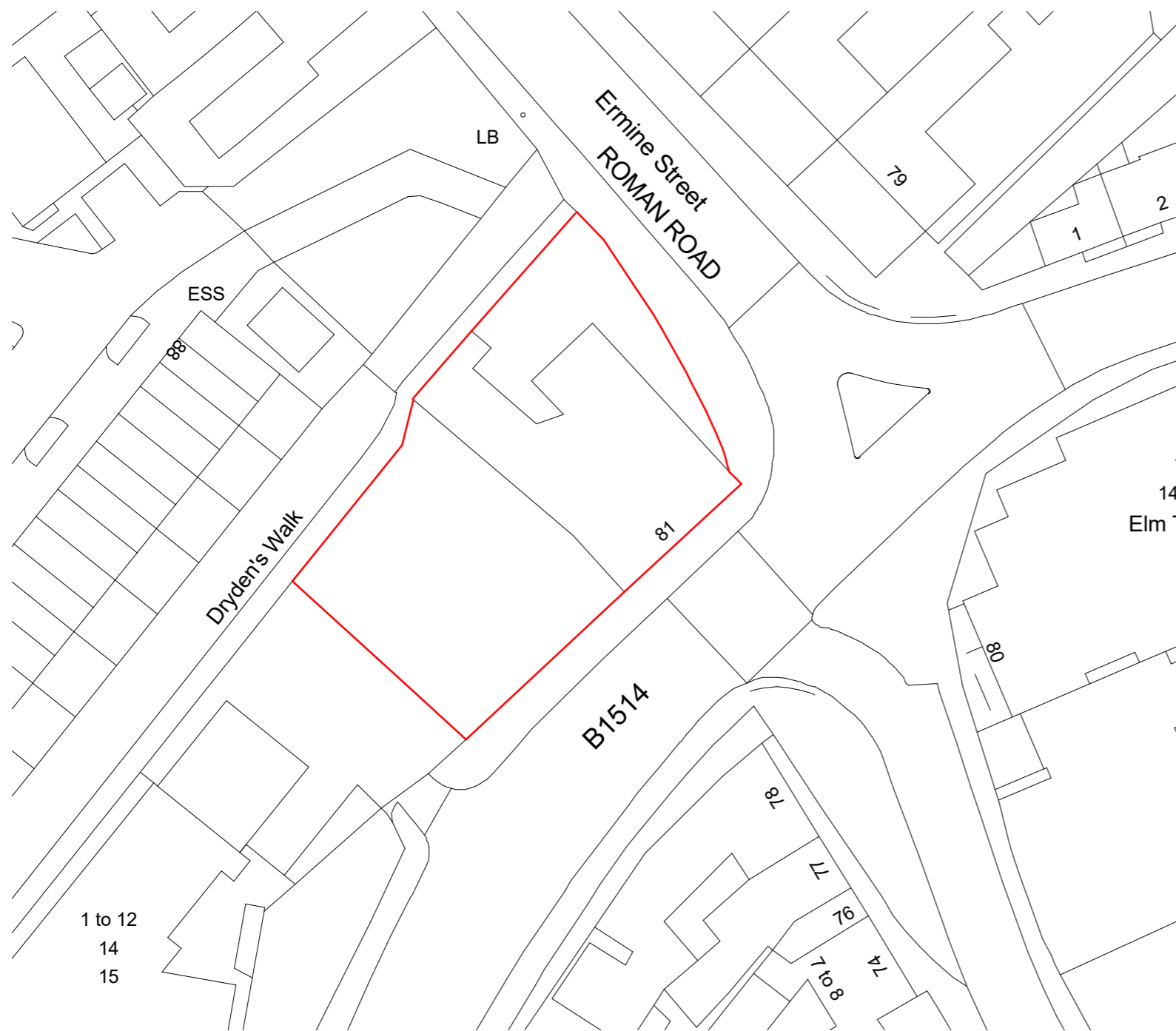
Parish: Huntingdon

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Ordnance Survey HDC 100022322

