



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, 22ND JANUARY 2024** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

AGENDA

PLEASE NOTE THE ORDER OF THE AGENDA MAY CHANGE

APOLOGIES

1. MINUTES (Pages 5 - 8)

To approve as a correct record the Minutes of the meeting held on 18th December 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. DEVELOPMENT MANAGEMENT - OTHER APPLICATION

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

(a) Haddon, Elton and Chesterton - 22/00668/FUL (Pages 9 - 14)

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.

4. APPLICATIONS REQUIRING REFERENCE TO DEVELOPMENT MANAGEMENT COMMITTEE

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

(a) Huntingdon - 23/00766/FUL (Pages 15 - 32)

Change of use of part of the premises from Class F1 (Educational Use) to Class E g) (iii) (Light Industrial) and associated improvements to hardstanding area and widening of the internal access road - 10 Old Houghton Road, Hartford, Huntingdon, PE29 1YB.

(b) Warboys - 23/01927/FUL (Pages 33 - 48)

Change of use of the former Post Office (use class E) adjoining 30 High Street to form part of existing residential property (use class C3) - 30 High Street, Warboys, PE28 2RH.

5. APPEAL DECISIONS (Pages 49 - 50)

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

LATE REPRESENTATIONS

10 day of January 2024

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](#)

Filming, Photography and Recording at Council Meetings

This meeting will be filmed for live and/or subsequent broadcast on the Council's YouTube site. The whole of the meeting will be filmed, except where there are confidential or exempt items. If you make a representation to the meeting you will be deemed to have consented to being filmed. By entering the meeting you are also consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you have any queries regarding the streaming of Council meetings, please contact Democratic Services on 01480 388169.

The District Council also permits filming, recording and the taking of photographs at its meetings that are open to the public. Arrangements for these activities should operate in accordance with [guidelines](#) agreed by the Council.

Please contact Anthony Roberts, Democratic Services, Tel: 01480 388015 / email Anthony.Roberts@huntingdonshire.gov.uk if you have a general query

on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee.

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

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

Agenda and enclosures can be viewed on the [District Council's website](#).

Emergency Procedure

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

This page is intentionally left blank

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, 18th December 2023

PRESENT: Councillor D L Mickelburgh – Chair.

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

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors R J Brereton, D B Dew, I D Gardener, R A Slade and S Wakeford.

38 MINUTES

Subject to the inclusion of the words “that officers be authorised to investigate and secure appropriate contributions towards off-site sport improvements as part of any S106 Agreement and” at the start of the resolution to Minute No. 34, the Minutes of the meeting of the Committee held on 20th November 2023 were approved as a correct record and signed by the Chair.

39 MEMBERS' INTERESTS

Councillor D Mickelburgh declared a non-registrable interest in Minute No 40 (a) by virtue of the fact that he had been contacted by a representative of the applicant but had expressed no views on the application.

Councillor J Neish declared a non-registrable interest in Minute No 40 (a) by virtue of the fact that he had been contacted by a representative of the applicant but had expressed no views on the application.

Councillor S Corney declared a non-registrable interest in Minute No 40 (a) by virtue of the fact that he had been contacted by a representative of the applicant but had expressed no views on the application.

Councillor K Gulson declared a non-registrable interest in Minute No 40 (a) by virtue of the fact that he had been contacted by a representative of the applicant but had expressed no views on the application.

Councillor S Mokbul declared a non-registrable interest in Minute No by 40 (a) virtue of the fact that she had been contacted by a representative of the applicant but had expressed no views on the application.

Councillor P Jordan declared a non-registrable interest in Minute No 40 (a) by virtue of the fact that she had been contacted by a representative of the applicant but had expressed no views on the application.

Councillor S McAdam declared an Other Registrable interest in Minute Nos 40 (c) and 40 (d) by virtue of the fact that he was a Member Huntingdon Town Council but had taken no part in any deliberations on the applications.

40 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) **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 - 22/00668/FUL**

(Councillor I Ross, Elton Parish Council, Councillors T Alban and M Beutell, Ward Members, Councillor S Bywater, Cambridgeshire County Council, B Walsh, objector, and A Wearmouth, applicant, addressed the Committee on the application).

See Minute No. 39 for Members' interests.

that, contrary to the recommendation, the application be refused and, following consultation with Councillors Butler and Gulson and the Chair, the Chief Planning Officer be authorised to approve the terms of the following reasons for the refusal:

- a) The application has failed to demonstrate it would not lead to the irreversible loss of Best and Most Versatile agricultural land, contrary to policies LP10 and LP35 of Huntingdonshire's Local Plan to 2036.
- b) The development would result in adverse impact to the landscape and countryside character of the site and its surroundings, contrary to policies LP10 and LP35 of Huntingdonshire's Local Plan to 2036.
- c) The proposed development would lead to the loss of residential amenity for occupants at Bates Lodge, contrary to policies LP14 and LP35 of Huntingdonshire's Local Plan to 2036.
- d) Insufficient information has been submitted to demonstrate the development would not result in an adverse impact to the operation of aircraft, contrary to policies LP14 and LP35 of Huntingdonshire's Local Plan to 2036.

At 8.52 pm the meeting was adjourned.

At 9.00 pm the meeting resumed.

- b) **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 - 23/01137/S73**

(Councillor C Lambert, Bythorn and Keyston Parish Council, addressed the Committee on the application).

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.

- c) **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 - 23/01327/FUL**

See Minute No. 39 for Members' interests.

that the application be refused for the following reasons:

- a) 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).
- b) 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).

- d) **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 - 23/01328/LBC**

See Minute No. 39 for Members' interests.

that the application be refused because 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).

41 APPEAL DECISIONS

The Committee received and noted a report by the Planning Service Manager (Development Management), which contained details of six 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 22nd January 2024

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: 16/03/2022
Parish: Haddon

RECOMMENDATION –

That members note the changes to the National Planning Policy Framework as it relates to this application, confirm whether they have any further comments on the merits of the application in relation to such changes and whether the previous resolution to refuse planning permission remains, and to comment on and confirm the reasons for refusal.

This application is referred to the Development Management Committee (DMC) because the change to the National Planning Policy Framework (NPPF) 2023 is a material change of circumstance in policy and as the application has not yet been determined it should be assessed against the latest NPPF. As the resolution of December DMC did not include delegated authority to consider a material change in policy circumstance that might arise, the application is referred back to DMC to consider the revised NPPF.

1. RELEVANT BACKGROUND

- 1.1 This report only details and considers the changes in the National Planning Policy Framework (NPPF) as it relates to this application and does not seek to re-assess the application where there are no material changes to the decision reached previously. For the avoidance of doubt, Officer's overall recommendation on the application remains as per the December DMC report. That report can be viewed at the following link: <https://democracy.huntingdonshire.gov.uk/moderngov/ieListDocuments.aspx?CId=10216&MId=8251>
- 1.2 At the meeting of DMC on the 18th December 2023 members resolved that;
contrary to the recommendation, the application be refused and, following consultation with Councillors Butler and Gulson and the Chair, the Chief Planning Officer be authorised to approve the terms of the following reasons for the refusal:

- The application has failed to demonstrate it would not lead to the irreversible loss of Best and Most Versatile agricultural land, contrary to policies LP10 and LP35 of Huntingdonshire's Local Plan to 2036.
- The development would result in adverse impact to the landscape and countryside character of the site and its surroundings, contrary to policies LP10 and LP35 of Huntingdonshire's Local Plan to 2036.
- The proposed development would lead to the loss of residential amenity for occupants at Bates Lodge, contrary to policies LP14 and LP35 of Huntingdonshire's Local Plan to 2036.
- Insufficient information has been submitted to demonstrate the development would not result in an adverse impact to the operation of aircraft, contrary to policies LP14 and LP35 of Huntingdonshire's Local Plan to 2036.

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 Model Design Code 2021 (NDC) 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
 - Planning (Listed Buildings and Conservation Areas) Act 1990
 - Ancient Monuments and Archaeological Areas Act 1979
 - The Community Infrastructure Levy Regulations 2010
- 2.5 In accordance with para. 225 of the revised NPPF, and as was the case under previous versions, policies of the adopted Local Plan should be given due weight in accordance with their degree of consistency with the NPPF. The NPPF itself is a material planning consideration that must be given weight in the determination of planning applications.

3. ASSESSMENT

Summary of Changes

- 3.1 The revisions to the NPPF, insofar as they relate to decision taking, generally relate to the following areas which are relevant to this development proposal;
- To attribute significant weight to the need to support energy efficiency and low carbon heating improvements.
 - Delivering development of a high quality of design and the creation of beautiful places.
 - The requirement to impose conditions to clearly define the scope of a permission.

Weight of proposals that support Energy Efficiency

- 3.2 Para 164, inserted into the revised NPPF, states that, in determining planning applications, significant weight should be given to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic. Para. 163(a) has been updated to note that determinations should also recognise that even small-scale projects provide a valuable contribution to **significant** cutting greenhouse gas emissions and continues to state that developers are not required to demonstrate a need for renewable or low carbon energy.
- 3.3 As an application for renewable energy generation, officers consider para 164 applies to this development, as it supports the transition to low carbon alternative energy generation. In the context of the emerging future homes standard that is likely to require electric heating sources, as opposed to gas, this proposal would help meet those future needs and the transition to a low carbon, energy efficient built environment. To afford significant weight to such planning applications is considered to be a material change in policy circumstance that should be factored into the planning balance.
- 3.4 Matters of weight and how to attribute this in reaching a conclusion on a development proposal is for the decision maker, provided that any weight attributed is not so unreasonable as to be legally flawed. While the resolution Members reached at the December DMC is noted, that was based on the policy circumstance in place at the time and did not factor in the significant weight that should be given to such developments in accordance with the revised NPPF. Noting the revised NPPF, members should consider this updated paragraph and clarify the weight to be attributed in the balance of the determination.
- 3.5 For clarity, footnote 62 of the NPPF has been revised to include a requirement to consider, alongside other policies in the Framework, the availability of agricultural land used for food production when deciding what sites are most appropriate for development. As this is in relation to allocating land as part of the Local Plans process, and not for decision making purposes, it is not considered materially relevant to the consideration of this application.

