

## 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 May 2024

PRESENT: Councillor D L Mickelburgh – Chair.

Councillors R J Brereton, E R Butler, S J Corney, D B Dew, I D Gardener, K P Gulson, M A Hassall, S R McAdam, S Mokbul, J Neish, T D Sanderson, R A Slade and C H Tevlin.

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

### 64 MINUTES

The Minutes of the meeting of the Committee held on 22nd April 2024 were approved as a correct record and signed by the Chair.

### 65 MEMBERS' INTERESTS

Councillor I Gardener declared a Non-Registerable Interest in Minute No 66 by virtue of the fact that the application related to the area he represented as a Member of the District Council and as a Member of Cambridgeshire County Council.

Councillor I Gardener also declared a Non-Registerable Interest in Minute No 67 (c) by virtue of the fact that the application related to the area he represented as a Member of Cambridgeshire County Council.

Councillor D Mickelburgh declared a Non-Registerable Interest in Minute No 67 (d) by virtue of the fact that the application related to the District Ward she represented.

### 66 DEVELOPMENT MANAGEMENT - DEFERRED ITEM - CONSTRUCTION OF 15 NO. DWELLINGS WITH ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING (RE-SUBMISSION OF 23/00649/FUL) - LAND EAST OF IVY WAY SPALDWICK - 23/01948/FUL

*(Councillor G Rice, Spaldwick Parish Council, M Ashcroft, objector, and J Smith, Agent, addressed the Committee on the application).*

See Minute No 65 for Members' interests.

The Committee gave consideration to a report by the Planning Service Manager (Development Management) (a copy of which is appended in the Minute Book)

on an application for the construction of 15 no. dwellings with associated access, car parking and landscaping on land East of Ivy Way, Spaldwick (Minute No 23/62 (b) refers). Having taken into account flooding and drainage matters following consultation with the Environment Agency and analysis of traffic in relation to the A14, together with relevant local and national planning policies, it was

RESOLVED

that, subject to completion of a S106 Agreement and to conditions including those listed in paragraph 8 of the report now submitted, the Chief Planning Officer be authorised to approve the application 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 8.16 pm the meeting was adjourned.**

**At 8.26 pm the meeting resumed.**

**67 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) Change of use from shop to dwelling (Class C3) – Shop, 43 High Street, Brampton, PE28 4TG - 23/02498/FUL**

*(P Shaw, applicant, addressed the Committee on the application).*

that the application be refused because 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.

**b) Siting of a mobile home as defined by the Caravan Act without concrete foundations - Whites Paddock, Pitsdean Road, Abbotsley - 24/00075/FUL**

*(Councillor S Cutter, Abbotsley Parish Council, Councillor S Ferguson, Cambridgeshire County Council, and S Jeffries, applicant, addressed the Committee on the application).*

that the application be refused for the following reasons:

- a) The application site relates to the countryside rather than that of the built-up area of Abbotsley village. As such the application cannot be considered as 'infill development' as Manor Farm is not considered to form part of the built-up area of Abbotsley but rather that of an isolated property. This position remains unaltered from the previous applications and appeals for the site. The proposal is unable to be considered under the limited and specific opportunities provided for by other policies within the local plan as set out in policy LP10 of the local plan, as the proposed dwelling fails to meet the criterion set out in policies LP20, LP 28 and LP 33. The proposal does not accord with policy LP2 and LP10 of Huntingdonshire's Local Plan to 2036. The principle of development is therefore considered to be unacceptable.
- b) The proposed development by virtue of its design and location would appear as an uncharacteristic and alien feature in the countryside. The proposal does not demonstrate that it responds positively to the areas character and identity as open countryside and fails to integrate with the adjoining buildings and landscape. The design of the mobile home fails to relate to the site and is of an inappropriate building type and form and is out of keeping with the prevailing pattern and grain of development along this section of Pitsdean Road. Therefore, fails to accord with policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036 and Section 12 of the National Planning Policy Framework in this regard.
- c) The proposed development fails to respect the character, appearance, and form of the Abbotsley Conservation Area and while the identified harm is considered to be less than substantial there would be no public benefits derived from the provision of mobile home to outweigh this harm. As such, the proposal is considered to be contrary to Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policy LP34 of the adopted Huntingdonshire Local Plan to 2036 and section 16 of the National Planning Policy Framework in this regard.
- d) The application contains insufficient up to date information, such as a Preliminary Ecological Appraisal, to enable the impact of the proposed development on any biodiversity loss to be assessed. Therefore, fails to comply with Policy LP30 of Huntingdonshire Local Plan to 2036 and Paragraph 180 within Section 15 of the NPPF (December 2023).
- e) The application is not accompanied by a Unilateral Undertaking for the provision of wheeled bins and therefore fails to comply with part H of the Developer Contributions Supplementary Planning Document (2011) and Policy LP4 of the Huntingdonshire Local Plan to 2036.