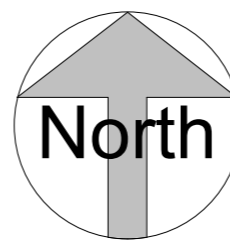


- The Site
- Listed Buildings
- Conservation Area
- Sites of Ancient Monuments

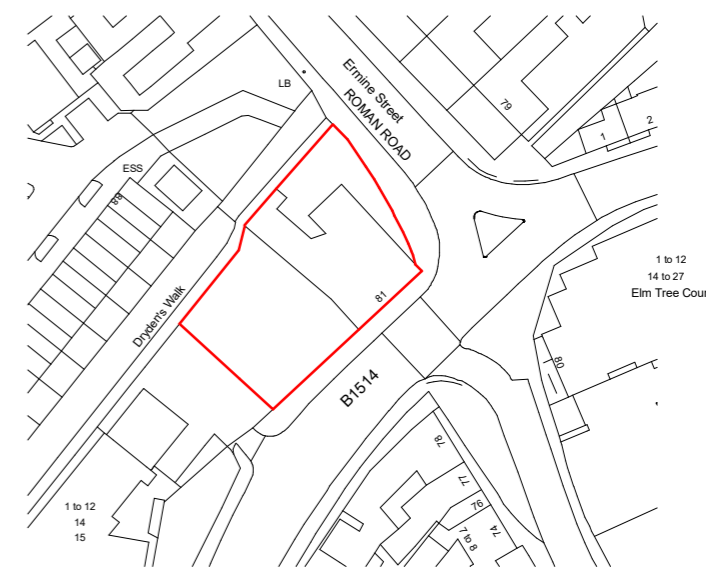




**Site Plan**  
1 : 500



1 to 12  
14 to 27  
Elm Tree Court



**Location Plan**  
1 : 1250

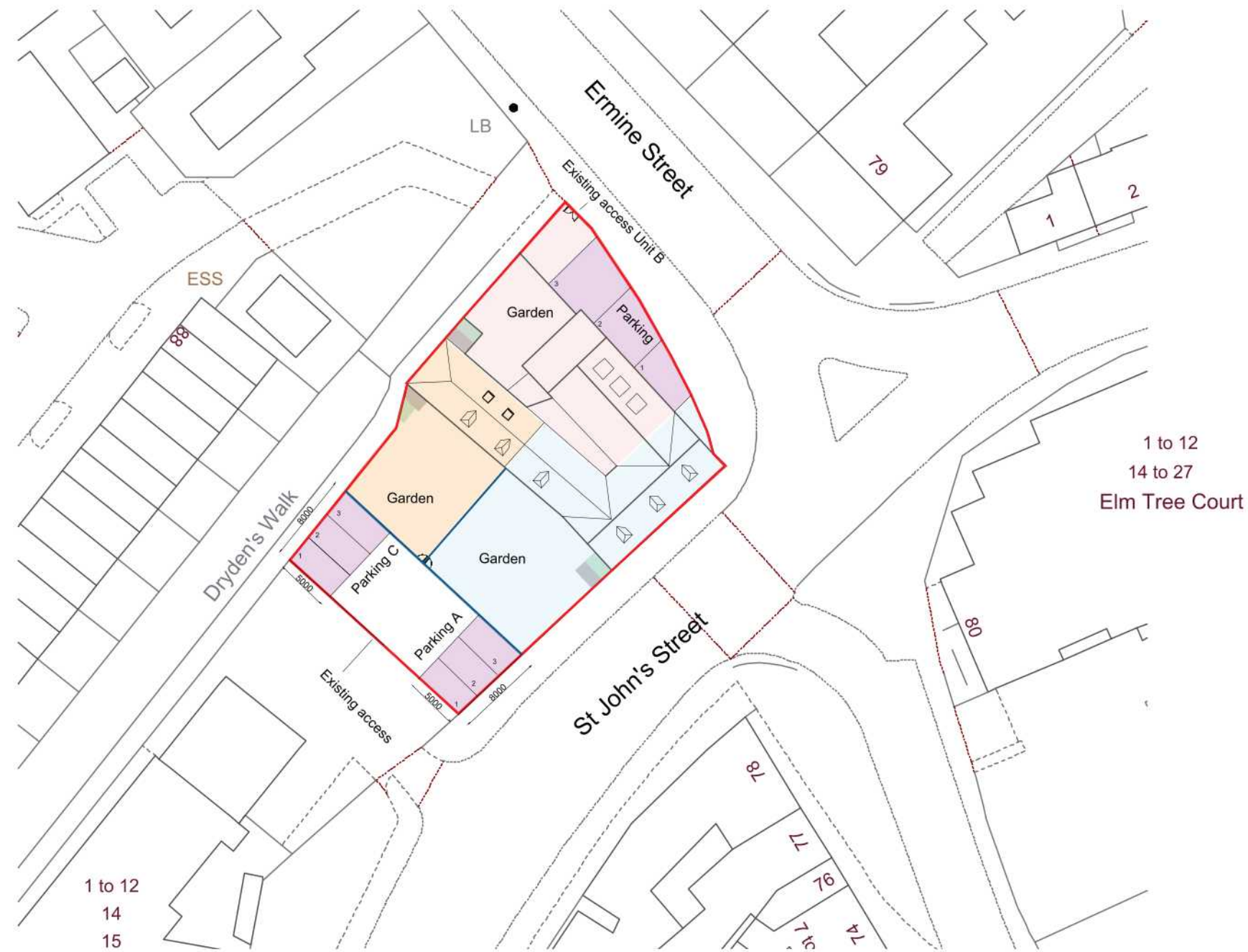
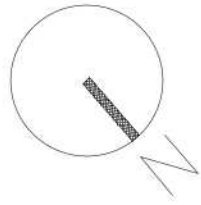
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No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Location Plan		

CLIENT			M. Smith
Date	Project number	Scale (@ A3)	
13/03/23	P054	As indicated	
Drawn by	DRAWING NUMBER		REV
SA	EX-01		
Checked by			
SA			



**Key**

- Unit A
- Unit B
- Unit C
- Bin Storage
- Cycle Storage
- Parking Spaces
- New brick wall 2 metres high to delineate parking and amenity space

**Proposed Site Plan**  
1 : 500

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No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Site Plan		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)		REV	
19/07/23	P054	1 : 500		A	
Drawn by	DRAWING NUMBER				
SA	P-01				
Checked by					
SA					



**Existing Front Elevation**  
1 : 100

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**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Front Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER			REV	
SA	EX-05				
Checked by					
SA					



**Existing Rear Elevation**  
1 : 100

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**IONIC  
DESIGN**

No.	Description	Date

PROJECT  
**Montagu House**

SHEET  
**Existing Rear Elevation**

CLIENT <b>M. Smith</b>			
Date 13/03/23	Project number P054	Scale (@ A3) 1 : 100	
Drawn by SA	DRAWING NUMBER <b>EX-07</b>		REV
Checked by SA			



## Existing Side Elevation

1 : 100

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# IONIC DESIGN

No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Side Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER		REV		
SA	EX-06				
Checked by					
SA					



## Existing Side 2 Elevation

1 : 100

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# IONIC DESIGN

No.	Description	Date

PROJECT	Montagu House	
SHEET	Existing Side 2 Elevation	

CLIENT			M. Smith	
Date	Project number	Scale (@ A3)		
13/03/23	P054	1 : 100		
Drawn by	DRAWING NUMBER		REV	
SA	EX-08			
Checked by				
SA				



**Proposed Front Elevation**  
1 : 100

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**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Front Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER		REV		
SA	P-06				
Checked by					
SA					



**Proposed Rear Elevation**  
1 : 100

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**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Rear Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER		REV		
SA	P-08				
Checked by					
SA					