Matters of Design

- 3.6 Section 12 of the revised NPPF, with consequential changes throughout other sections, have included the requirement for planning decision to achieve 'beautiful' developments. No definition of 'beautiful' has been provided within the NPPF Glossary, but the Oxford English Dictionary defines it as "highly pleasing to the sight; embodying an ideal of physical perfection; possessing exceptional harmony of form or colour."
- 3.7 The revisions also reinforce the use of district wide design codes, to accord with the National Model Design Code (NDC). The LPA has an adopted district wide Design Guide (2017) that was previously considered against the NDC when that document was published in 2021 and which was considered to sufficiently accord with it that it is considered to act as our Design Code for the purposes of the NPPF requirements.
- 3.8 Officers note the application, as a solar farm, would make use of limited elements typical within Design Codes, mainly in relation to the impacts on Landscape Character and the appropriate design responses. The Council's adopted Landscape and Townscape SPD and District wide Design Guide is considered sufficient to form the basis for consideration and accord with the NDC. The impact on Landscape was assessed at paras 7.22 to 7.37 of the December DMC report, and members made comment and resolved to refuse on the grounds of harm to landscape character.
- 3.9 While Officers note the change to the NPPF, it is not considered that there are any further matters in respect to a Design Code, or the requirement to deliver 'beautiful' development that has not already been identified and considered.

Conditions

- 3.10 Para. 140 of the revised NPPF requires that Local Planning Authorities ensure planning conditions refer to clear and accurate plans and drawings that provide visual clarity about the design of the development and area clear about the approved use of materials. This is to ensure greater certainty for developers implementing permissions.
- 3.11 The DMC report to the meeting of the November DMC included a list of recommended conditions in section 9. Condition number 2 included a requirement to accord with a list of approved plans. Notwithstanding the resolution, officers consider this matter would be readily capable of being met through the recommended conditions, which officers would recommend is put forward as part of any list of suggested conditions to an Inspector in the event a decision to refuse is appealed to the Planning Inspectorate.

Reasons for Refusal

- 3.12 At the meeting of DMC in December, members resolved to refuse planning permission on the basis of 4no. reasons. In discussion with the Proposer and Seconder of that resolution, and the Chair of DMC, the following reasons are recommended subject to members confirming their resolution following December DMC remains in place.

1. By virtue of the siting of the development, the proposal would result in the loss of 8.3 hectares of Grade 3a Agricultural Land, designated as Best and Most Versatile Agricultural Land (BMV Land) in accordance with the National Planning Policy Framework 2023 and available for productive growth. The application fails to demonstrate the proposed development would not lead to the irreversible loss or degradation of BMV Land to the detriment of food production and its contribution to the local and rural economy, and contrary to policies LP10 and LP35 of Huntingdonshire's Local Plan to 2036 and Para 180 of the National Planning Policy Framework 2023.
2. The application site forms part of the eastern slope of a valley located within the Northern Wolds Landscape Character Area, characterised by the ridged topography formed by streams flowing within valleys, and which includes the highest land in the District. Valley landscapes within this area are notable for being well vegetated and intimate in landscape character, with more open ridgelines and plateaux. By virtue of the significant scale of the development, located partially on the valley slope, the solar array would be visually dominant from views both near to and far from the site, particularly from Public Rights of Way (Bridleways 111/5, 111/8, 46/4 and 75/18, and Permissive Path CSS: 05/352/0003) and to users of the A605, Bullock Road and Haddon Road. It would undermine the distinctive and verdant character of the valley through the loss of vegetated fields, and the proposed landscaping scheme has not demonstrated it would be sufficient to mitigate such views given the significant topographical change across the site and the visibility from longer views. The development therefore fails to recognise the intrinsic character and beauty of the countryside and would undermine its sensitive landscape character through inappropriate design, position, visual prominence, and the introduction of intrusive lighting into an otherwise dark landscape. The proposal would conflict with policies LP10 and LP35 of Huntingdonshire's Local Plan to 2036 and the provisions of the National Planning Policy Framework 2023, particularly paragraphs 135 and 180.
3. The proposed development, by reason of its scale, the need for lighting within an otherwise dark landscape and the introduction of glint and glare from the reflective panels, would materially harm the amenity of occupants at Bates Lodge, a residential dwelling 470m to the west of the site. The proposal is therefore contrary to policies LP14 and LP35 of Huntingdonshire's Local Plan to 2036 and the provisions of the National Planning Policy Framework, particularly paragraphs 135 and 191.
4. Insufficient information has been submitted to demonstrate the proposed development would not result in an adverse impact to the safe functioning of Sibson Airfield and RAF Wittering, or the operation of private aircraft utilising surrounding fields by virtue of glint and glare arising from reflected light from the solar panels, contrary to policies LP14 and LP35 and the provisions of the National Planning Policy Framework 2023, particularly paragraph 191.

4. **RECOMMENDATION - That members note the changes to the National Planning Policy Framework as it relates to this application, confirm whether they have any further comments on the merits of the application in relation to such changes and whether the previous resolution to refuse planning permission remains, and to comment on and confirm the reasons for refusal.**

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** aaron.sands@huntingdonshire.gov.uk

DEVELOPMENT MANAGEMENT COMMITTEE 22ND JANUARY 2024

Case No: 23/00766/FUL

Proposal: CHANGE OF USE OF PART OF THE PREMISES FROM CLASS F1 (EDUCATIONAL USE) TO CLASS E G) (III) (LIGHT INDUSTRIAL) AND ASSOCIATED IMPROVEMENTS TO HARDSTANDING AREA AND WIDENING OF THE INTERNAL ACCESS ROAD.

Location: 10 OLD HOUGHTON ROAD HARTFORD HUNTINGDON PE29 1YB

Applicant: FARO CAPITAL

Grid Ref: 525973 272789

Date of Registration: 05.07.2023

Parish: HUNTINGDON

RECOMMENDATION - APPROVE

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 The application site is located along the south eastern edge of Hartford, eastern side of Huntingdon. The site was historically occupied by the West Anglian Training Association (WATA), which operated in what is now Use Class F1 (formerly Class D1), however they departed some years ago and the site has been vacant. The site is 0.99 hectares and currently comprises of:
- A double height warehouse building, with an associated yard;
 - A two storey ancillary office building;
 - A single storey atrium ancillary office building;
 - A single storey building, formerly used as a training centre;
 - A centrally placed car parking area, and
 - Two established accesses, both onto Old Houghton Road to the east of the site.
- 1.2 To the north and east of the site are fields and a small area of woodland. A large bungalow is located directly to the north and

further detached properties located to the west across from Old Houghton Road. This road forms the site's southern boundary, which provides bus, pedestrian and cycle access to the B1514 and the roundabout junction of the A141 and A1123.

- 1.3 According to the Environment Agency (EA) 'Flood Map for Planning' the site lies within Flood Zone 2, and as such, has a medium probability of flooding. However, the applicant has argued that in the application flood risk assessment, this is due to historic flooding and this allocation is no longer accurate.
- 1.4 The application site lies adjacent to the Hartford Conservation Area. The site is also within the Green Infrastructure Priority Area – Great Ouse Valley. There are a number of trees on the site. There are no other site constraints.

Proposal

- 1.5 The application seeks approval for the change the use of part of the site from Class F1 to Class E g) (iii) (light industrial), improvements to the hardstanding between the southern access and the warehouse building (involving new hardstanding) and widening of the access.
- 1.6 Parking will be provided using the existing car park, using the existing northern access to the site, and the existing accessway between them.
- 1.7 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.
- 1.8 The application is supported by the following documents;
 - Design and Access Statement
 - Heritage Statement
 - Arboricultural Impact Assessment
 - Preliminary Ecological Appraisal
 - Proposed drawings

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (December 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 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
- LP3: Green Infrastructure
- 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
- 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 E1 (Opportunities for Employment)
- Policy E2 (Business Investment)

4. PLANNING HISTORY

- 4.1 22/01967/FUL - Change of use of part of the premises from Class F1 (Educational Use) to Class E g) (iii) (Light Industrial) and associated improvements to hardstanding. Withdrawn
- 4.2 1501511FUL Proposed external road training facility Approved
- 4.3 1300986FUL Proposed training facility Approved
- 4.4 0500275FUL Erection of training facility building following demolition of sports and social club Approved
- 4.5 0212975FUL Erection of a teaching block Approved
- 4.6 0001570FUL Extension to workshop building Approved
- 4.7 9301285FUL Extension to offices Huntingdon International Holding Plc Approved
- 4.8 8801526FUL Artificial soccer pitch with fencing and floodlighting Approved
- 4.9 8702031FUL Erect offices and associated parking Huntingdon Research Centre Approved
- 4.10 8700779FUL Change of use to recreation, Sports and Social Centre Approved
- 4.11 8200077FUL Sports and social club squash courts Approved

5. CONSULTATIONS

- 5.1 Huntingdon Town Council – Object. Members felt the site location was not suitable for light industrial use due to its proximity to the Hartford Conservation Area and impact on the historic environment. It was felt that Old Houghton Road was not suitable for industrial traffic.
- 5.2 Local Highway Authority – No objections subject to conditions. It is noted that the proposal is the same as the previous application

22/01967/FUL but that the access improvements requested previously have been included. Therefore, the effect of the proposed development upon the Public Highway should be mitigated via conditions including removal of permitted development rights for gates, gates to be set 17m back, access width, access specification, sufficient space for manoeuvring, temporary traffic facilities during construction, visibility splays, kerbs and access drainage.