**c) Erection of three houses - Land South of Hill Place, Brington - 23/02123/FUL**

*(Councillor David Fryatt, Brington and Molesworth Parish Council, Councillor J Gray, Ward Member, and A Moffat, agent, addressed the Committee on the application).*

See Minute No 65 for Members' interests.

that the application be refused for the following reasons:

- a) The proposal would significantly harm the character and appearance of the area in conflict with HLP Policies LP2, LP9(c), LP11, LP12 and LP32 through the erosion of the planned orchard land as amenity land for the wider development, and would erode the spatial separation of Hill Place and The Green through infilling adjacent to the rural countryside edge with development, and segregation of part of the orchard land with fencing and artificial ground levels. The proposal is also contrary to the HDC Design Guide 2017 section 1.6 Design Principles, 3.6 Landscape, and 3.7 Building Form, and gives rise to unacceptable overlooking from plot 3 to the rear garden of 16 The Green, contrary to HLP Policy LP14(b). The proposal would therefore have an unacceptable effect on the character of the immediate locality and the settlement as whole, contrary to criterion (c) of Policy LP9 Huntingdonshire Local Plan. Subsequently, the principle of development is not supported.
- b) Due to the topography of the site with levels sloping down to the south, the proposed development would result in significantly harmful overlooking from the front elevation windows of plot 3 causing a loss of privacy to the private garden area of no 16 The Green. The tree planting and 1.8m-high fence proposed to the west of No.16 The Green would not sufficiently mitigate against the harmful overlooking which has been identified. The proposal would therefore be contrary to policy LP14 (b) of Huntingdonshire's Local Plan to 2036 (2019), the guidance of the Huntingdonshire Design Guide Supplementary Planning Document (2017) and the National Planning Policy Framework 2023 particularly paragraph 135(f) and part H1 of the National Design Guide (2019), all which seek a high standard of amenity for existing and future place users.

At 10.20 pm Councillor D Dew left the meeting.

**At 10.20 pm the meeting was adjourned.**

**At 10.25 pm the meeting resumed.**

- d) **Change of use from hardstanding storage area to container storage area - Agricultural Buildings, Depden Lodge Farm, Ermine Street - 23/02284/FUL**

*(Councillor K Pauley, Godmanchester Town Council, and J Kirkpatrick, agent, addressed the Committee on the application).*

See Minute No 65 for Members' interests.

that the application be refused for the following reasons:

- a) The proposed development site lies in the open countryside which would represent an encroachment of built development into the countryside, outside of the built-up area of any settlement. The proposal does not accord with any of the limited or specific opportunities for development in the countryside as set out within the policies of Huntingdonshire's Local Plan to 2036, which restrict development in the countryside to protect the intrinsic character and beauty of the countryside. Furthermore, the proposed development would result in the loss of Grade 2 Agricultural Land for which exceptional circumstances have not been demonstrated. The proposal would therefore be contrary to the requirements of Policies LP2 and LP10 of the Huntingdonshire Local Plan to 2036.

- b) The proposed development is contrary to the Godmanchester Neighbourhood Plan 2017 to 2036, Policy GMC1: The importance of the countryside due to its location and outside of the detailed settlement boundary. The proposal does not seek to preserve and protect the most versatile agricultural land.
- c) The proposed development by virtue of its design, scale and massing would appear as a prominent and alien feature in the countryside, failing to integrate with the surrounding landscape and failing to respect the intrinsic character and beauty of the countryside. The proposal would therefore be contrary to Policies LP10, LP11, LP12 and LP19 of the Huntingdonshire Local Plan.
- d) The proposed development, by virtue of the placement of containers on the root protection zones of the surrounding trees and insufficient information submitted for officers to assess the likely impact on the longevity of the trees, fails to accord with policy LP31 of Huntingdonshire's Local Plan to 2036.

## **68 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