**Proposed Side Elevation**  
1 : 100

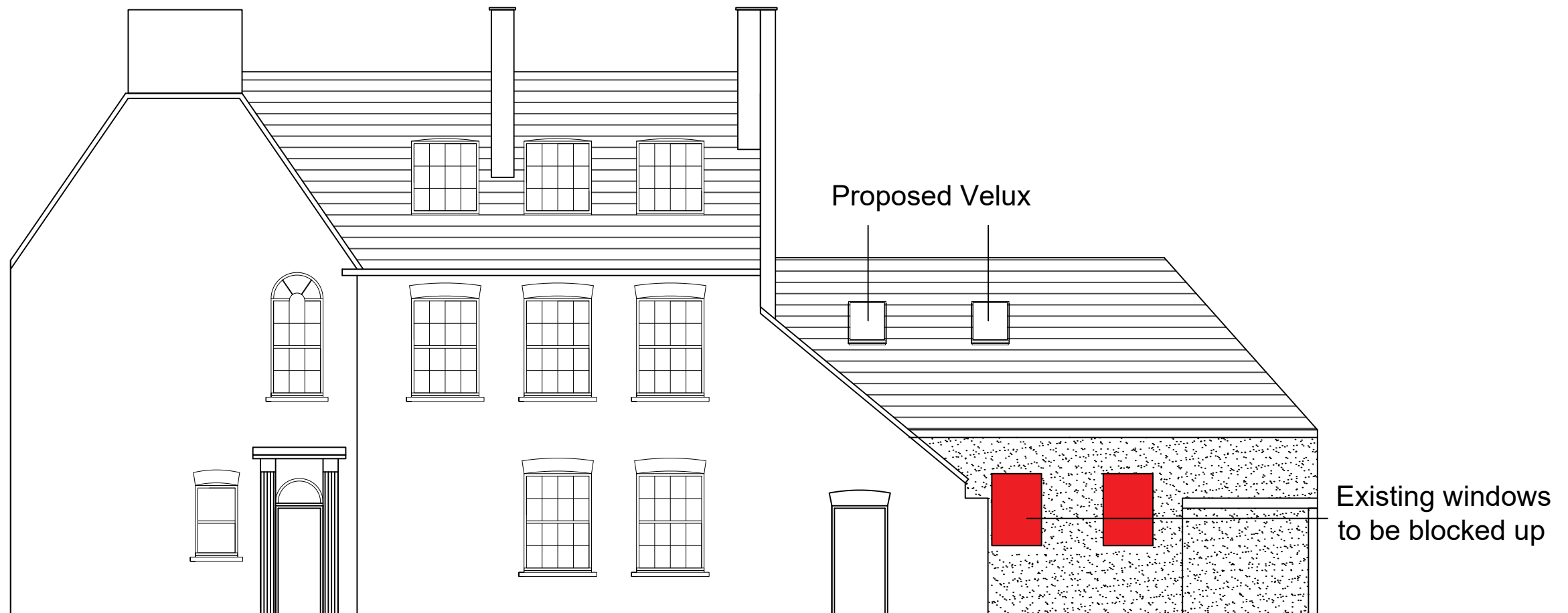
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**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Side Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER		REV		
SA	P-07				
Checked by					
SA					



**Proposed Side 2 Elevation**  
1 : 100

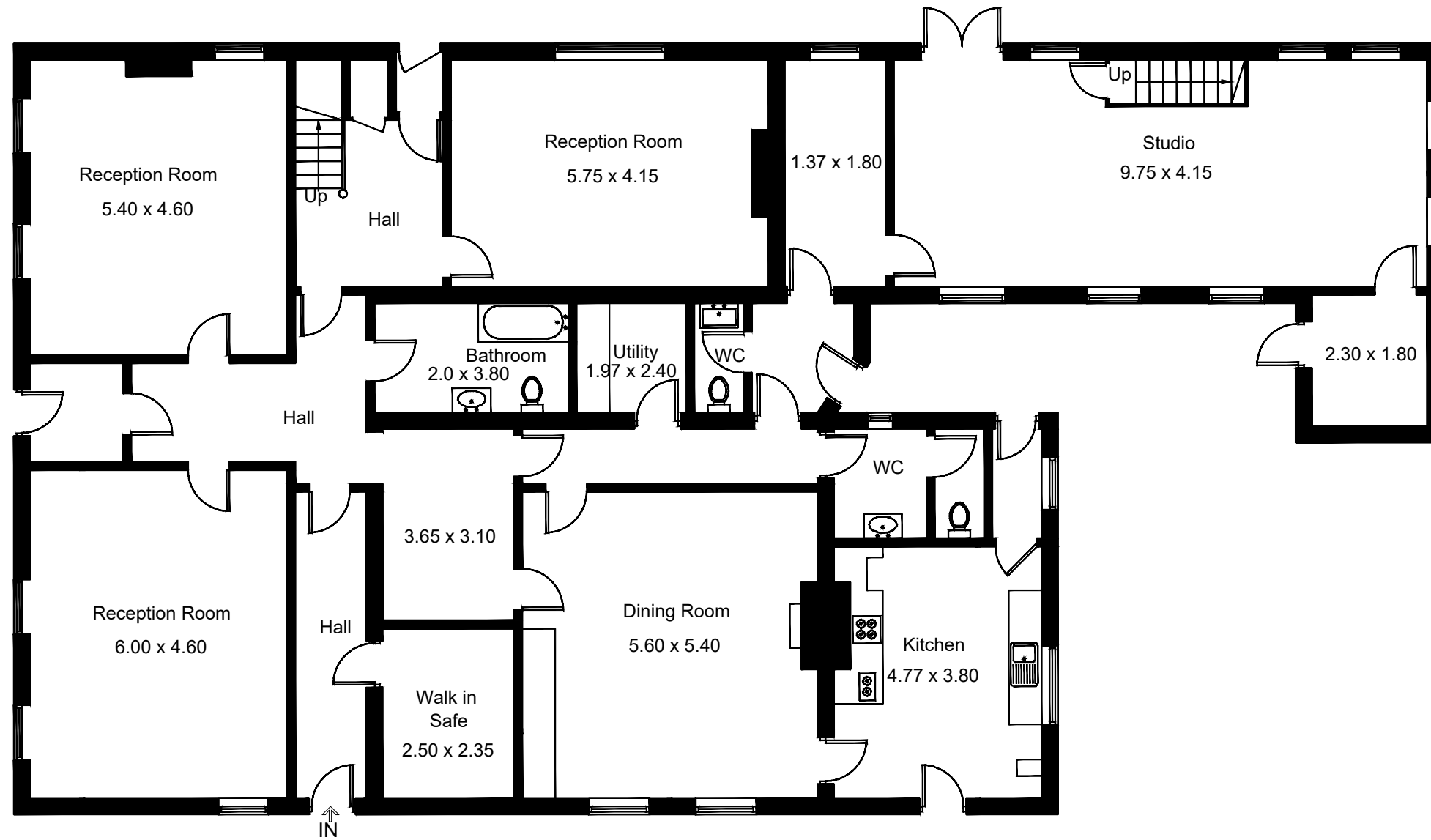
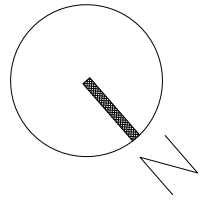
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**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Side 2 Elevation		

CLIENT				M. Smith	
Date	13/03/23	Project number	P054	Scale (@ A3)	1 : 100
Drawn by	SA	DRAWING NUMBER		REV	
Checked by	SA	P-09			



## Existing Ground Floor

1 : 100

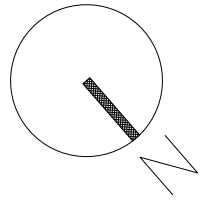
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# IONIC DESIGN