- 5.3 Tree Officer – No objection. Same condition recommended as 22/01967/FUL, compliance with submitted tree protection measures.
- 5.4 Environmental Health Team – No objection. It is noted that E(g)(iii) land use is a use which can be carried out in a residential area without detriment to its amenity. However, taking into consideration the limited vehicle movements on the Old Houghton Road I would advise that deliveries and collections to/from the site via vehicles above 7 tonnes (large HGV's) are limited to daytime only (permitted between the hours of 07:00 – 23:00 each day).
- 5.5 Lead Local Flood Authority – No objection. Recommends a compliance condition regarding the submitted water drainage scheme.
- 5.6 Cadent Gas – No objection.

6. REPRESENTATIONS

- 6.1 3 letters received, objecting on the following grounds:
- Insufficient information regarding number and size of traffic
 - Concerns regarding the volume of traffic accessing Main Street via the T Junction from Old Houghton Road. Intensification over existing use.
 - The proposed development is inappropriate for a quiet Conservation Area.
 - The associated noise and pollution will have a detrimental effect on wildlife and residents of Old Houghton Road and The Grove.
 - Additional traffic will pose a risk to personal safety and damage the road surface.
 - Do not want WATA site users leaving the new East gate driving down The Grove to bypass the T junction. This is a private unadopted road which residents are finding it increasingly more expensive to repair as traffic volumes have increased due to internet deliveries and increased occupants per household.

7. ASSESSMENT

- 7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.
- 7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2023). 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
 - Highway Safety and Parking Provision
 - Flood Risk and Drainage
 - Residential Amenity
 - Trees
 - Biodiversity

Principle of Development

- 7.6 The site is located within Hartford and therefore falls within the Huntingdon Spatial Planning Area. The site is considered to be within the built up area of Hartford.
- 7.7 The site is with Huntingdon and therefore falls within the Huntingdon Spatial Planning Area. The site is previously-

developed or brownfield land given the previous use and buildings on the site. The application seeks approval for the change the use of part of the site from Class F1 to Class E g) (iii) (light industrial), improvements to the hardstanding between the southern access and the warehouse building (involving new hardstanding) and widening of the access.

- 7.8 Paragraph 123 of the NPPF states: *Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.*

- 7.9 Policy LP7 (Spatial Planning Areas) states:

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:

Business Development

A proposal for business development (class 'B') will be supported where it is appropriately located within a built-up area of an identified Spatial Planning Area settlement.

- 7.10 Huntingdon Neighbourhood Plan Policy E1 (Opportunities for Employment) states:

Proposals for economic development throughout Huntingdon will be favourably considered subject to compliance with other relevant planning policies. The regeneration and intensification of previously developed land will be particularly supported.

- 7.11 Huntingdon Neighbourhood Plan Policy E2 (Business Investment) states:

Proposals for development schemes which involve business investment which will result in the provision or opportunity for high skilled employment will be strongly supported subject to compliance with other relevant planning policies.

- 7.12 The proposal is for a change of use from Class F1 to Class E g) (iii) (light industrial). The site has previously been used for a non-residential use, the proposal would utilise existing buildings without the need for modification or extension and is in a sustainable location. It is considered that the proposal would therefore make effective re-use of land in accordance with

paragraph 123 of and the NPPF and is in an appropriate location in accordance with Local Plan Policy LP7. The proposed location is in a sustainable location The proposal will result in the creation of further jobs and therefore will contribute to overall economic development in accordance with Huntingdon Neighbourhood Plan Policies E1 and E2.

- 7.13 The site is situated within the Green Infrastructure Priority Area - Great Ouse Valley Landscape Character Area – as defined by Huntingdonshire’s Local Plan to 2036 policy LP3 and the Local Plan Policies Map. Policy LP3 (Green Infrastructure) states:

A proposal within the Ouse Valley Landscape Character Area, defined in the Huntingdonshire Landscape and Townscape Assessment Supplementary Planning Document will be supported where it contributes to the landscape, wildlife, cultural and historical value of the area.

- 7.14 As discussed the above, the proposal include the conversion of existing buildings and re-use of an existing brownfield site. Therefore, there is limited scope for contribution to the landscape, wildlife, cultural and historical value of the area. The proposal will provide a number of biodiversity enhancements which is discussed in more detail below. The proposal would therefore meet the aims of Policy LP3 of the Local Plan.

- 7.15 The principle of development is therefore acceptable subject to the consideration of the below material considerations.

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

- 7.16 The site is located adjacent to the Hartford Conservation Area.
- 7.17 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.
- 7.18 Para. 205 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. 206 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...*’. Para. 208 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.

- 7.19 Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.20 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.
- 7.21 The application seeks approval for the change the use of part of the site from Class F1 to Class E g) (iii) (light industrial), improvements to the hardstanding between the southern access and the warehouse building (involving new hardstanding) and widening of the access.
- 7.22 Officers note the concerns raised by Town Council and local resident about how the site location is not suitable for light industrial use due to its proximity to the Hartford Conservation Area and potential impact on the historic environment.
- 7.23 In consideration of whether the proposed light industrial is an acceptable or appropriate use to be adjacent to the Hartford Conservation Area, officers have had regard to the relevant policies outlined in the principle of development section. As outlined above, the site has previously been used for a non-residential use, the proposal would utilise existing buildings without the need for modification or extension and is in a sustainable location. Officers have also had regard to the level of works proposed as part of the application. The proposed external works required to facilitate the change of use is minor as it only involves a small amount of hardstanding and the widening of an access.
- 7.24 Given the planning history of the site being non-residential, the nature of the proposal being to convert existing buildings without the need to modify or extend and taking into account the fact that only some minor external changes are required to facilitate the proposed change of use, officers are of the view that the proposed light industrial use of the site will not have an adverse visual impact and therefore will preserve or enhance the character and appearance of the Hartford Conservation Area. The proposed development is in accordance with Policies LP11, LP12 and LP34 of the adopted Huntingdonshire Local Plan to 2036, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework.

Highway Safety and Parking Provision

- 7.25 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

- 7.26 The proposal would utilise the existing access arrangements and widen it as part of the proposal.
- 7.27 Officers note the concerns raised by the Town Council and local residents regarding whether Old Houghton Road was suitable for industrial traffic, the insufficient information regarding the number and size of traffic, the volume of traffic accessing Main Street via the T Junction from Old Houghton Road and the intensification over existing use. Concerns have also been raised about the users of the site using Grove Lane to bypass the Old Houghton Road T-junction.
- 7.28 A Transport Statement has been submitted in support of the application. The Highway Authority have been consulted as part of the application and has reviewed the submitted information. Whilst the proposed use of the site would result in an increased amount of movements, the Highway Authority has advised that subject to a number of number of conditions regarding construction and the proposed access arrangements, the proposed development would not have an adverse impact upon highway safety. Officers accept the advice from the technical consultee regarding highway safety and recommend the conditions accordingly.
- 7.29 In regard to users of the site potentially using private road Grove Lane to bypass the Old Houghton Road T-junction, the Highway Authority has not raised any concern with this. Officers do not consider a condition restricting use of the Grove Lane this would mean 5 tests outlined para. 56 of the NPPF which state conditions must necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Officers consider such a condition could not be recommended as it would not be enforceable.
- 7.30 Subject to the inclusion of the recommended conditions, Officers therefore consider the proposal would not have an adverse impact upon highway safety in accordance with Policies LP16 and LP17 of the Huntingdonshire Local Plan to 2036.

Car Parking

- 7.31 The proposal includes no changes to the existing 46 car parking spaces. The proposed car parking would be sufficient and therefore comply with the aims of Policies LP16 and LP17 in regards to car parking.

Cycle Parking

- 7.32 It is unclear what the cycle parking arrangements are. However, there is adequate space on the site 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 in regards to cycle parking.

Flood Risk and Drainage

- 7.33 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 165-175 of the NPPF (2023)).
- 7.34 According to the Environment Agency (EA) 'Flood Map for Planning' the site lies within Flood Zone 2, and as such, has a medium probability of flooding. However, the applicant has argued that in the application flood risk assessment, this is due to historic flooding and this allocation is no longer accurate.
- 7.35 The Lead Local Flood Authority has been consulted as part of the application and has raised no objection to the proposal as the information submitted with the application has demonstrated that the surface water from the proposed development can be managed within the existing surface water system within the site. Water will continue to discharge through the infiltration basin and filter drains, discharging water into the ground. The Lead Local Flood Authority recommend a compliance condition regarding the submitted water drainage scheme.
- 7.36 The proposal is for a change of use to light industrial and would utilise existing buildings. 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 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework in this regard.