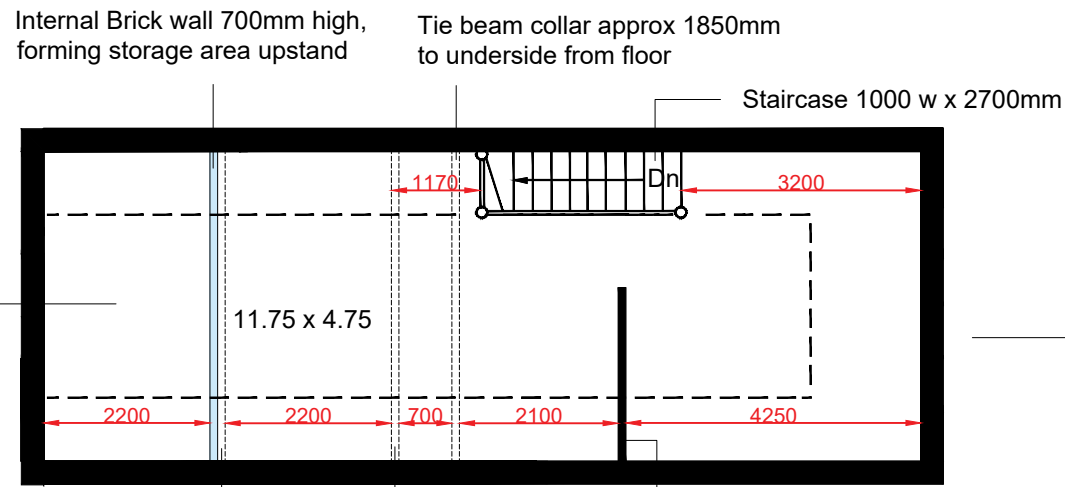
No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Ground Floor		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)		REV	
21/06/23	P054	1 : 100		A	
Drawn by	DRAWING NUMBER			REV	
SA	EX-02			A	
Checked by	SA				



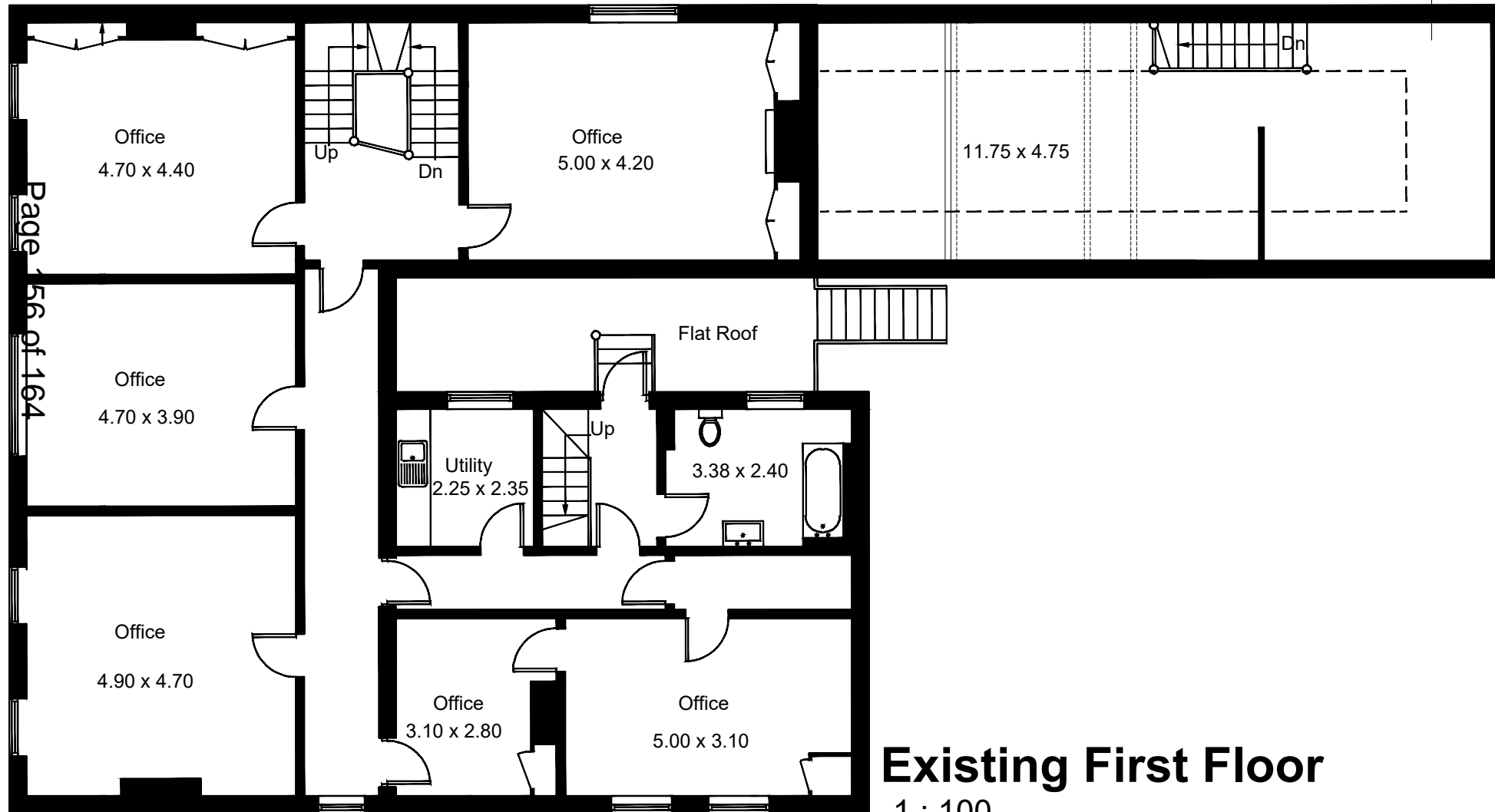
Raised platform 700mm above floor  
Boarded over, storage, accessible  
from ground floor ceiling below



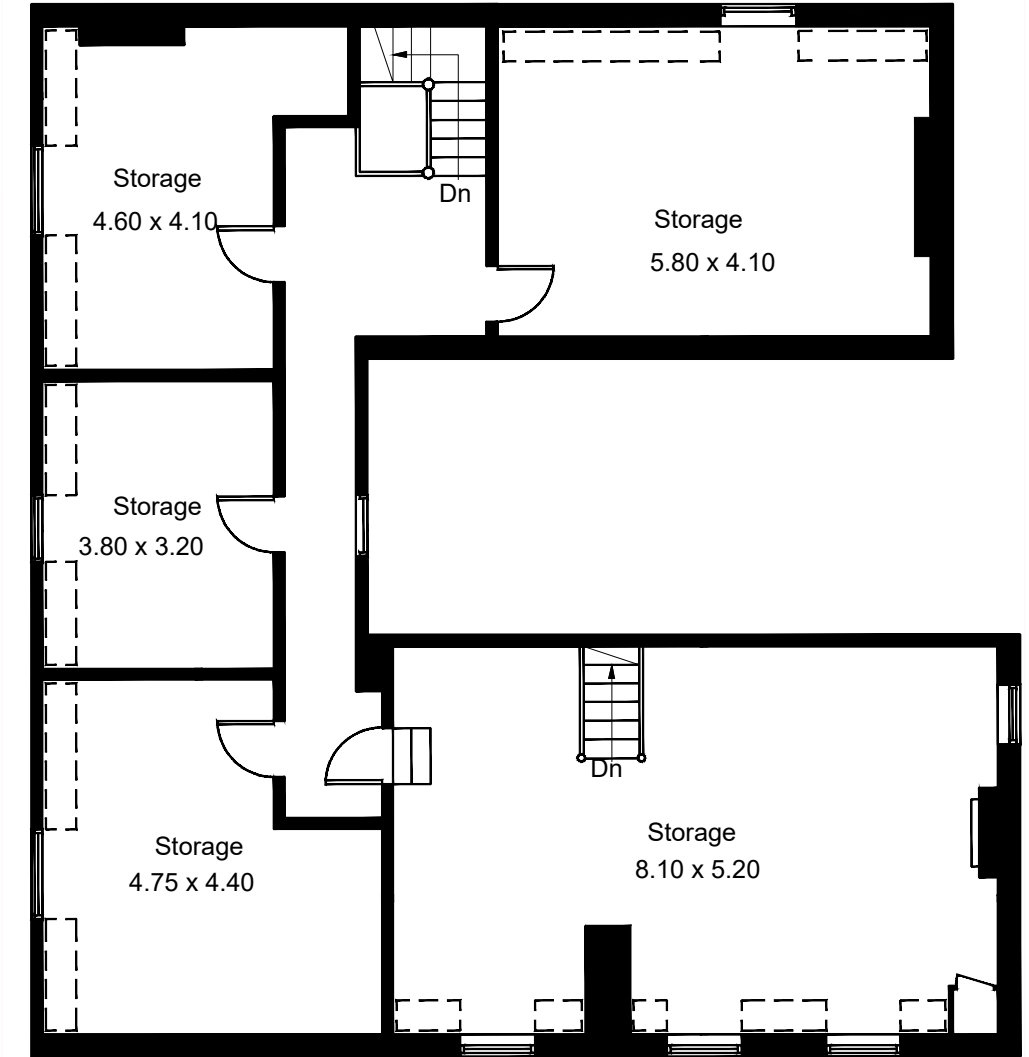
Beam approx. 100x175mm  
700mm above floor

Beam approx. 150x175mm  
700mm above floor

modern partition stud wall



**Existing First Floor**  
1 : 100



**Existing Second Floor**  
1 : 100

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**IONIC  
DESIGN**

No.	Description	Date

PROJECT

Montagu House

SHEET

Existing First & Second Floor

CLIENT

M. Smith

Date  
21/06/23

Project number  
P054

Scale (@ A3)  
1 : 100

Drawn by  
SA

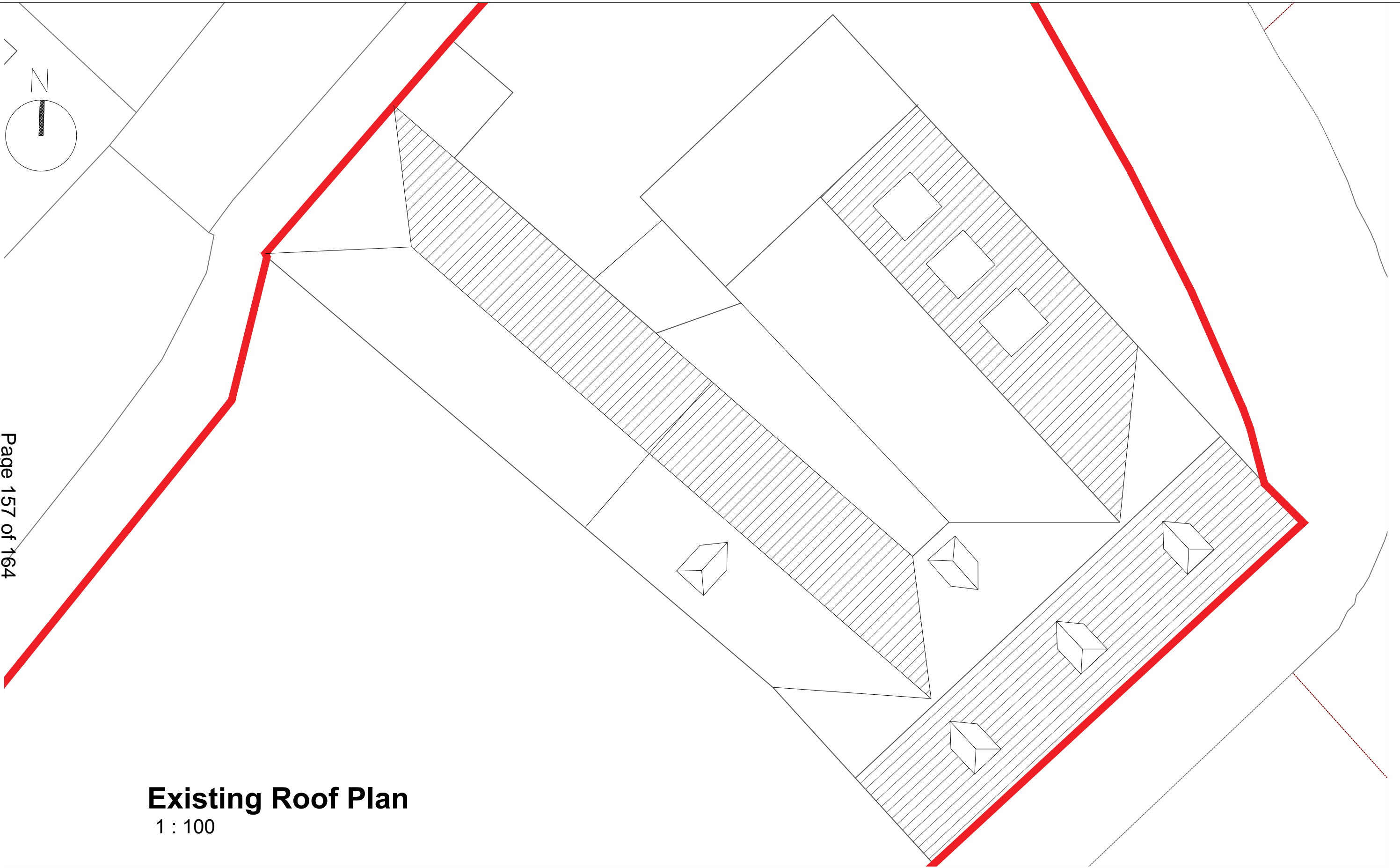
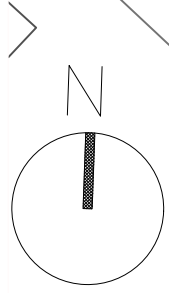
DRAWING NUMBER