Residential Amenity

Amenity of neighbouring properties

- 7.37 Policy LP14 states that a proposal will be supported where a high standard of amenity is maintained for all occupiers of neighbouring land and buildings.
- 7.38 A large bungalow is located directly to the north and further detached properties located to the west across from Old Houghton Road.
- 7.39 The Environmental Health Team have been consulted as part of the application and has advised that E(g)(iii) land use is a use which can be carried out in a residential area without detriment to its amenity. However, taking into consideration the limited vehicle movements on Old Houghton Road, the Environment Health Team has recommended that deliveries and collections to/from the site via vehicles above 7 tonnes (large HGV's) are limited to daytime only (permitted between the hours of 07:00 – 23:00 each day). Officers accept this advice and recommend the above condition accordingly.
- 7.40 The proposal would not have any adverse neighbour amenity impacts in terms of noise. The proposal is therefore considered to accord with Policy LP14 of the Local Plan in respect of its impact upon neighbouring properties.

Trees

- 7.41 Policy LP31 of the Local Plan states a proposal will be required to demonstrate that the potential for adverse impacts on trees, woodland, hedges and hedgerows has been investigated. A proposal will only be supported where it seeks to conserve and enhance any existing tree, woodland, hedge or hedgerow of value that would be affected by the proposed development.
- 7.42 There a number of trees on the site. Arboricultural Information has been submitted in support of the application. 1no. tree is proposed to be removed to facilitate the widening of the access. The Tree Officer has been consulted as part of the application and has advised that they raise no objection the proposal subject to a compliance condition regarding the submitted tree protection measures. The proposal would therefore be in accordance with Policy LP31 of the Local Plan.

Biodiversity

- 7.43 Paragraph 180 within Section 15 of the NPPF (2023) states that 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.

- 7.44 The application is supported by a Preliminary Ecological Appraisal (PEA) which confirms that overall the site is considered to be of low ecological value. The proposal would therefore not have an adverse impact upon local wildlife. The PEA also outlines biodiversity enhancements through the installation of up to 10 bird nest boxes within the site. A condition is recommended to secure this. The proposal is considered to accord with the objectives of Policy LP30 of Huntingdonshire's Local Plan to 2036 and Section 15 of the NPPF in this regard.

Other Matters

- 7.45 A condition is recommended to restrict the use of the site Class E g) (iii) (light industrial) to ensure any future change of use is assessed on its own merits and consulted on.

Conclusion

- 7.46 The proposal is for a change of use from Class F1 to Class E g) (iii) (light industrial).
- 7.47 The proposed development would utilise existing non-residential buildings without the need for modification or extension, and would therefore make effective re-use of land in a sustainable location on the edge of Hartford. The proposal will also result in the creation of further jobs and will contribute to overall economic development.
- 7.48 It is considered the proposed light industrial use of the site will not have an adverse visual impact and therefore will preserve or enhance the character and appearance of the Hartford Conservation Area.
- 7.49 The proposal would also be acceptable in regards to highway safety, flood risk, residential amenity, trees and biodiversity.
- 7.50 Having regard to all relevant material considerations, it is concluded that the proposal would accord with local and national planning policy. Therefore, it is recommended that planning permission be approved.

8. RECOMMENDATION – APPROVAL subject to the following conditions regarding:

1. Time
2. Drawings
3. Restriction of use
4. Cycle details to be submitted
5. Removal of permitted development rights for gates
6. Gates to be set 17m back
7. Access width, access specification
8. Sufficient space for manoeuvring
9. Temporary traffic facilities during construction
10. Visibility splays
11. Kerbs
12. Access drainage
13. Water drainage scheme compliance
14. Deliveries and collections to/from the site via vehicles above 7 tonnes (large HGV's) are limited to daytime only (permitted between the hours of 07:00 – 23:00 each day).
15. Tree protection measures compliance
16. Biodiversity enhancements

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

HUNTINGDON TOWN COUNCILPLANNING COMMENTS : 27th July 2023

23/00760/FUL

External alterations and installation of plant within service yard including storage of gases

1A Tower Close Huntingdon PE29 7DH

Recommend Approve. It was noted that the application was in an existing industrial area.

23/00766/FUL

Change of use of part of the premises from Class F1 (Educational Use) to Class E g) (iii) (Light Industrial) and associated improvements to hardstanding area and widening of the internal access road.

10 Old Houghton Road Hartford Huntingdon PE29 1YB

Recommend Refuse. Members felt the site location was not suitable for light industrial use due to its proximity to the Hartford Conservation Area and impact on the historic environment. It was felt that Old Houghton Road was not suitable for industrial traffic.

23/01038/HHFUL

Proposed Porch to Front Elevation

42 Wertheim Way Huntingdon PE29 6UX

Recommend Approve. Members had no objections and noted that there were other similar porches in the area.

23/01094/FUL

Change of use for part of 9 Glebe Road to a Place of Worship

9 Glebe Road Huntingdon PE29 7DX

Recommend Approve. Members noted that the industrial location meant the use as a place of worship would not negatively impact nearby residents. It was also noted that the location had sufficient parking.

23/00585/LBC

Alterations to front room to turn it into a visitor centre, enlarge the door width to make it wheelchair accessible and create a larger hatch.

Commemoration Hall 39 High Street Huntingdon

Deemed Approve. The Town Council is Custodian Trustee of the Commemoration Hall and has two nominated Councillors as Trustees of the hall charity.