REV

Checked by  
SA

EX-03

A



# Existing Roof Plan

1 : 100

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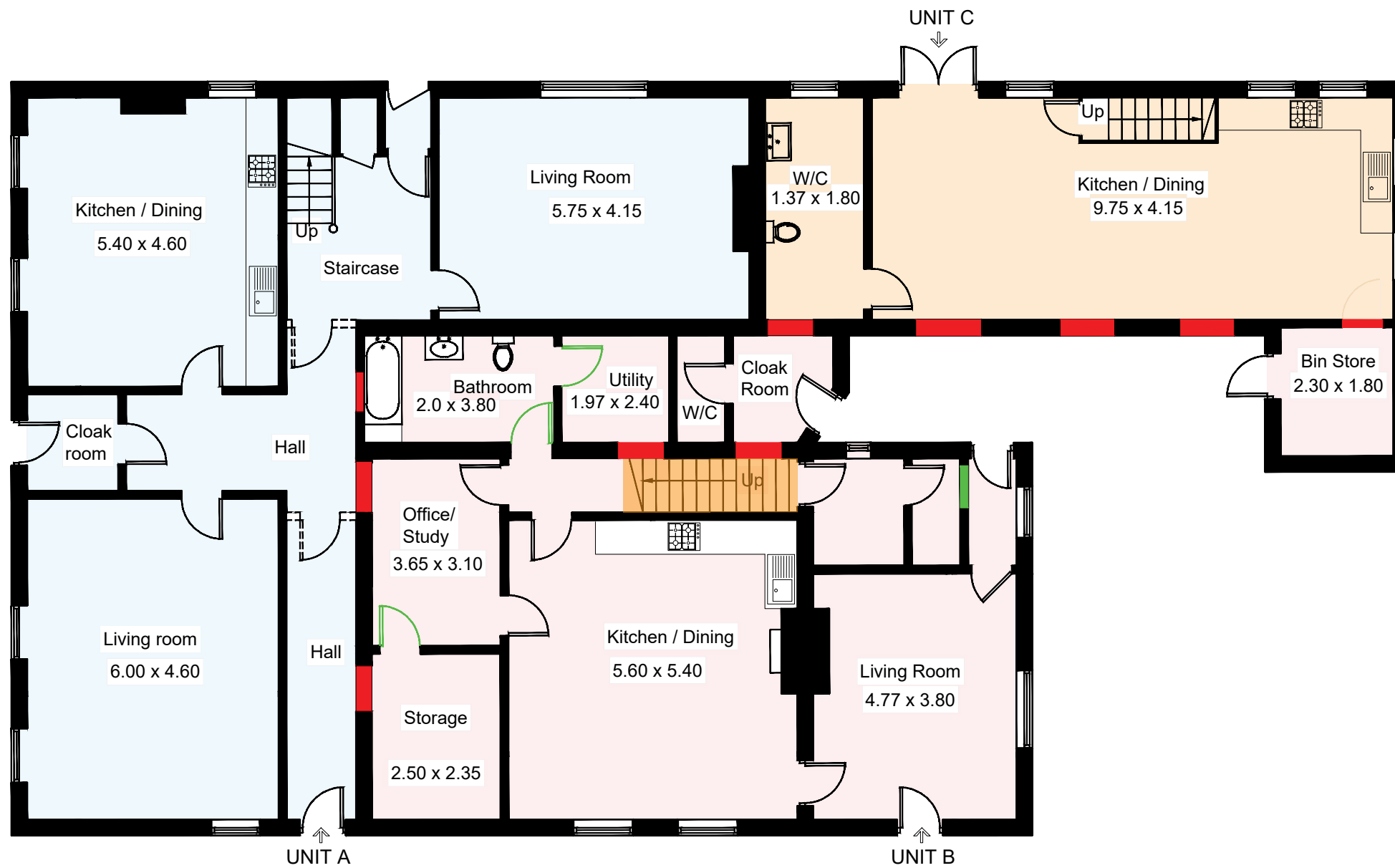
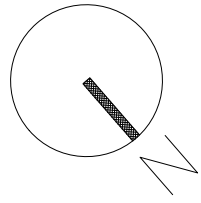


No.	Description	Date

PROJECT	Montagu House		
---------	---------------	--	--

SHEET	Existing Roof Plan		
-------	--------------------	--	--

CLIENT				M. Smith	
Date	13/03/23	Project number	P054	Scale (@ A3)	1 : 100
Drawn by	SA	DRAWING NUMBER		REV	
Checked by	SA	EX-04			



Key

- Unit A
- Unit B
- Unit C
- Door infilled
- New door / opening Unit B
- Staircase to be Re-instated
- Firedoors retained

## Proposed Ground Floor

1 : 100

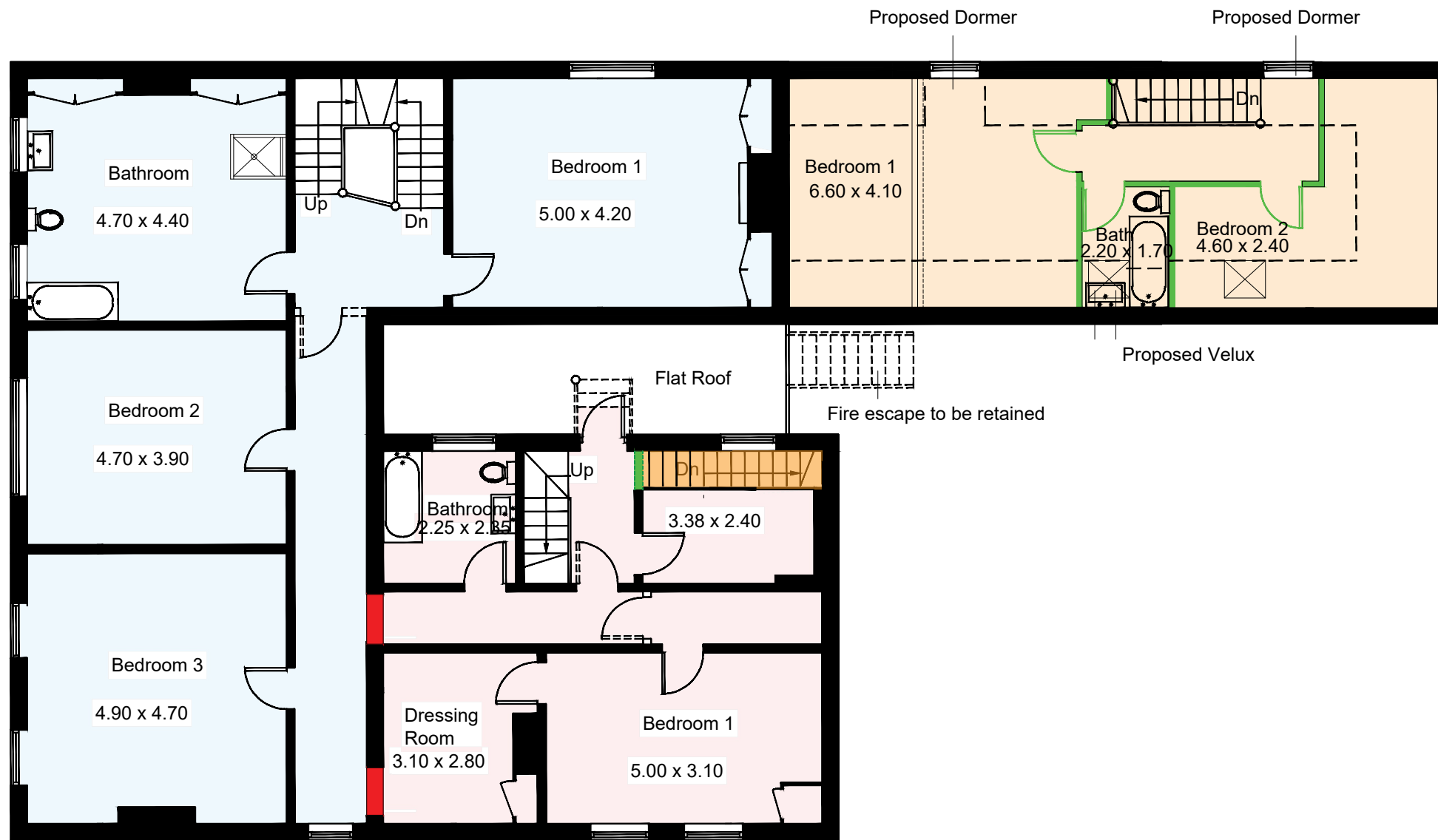
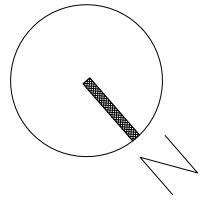
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# IONIC DESIGN

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Ground Floor		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)		REV	
21/06/23	P054	1 : 100		A	
Drawn by	DRAWING NUMBER				
SA	P-02				
Checked by					
SA					



Key

- Unit A
- Unit B
- Unit C
- Door infilled
- New partition wall / door - Unit C.
- New Staircase opening Unit B
- Staircase to be Re-instated
- Firedoors retained

## Proposed First Floor

1 : 100

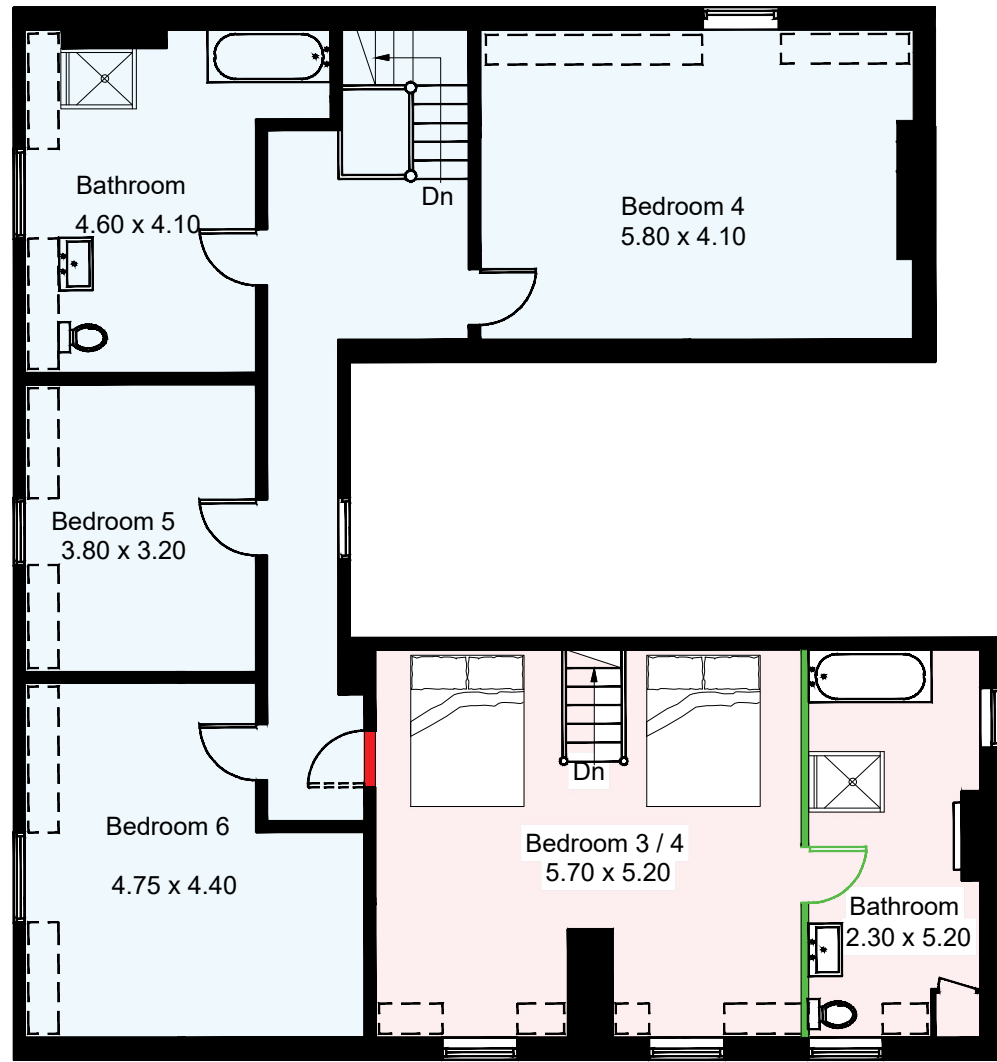
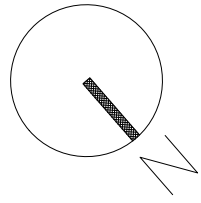
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# IONIC DESIGN

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed First Floor		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)		REV	
21/06/23	P054	1 : 100		A	
Drawn by	DRAWING NUMBER				
SA	P-03				
Checked by					
SA					