Development Management Committee



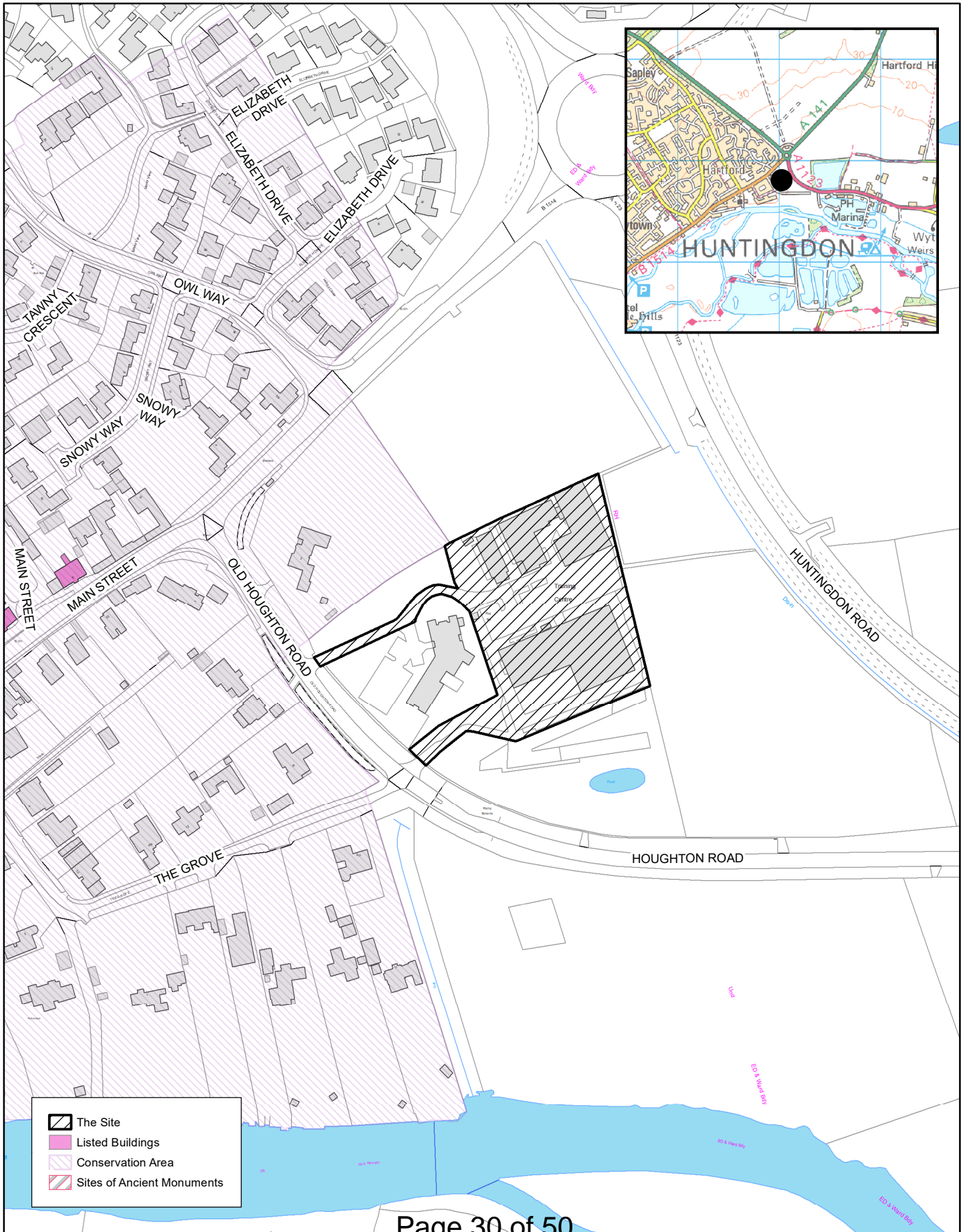
Scale = 1:2,500

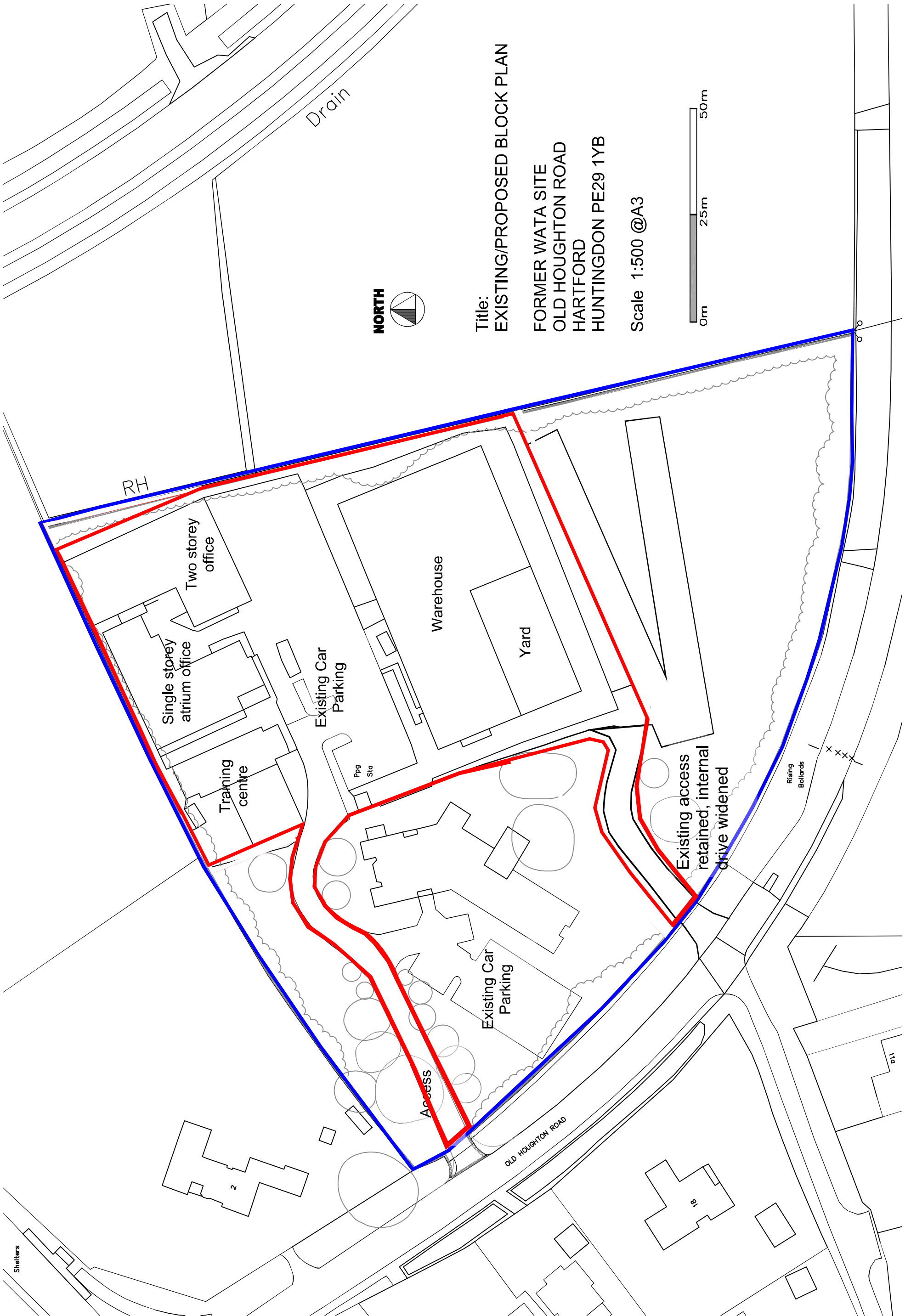
Application Ref: 23/00766/FUL

Date Created: 09/01/2024

Parish: Huntingdon

© Crown copyright and database rights 2024
Ordnance Survey HDC 100022322



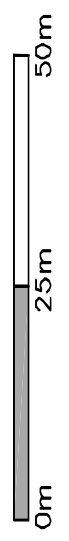


Drain



Title:
 EXISTING/PROPOSED BLOCK PLAN
 FORMER WATA SITE
 OLD HOUGHTON ROAD
 HARTFORD
 HUNTINGDON PE29 1YB

Scale 1:500 @A3



RH

Two storey office

Single storey atrium office

Training centre

Existing Car Parking

Ppg Sta

Warehouse

Yard

Existing access retained, internal drive widened

Rising Ballards

Access

Existing Car Parking

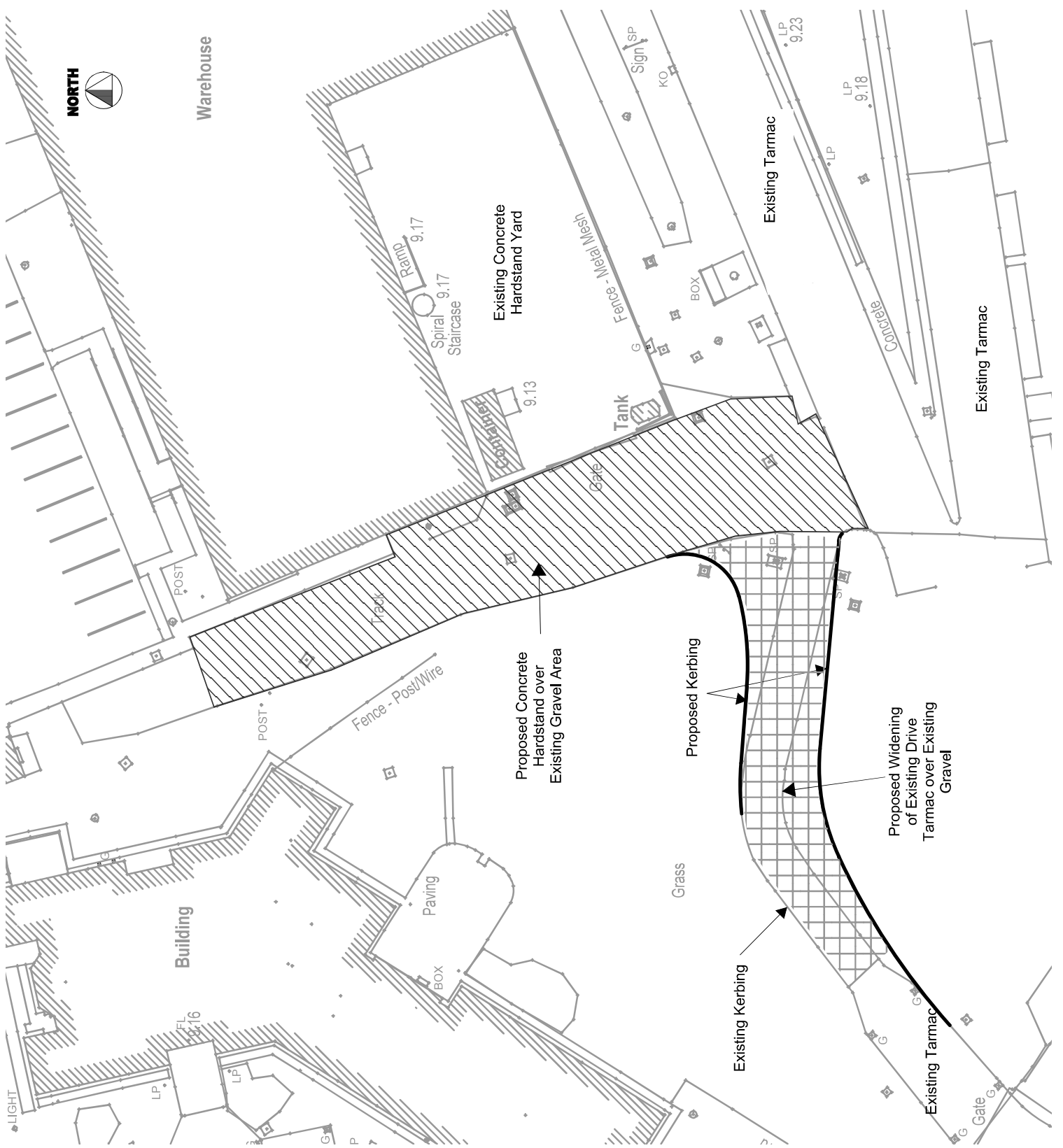
OLD HOUGHTON ROAD

Shelters

2

18

111



Warehouse

Building

Existing Concrete Hardstand Yard

Proposed Concrete Hardstand over Existing Gravel Area

Proposed Kerbing

Proposed Widening of Existing Drive Tarmac over Existing Gravel

Existing Tarmac

Existing Tarmac

Existing Kerbing

Existing Tarmac



Title:
 Existing and Proposed Internal Drive and Hardstand Plan
 10 Old Houghton Road
 Hartford
 Huntingdon PE29 1YB
 Scale 1:250 @A3
 Drawing number: FPH/0922/08

**DEVELOPMENT MANAGEMENT
COMMITTEE 22ND JANUARY 2024**

Case No: 23/01927/FUL

Proposal: CHANGE OF USE OF THE FORMER POST OFFICE (USE CLASS E) ADJOINING 30 HIGH STREET TO FORM PART OF EXISTING RESIDENTIAL PROPERTY (USE CLASS C3).

Location: 30 HIGH STREET WARBOYS PE28 2RH

Applicant: MR Robert Dent

Grid Ref: 530584 280085

Date of Registration: 20.10.2023

Parish: WARBOYS

RECOMMENDATION - REFUSE

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

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

- 1.1 The application site is located on the southern side of High Street, Warboys. The application site comprises approximately 47sqm of Class E floorspace adjoined to the residential dwelling at 30 High Street, Warboys. The site was previously used as a Post Office before the Post Office relocated elsewhere in the village. More recently the site was used as a hardware shop, after which its commercial use ceased.
- 1.2 The application site lies within Warboys Conservation Area. A Grade II Listed Building 26 High Street is located immediately to the west and a Grade II Listed War Memorial is located to the north-east. There are no other site constraints.

Proposal

- 1.3 The application seeks approval for the change of use of the former Post Office (use class E) adjoining 30 High Street to form part of existing residential property (use class C3).

- 1.4 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.
- 1.5 The application is supported by the following documents;
- Planning Statement
 - Drawings

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (December 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 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
 - LP3: Green Infrastructure
 - LP4: Contributing to Infrastructure Delivery
 - LP5: Flood Risk
 - LP7: Spatial Planning Areas
 - LP11: Design Context
 - LP12: Design Implementation
 - LP14: Amenity
 - LP16: Sustainable Travel
 - LP17: Parking Provision and vehicle movement
 - LP22: Local Services and Community Facilities
 - 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](#)

4. PLANNING HISTORY

- 4.1 22/02181/PIAPA - Change of use from former shop sales area to reception room to form part of the existing residential property.
- The Council failed to determine the application with the statutory period.
 - However, Officers subsequently advised that the dwelling and the commercial area is one planning unit because the use of the site falls within a 'Sui Generis' use. The property was previously used as a Post Office and Post Master house, with the former shop unit being reliant on the dwellinghouse for essential services. As part of a 'Sui Generis' planning unit the former Post Office would not benefit from Permitted Development rights and Class MA would not apply.
- 4.2 22/00857/FUL - Change of use from former shop sales area to reception room to form part of the existing residential property. Withdrawn

5. CONSULTATIONS

- 5.1 Warboys Parish Council – Support. There have been no resident objections and the building appearance remains unchanged.
- 5.2 Local Highway Authority – No objection.
- 5.3 Conservation Officer – No objection. There will be no external physical change to the appearance of the building therefore the contribution made to the appearance of this conservation area or the setting of the listed building will not be harmed.

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 have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2023). 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
- Highway Safety and Parking Provision

Principle of Development

- 7.6 The site is located within the built up area of Warboys which is classed as a Key Service Centre under Policy LP8 of the Local Plan.
- 7.7 Policy LP8 states a proposal for development on a site which is additional to those allocated in this plan will be supported where it is located within a built-up area of a Key Service Centre.
- 7.8 The application seeks approval for the change of use of the former Post Office (use class E) adjoining 30 High Street to form part of existing residential property (use class C3).
- 7.8 Policy LP22 (Local Service and Community Facility) is the most relevant policy here.
- 7.9 Policy LP22 states outlines how local services and community facilities include, but are not limited to, shops, public houses, places of worship, cemeteries, health centres, libraries, fuel filling stations and public halls.
- 7.10 Policy LP22 (Local Services and Community Facilities) states: Where permitted development rights do not apply a proposal which involves the loss of a local service or community facility will only be supported where:
- d. an equivalent service or community facility will be provided in a location with an equal or better level of accessibility for the community it is intended to serve; or
 - e. it demonstrates that there is no reasonable prospect of that service or facility being retained or restored because either:
 - i. there is insufficient community support for its continuation; or
 - ii. reasonable steps have been taken to effectively market the property for its current use without success.

A proposal will not be supported where the proposed loss is within a Key Service Centre and it would undermine the settlement's role in provision of services.

- 7.11 As LP22 covers a wide range of different local services and community facilities, members should note that the evidence base will vary from case to case. Each case/use should be assessed on its own merits. For example, fuel filling stations are very different from public houses, and public houses are very different from a public hall community facility.

- 7.12 A Planning Statement has been submitted in support of the application. It sets out the following the case of why the application should be approved:

'Alternative arrangements' - Local Plan Policy LP22 supporting text paragraph 6.49

- This application is made on the basis that 'alternative arrangements' are appropriate to establish that there is no realistic prospect of the commercial use being restored.
- The particular circumstances of this unit which include its size and lack of essential services and facilities including separately metered water, electricity and foul sewerage.
- It should be noted that the provision of essential services for the commercial unit would be costly and take time to install. In addition to this, the space implications of providing a washroom, kitchenette and storage would further reduce the floorspace of an already small unit.
- The applicants have taken advice on the potential marketing of the unit. It is likely that any price would be significantly less than other commercial units to reflect the investment needed to provide basic services and facilities. If the unit were marketed at such a low price, then it could be purchased on hope value of alternative use such as for a residential dwelling, with the purchaser having no intention to use it for a commercial use.

Loss of Community Facilities - Policy LP22 part d)

- Equivalent services were provided elsewhere in the village when the Post Office relocated to the Spar shop approximately 350m to the east of the site.
- The hardware shop ultimately closed due to insufficient market demand, with the owner stating at the time of closure that the shop was not a viable business to continue running as a going concern. Even with the use of the facilities of 30 High Street to maximise the amount of retail floorspace, the unit was not commercially viable in the long term.

Insufficient Community Support for Continuation - Policy LP22 part e) i)

- No objections from local community and the Parish Council supports the application. Other than through responses to planning applications, it is unclear how applicants should demonstrate a lack of public support for the retention or restoration of services and facilities.

- 7.13 Officers note the arguments put forward by the applicant and will respond to the points made.

- 7.14 Firstly, officers do not consider the proposal complies with Policy LP22 part d). Whilst the site originally operated as a Post Office, it

more recently operated as a hardware shop. The applicant acknowledges this. Therefore, the argument that the post office has been replaced with an equivalent service and that the proposal complies with Policy LP22 part d) is not valid. This is because Officers have to consider the current (most recent) use that is being lost, which is use class E.

- 7.15 So the loss of the local service must therefore be assessed against Policy LP22 part e).
- 7.16 When considering Policy LP22, it is a matter of judgement for Officers on whether part e) i) (insufficient community support for its continuation) or part e) ii) (marketing) is the most appropriate route to determine whether there is no reasonable prospect of that service or facility being retained or restored.
- 7.17 Local Plan Policy LP22 supporting text paragraph 6.49 outlines the following: *Assessing the level of community support for a local service or facility is a matter of judgement, but could be informed by information such as evidence of the level of recent usage, as well as the number and nature of comments made on an application by members of the local community. For commercially run facilities such as local shops and pubs, the Council considers that a robust marketing exercise is the most transparent way of demonstrating that such facilities are no longer viable. This should be of sufficient duration to allow the local community time to consider making a bid to run or acquire premises of value through the Community Right to Bid. In seeking to justify the loss of local services or community facilities, applicants will also be required to consider whether existing premises or sites can be adapted to retain a viable community facility or service. Effective marketing will in most cases need to be for a continuous period of 12 months at a value reflecting its permitted use with details kept of any offers received and detailed reasoning for declining them. However, in particular circumstances it may be appropriate for alternative arrangements to establish if there is any realistic prospect of maintaining the service or facility.*
- 7.18 To expand on the above, Policy LP22 covers a wide range of different local services and community facilities, members should note that the evidence base will vary from case to case. Each case/use should be assessed on its own merits. For example, commercial units are very different from public houses, and public houses are very different from a public hall community facility. There is a difference between how a service and a facility operates. A lot of community facilities such as a public hall operate with a booking system. Customers would book the facility ahead of time as such places don't allow people to just turn up to use the facilities. In such a case, you would be able to quantify a demand for a facility and establish if there is insufficient community support for its continuation due to the number of bookings over a time period.

- 7.19 The supporting text for LP22 is clear that for 'commercially run facilities such as local shops and pubs, the Council considers that a robust marketing exercise is the most transparent way of demonstrating that such facilities are no longer viable'. Given that the application in question is for a commercial unit (use class E), the most appropriate route to determine whether there is no reasonable prospect of that service or facility being retained or restored would be through effective marketing of the property for its current use which would be Policy LP22 part e) ii).
- 7.20 Officers note the argument the applicant has put forward for 'alternative arrangements' due to the lack of provision of essential services within the unit. However, Officers are not convinced that the argument about how it would be timely, costly and would further reduce the space within the unit would stop it from being an attractive space for a future tenant. As stated in the Planning Statement, it is likely that any price would be significantly less than other commercial units to reflect the investment needed to provide basic services and facilities. The lower price of the unit would also serve a part of the market which are looking for a smaller more affordable option. Officers therefore do not accept the 'alternative arrangements' argument and are of the view that as the proposal has not been marketed effectively, the proposal is contrary to Policy LP22 part e) ii).
- 7.21 The submitted Planning Statement also refers to a couple of recent planning decisions. Officers have reviewed these and do not consider them to be relevant to the assessment of this application. Members should note that every application is assessed on its own merits. Officers have laid out a clear assessment and justification for the recommendation above.
- 7.22 The proposal has failed to demonstrate that the site has been effectively and robustly marketed for its current use without success to demonstrate that there is no reasonable prospect of that service or facility being retained or restored. Subsequently, the application has also failed to demonstrate that the loss of the commercial site will not undermine the settlement's role in provision of services. The proposal is therefore contrary to policy LP22 part e) ii) of the Huntingdonshire Local Plan to 2036.

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

- 7.23 The application site lies within Warboys Conservation Area.
- 7.24 A Grade II Listed Building 26 High Street is located immediately to the west and a Grade II Listed War Memorial is located to the north-east. There are no other site constraints.

- 7.25 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.
- 7.26 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.
- 7.27 Para. 205 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. 206 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...'. Para. 208 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.
- 7.28 Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.29 Policy LP11 of the Local Plan states that proposals will be supported where it is demonstrated that they positively respond to their context and draw inspiration from the key characteristics of their surroundings, including the natural, historic and built environment.
- 7.30 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.
- 7.31 The application does not involve any external changes. The Conservation Team has been consulted and raises no objection to the proposal. Officers consider the proposal will preserve or enhance the character and appearance of the Warboys Conservation Area and will not adversely impact the setting of the nearby listed assets. The proposed development is in accordance with Policies LP11, LP12 and LP34 of the adopted Huntingdonshire Local Plan to 2036, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework.