Key

- Unit A
- Unit B
- Unit C
- Door / Windows infilled
- New partition wall / door

## Proposed Second Floor

1 : 100

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# IONIC DESIGN

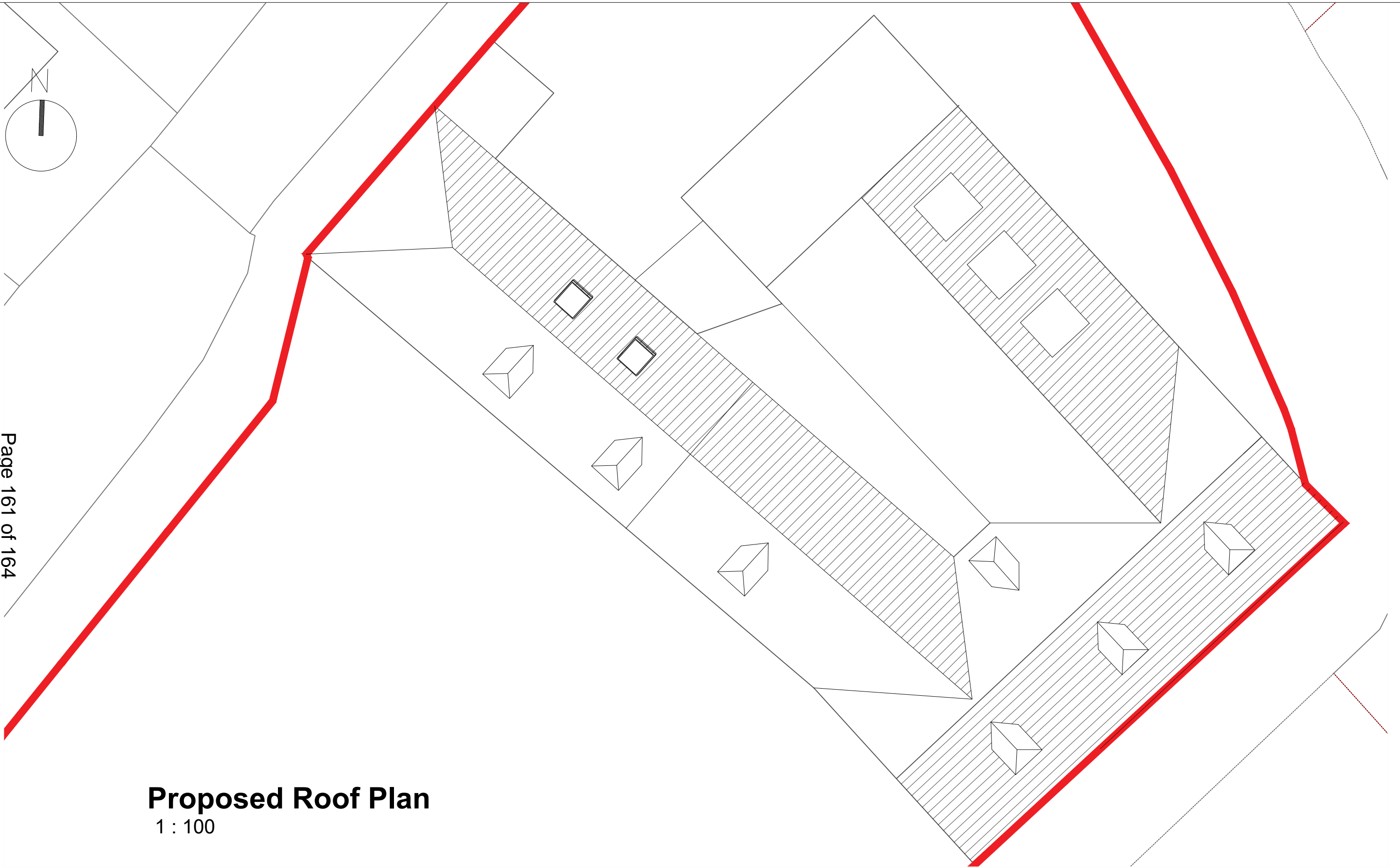
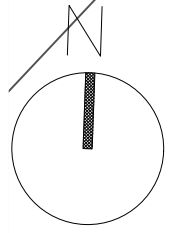
No.	Description	Date

PROJECT  
**Montagu House**

SHEET  
**Proposed Second Floor**

CLIENT <b>M. Smith</b>			
Date 21/06/23	Project number P054	Scale (@ A3) 1 : 100	
Drawn by SA	DRAWING NUMBER P-04		REV A
Checked by SA			





**Proposed Roof Plan**  
1 : 100

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No.	Description	Date

PROJECT  
**Montagu House**

SHEET  
**Proposed Roof Plan**

CLIENT  
**M. Smith**

Date 13/03/23	Project number P054	Scale (@ A3) 1 : 100
Drawn by SA	DRAWING NUMBER P-05	REV
Checked by SA		

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## Planning Appeal Decisions Since November 2023 Committee

Ref No	Appellant	Parish	Proposal	Site	Original Decision	Delegated or DMC	Appeal Determination	Costs
22/000 10/ ENFN OT	Jonathan Anthony Hull	Great Staughton	Appeal against enforcement notice	11 Little America Industrial Estate Moor Road Great Staughton St Neots PE19 5BJ	Notice Issued	Delegated	Appeal Dismissed	Costs refused
22/005 24/ FUL	Mr Terry Coffin	Glatton	Proposed erection of a single self-build dwelling, access improvements and ecological enhancements.	Land East Of 27 Infield Road Glatton	Refusal	Delegated	Appeal Dismissed	n/a
22/019 13/ OUT	The Shires PP Ltd (Mr Brian Spencer)	Offord Cluny and Offord Darcy	Outline planning application with all matters reserved save for access for the redevelopment of land and erection of up to 28 dwellings (C3)	Northbrook Equestrian Centre New Road Offord Cluny St Neots PE19 5RP	Non- Determination	Delegated	Appeal Dismissed	n/a
21/026 98/ CLED	Mrs Asmita Hynes	Great Staughton	Lawful Development Certificate for Existing Use as B2 (General Industrial) and B8 (Open Storage)	11 Little America Industrial Estate Moor Road Great Staughton	Refusal	Delegated	Appeal Dismissed	n/a

				St Neots PE19 5BJ				
23/001 07/ FUL	Woodhouse Development s Ltd	Yaxley	Erection of a bungalow.	165 Broadway Yaxley Peterborough PE7 3NT	Refusal	Delegated	Appeal Dismissed	n/a
22/019 66/ HHFU L	Mr Samuel Hooley	Yaxley	Erection of open sided parking shelter to the front of the property complete with solar array.	The Birches Chapel Street Yaxley Peterborough PE7 3LW	Refusal	Delegated	Appeal Dismissed	n/a