Highway Safety and Parking Provision

- 7.32 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.
- 7.33 The proposed change of use would result in the site operating as one planning unit. The Highway Authority has been consulted and raises no objection. The existing dwelling has off-street car parking. Officers therefore consider the proposal would not have an adverse impact upon highway safety and would have appropriate car parking provision in accordance with Policies LP16 and LP17 of the of the Huntingdonshire Local Plan to 2036.

Residential Amenity

Amenity of neighbouring properties

- 7.34 Policy LP14 states that a proposal will be supported where a high standard of amenity is maintained for all occupiers of neighbouring land and buildings.
- 7.35 As the proposal is to change the use of the commercial unit to form part of the existing residential property at 30 High Street, the proposal would not have any adverse neighbour amenity impacts in terms of noise. The proposal is therefore considered to accord with Policy LP14 of the Local Plan in respect of its impact upon neighbouring properties.

Conclusion

- 7.36 The proposal is for a change of use of the former Post Office (use class E) adjoining 30 High Street to form part of existing residential property (use class C3).
- 7.37 Policy LP22 states that a proposal that includes a loss of a local service or community facility needs to demonstrate that there is no reasonable prospect of that service or facility being retained or restored through effective and robust marketing for its current use without success. The application has failed to demonstrate this.
- 7.38 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 – REFUSE for the following reason:

1. The proposal has failed to demonstrate that the site has been effectively and robustly marketed for its current use without success to demonstrate that there is no reasonable prospect of that service or facility being retained or restored. Subsequently, the application has also failed to demonstrate that the loss of the commercial site will not undermine the settlement's role in provision of services. The proposal is therefore contrary to policy LP22 part e) ii) of the Huntingdonshire Local Plan to 2036.

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

CONTACT OFFICER:

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

Application Number: 23/01927/FUL -

Case Officer: Lewis Tomlinson

- **Location:.** 30, High Street - Change of use of the former Post Office adjoining 30 High Street to form part of existing residential property.

Observations of Warboys Parish Council

Please tick box as appropriate

Recommend **approval** because... There have been no resident objections and the building appearance remains unchanged.

Recommend **refusal** because...

No observations either in favour or against the proposal

Mrs J Drummond, Clerk to Warboys Parish Council

Date: 18th August 2023

Failure to return this form within the timeline indicated will be taken as an indication that the town or parish council do not express any opinion either for or against the application.

Please send responses to e-mail address below:

Developmentcontrol@huntingdonshire.gov.uk

(Development Management)

Development Management Committee



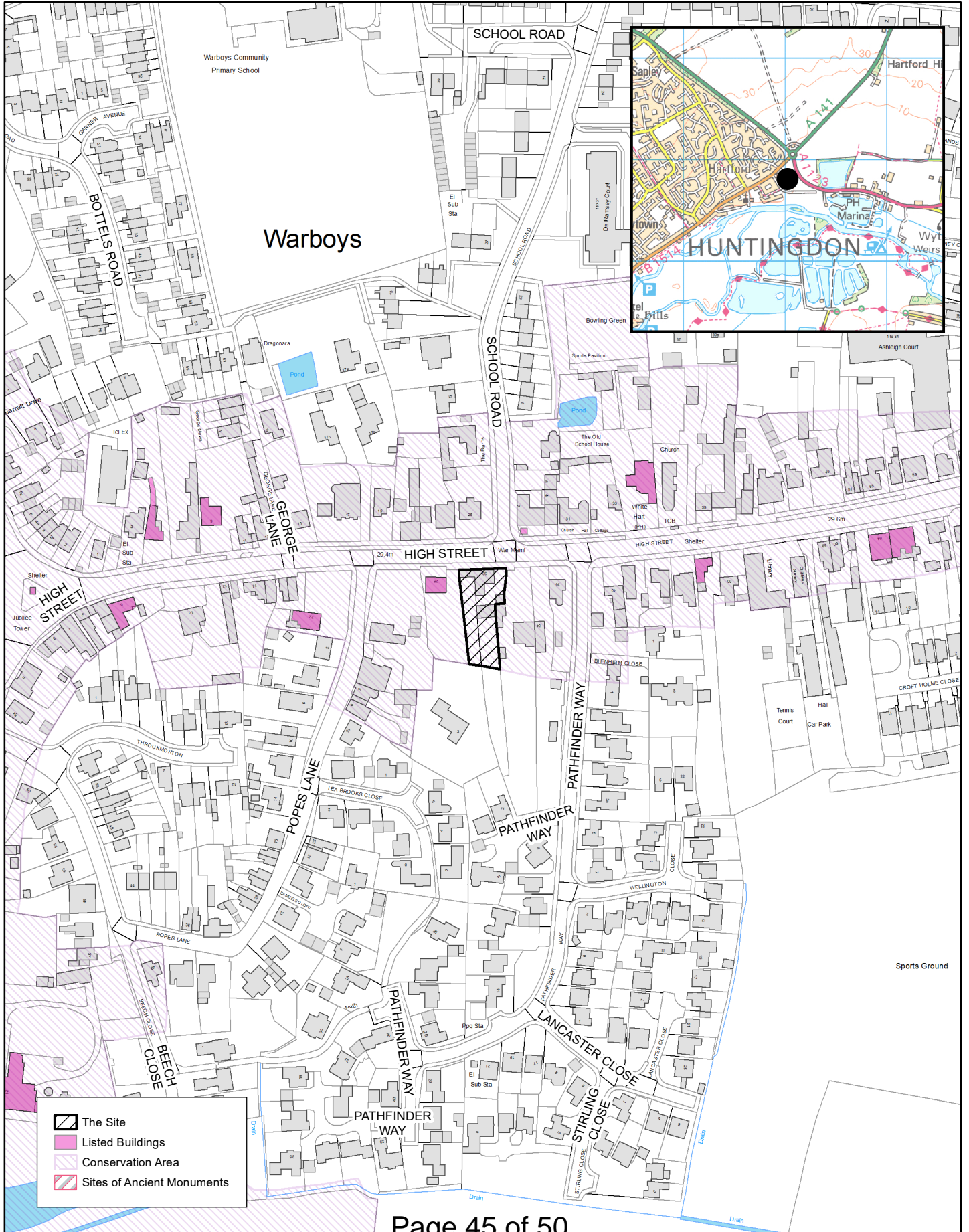
Scale = 1:2,500

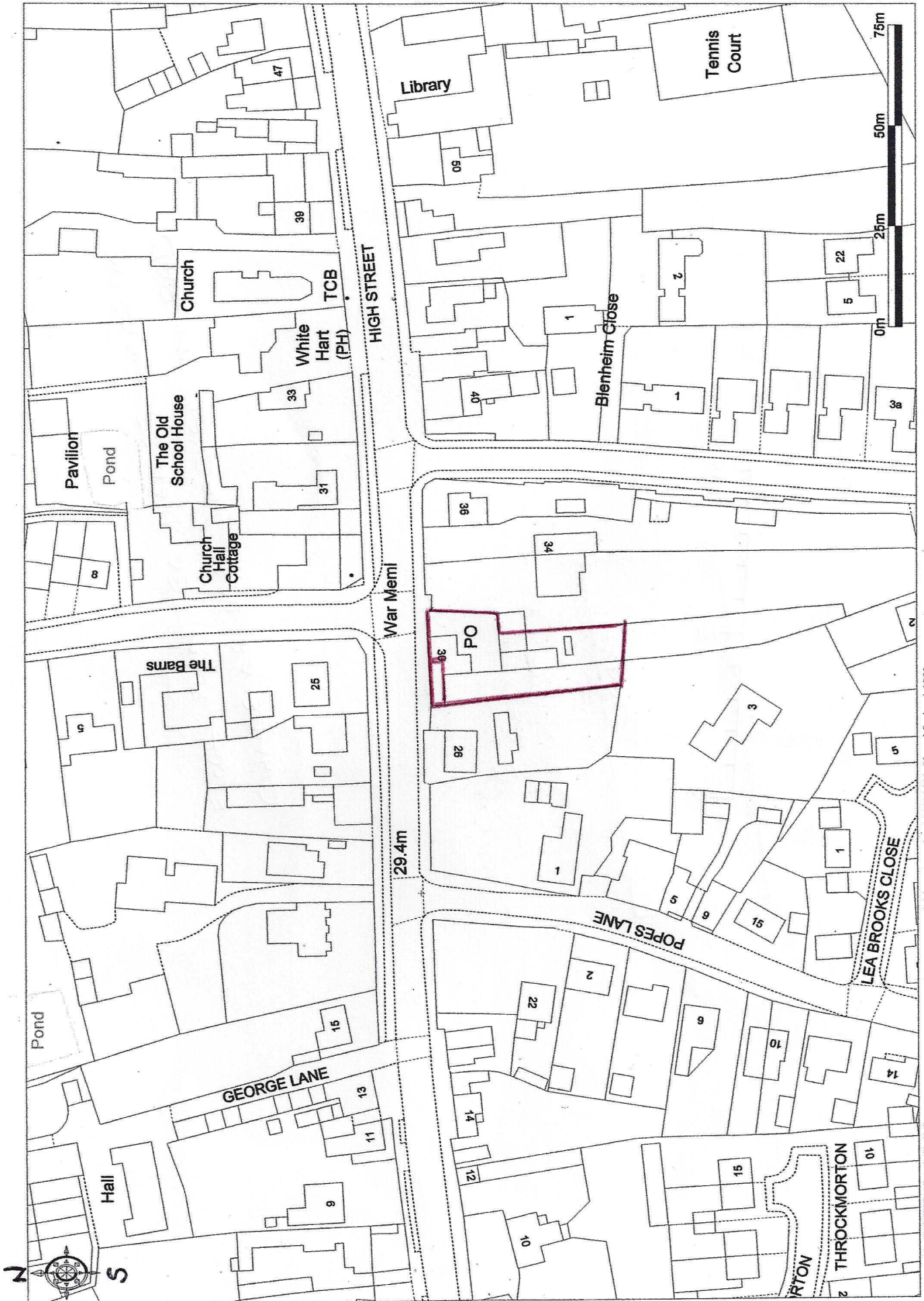
Application Ref: 23/01927/FUL

Date Created: 09/01/2024

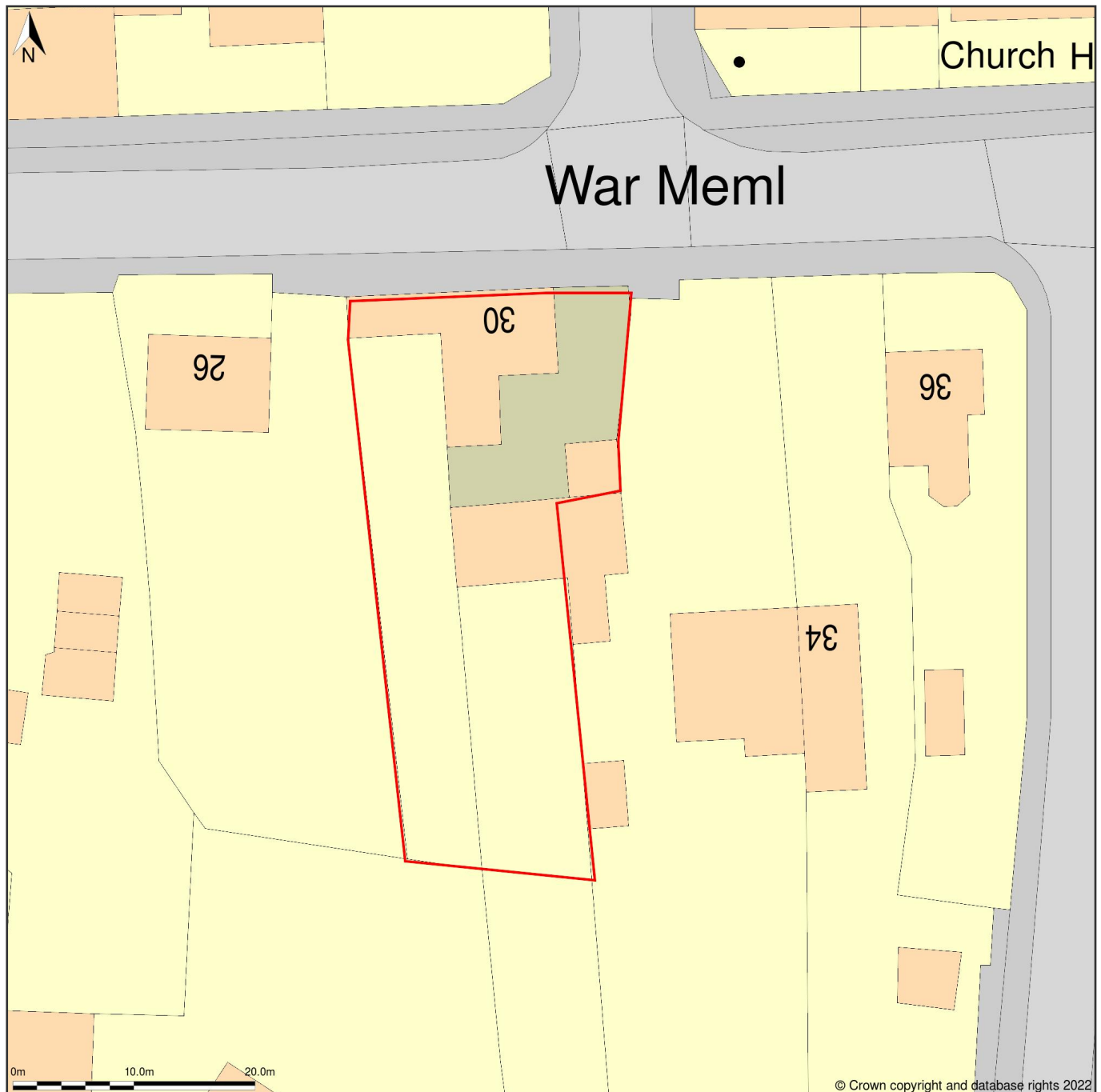
Parish: Warboys

© Crown copyright and database rights 2024
Ordnance Survey HDC 100022322





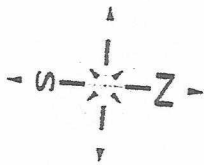
30, High Street, Warboys, Cambridgeshire, PE28 2RH



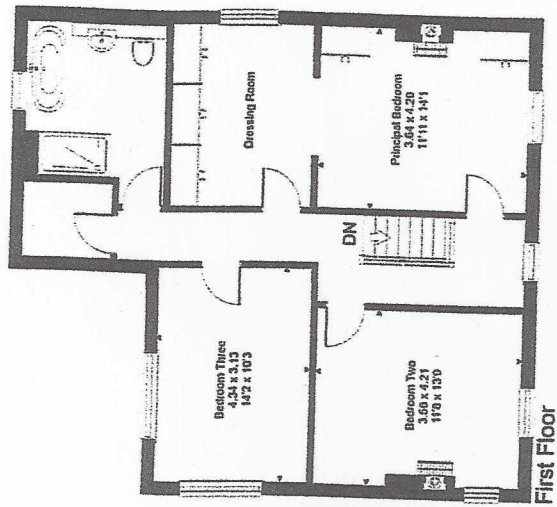
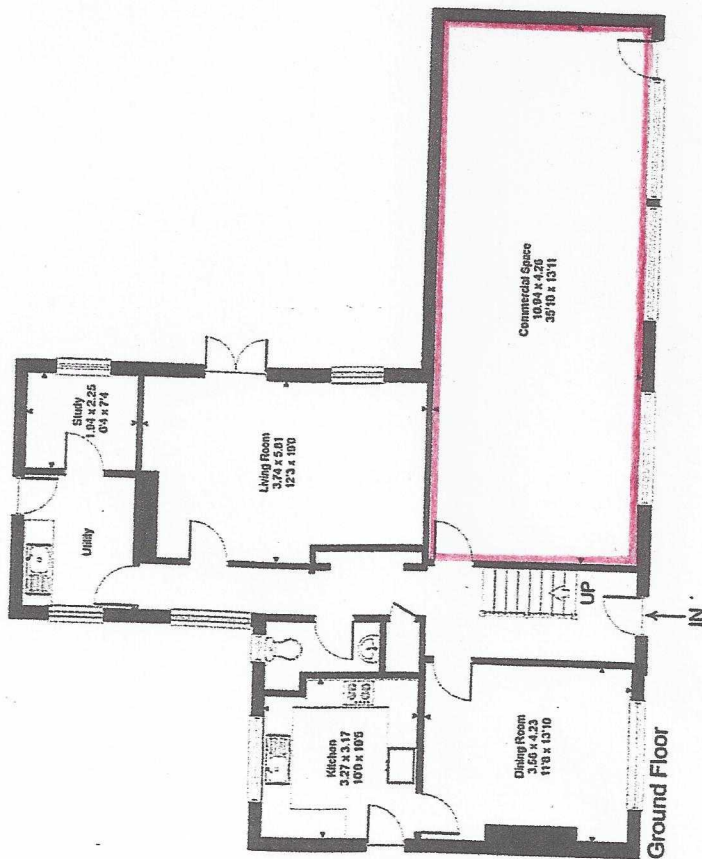
Block Plan shows area bounded by: 530546.13, 280027.97 530636.13, 280117.97 (at a scale of 1:500), OSGridRef: TL30598007. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

Produced on 20th Apr 2022 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2022. Supplied by <https://www.buyaplan.co.uk> digital mapping a licensed Ordnance Survey partner (100053143). Unique plan reference: #00725832-BC4811

Ordnance Survey and the OS Symbol are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain. Buy A Plan logo, pdf design and the www.buyaplan.co.uk website are Copyright © Pass Inc Ltd 2022



FLOOR PLAN 30 HIGH ST. WARBOYS
 CHANGE OF USE MARKED IN RED



Scale 0 5m 10m

6.5mm to 1m

Planning Appeal Decisions Since December 2023 Committee

Ref No	Appellant	Parish	Proposal	Site	Original Decision	Delegated or DMC	Appeal Determination	Costs
22/022 08/ FUL	Mr Parsons	Fenstanton	Subdivision of existing site to create new plot and erection of 1 bed dwelling	78 Headlands Fenstanton Huntingdon PE28 9LW	Refusal	Delegated	Dismissed	N/A
22/013 50/ OUT	Mr Mark Richard Tolner	Alconbury Weston	Proposed Rural Exceptions Residential Development for up to 15 Dwellings with all matters reserved except access and layout (re-submission of 21/01343/OUT)	Land North West Of 1 Chequers Close Alconbury Weston	Refusal	Delegated	Dismissed	N/A

This page is intentionally left blank