



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, 15TH JULY 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 17th June 2024.

2. MEMBERS' INTERESTS

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

3. APPLICATIONS REQUIRING REFERENCE TO DEVELOPMENT MANAGEMENT COMMITTEE

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

(a) Somersham - 23/02358/FUL (Pages 9 - 38)

Use of Land for Gypsy and Traveller Residential Use creating 7 pitches comprising the siting of 1 mobile home, 1 touring caravan, a Day Room and associated parking and a new Children's Play Area - Legacy Park, Chatteris Road, Somersham.

(b) Abbotsley - 23/00500/FUL (Pages 39 - 70)

Proposed change of use of golf clubhouse and hotel to form 14 dwellings, demolition of later extensions to the heritage assets, greenkeepers store, shop

and office and the erection of 5 dwellings (19 dwellings total) - Abbotsley Golf Club, Drewels Lane, Abbotsley, St Neots, PE19 6XN.

(c) Farcet - 24/00066/S73 (Pages 71 - 92)

Variation of condition 2 (approved plans) and 13 (feedstock limit) of 22/01107/FUL to amend design/layout and increase amount of total feedstock tonnage permitted in 12 month period by 15% - Collmart Growers Ltd, The Drove, Pondersbridge, Huntingdon, PE26 2TP.

(d) Ramsey - 24/00136/FUL and 24/00137/LBC (Pages 93 - 120)

Change of use from a vacant bank/indoor market (Class E) to a hot food takeaway (sui generis); installation of extract and ventilation equipment, with alterations to the interior and exterior of the building - 11a Great Whyte, Ramsey.

(e) Abbotsley - 23/02183/S73 (Pages 121 - 140)

Variation of Conditions 2 (Extension to duration of planning consent) and 5 (Biodiversity Management/Planting) of 1401623FUL - Land South West of Caldecote Manor Farm, St Neots Road, Abbotsley.

(f) Huntingdon - 23/00814/FUL and 23/00815/LBC (Pages 141 - 172)

To divide existing ground floor shop unit in to two smaller shop units fronting the high street, together with an executive car showroom within the existing building to the rear. Provision of 31 short stay hotel rooms to first floor with new windows set into existing side and rear elevations behind street frontage building, together with a first floor infill extension over existing flat roof between existing buildings- 111 High Street, Huntingdon, PE29 3LD.

4. APPEAL DECISIONS (Pages 173 - 174)

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

LATE REPRESENTATIONS

5th day of July 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 Registerable 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, 17th June 2024

PRESENT: Councillor D L Mickelburgh – Chair.

Councillors R J Brereton, E R Butler, J Clarke, S J Corney, K P Gulson, P A Jordan, S R McAdam, J Neish, B M Pitt, T D Sanderson, R A Slade and S Wakeford.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors D B Dew, S Mokbul and C H Tevlin.

5 MINUTES

The Minutes of the meetings of the Committee held on 20th and 22nd May 2024 were approved as correct records and signed by the Chair.

6 MEMBERS' INTERESTS

Councillor R Brereton declared a Non-Registrable Interest in Minute No 8 (a) by virtue of the fact that the application related to the Ward he represented.

Councillor J Clarke declared a Non-Registrable Interest in Minute No 8 (a) by virtue of the fact that the application related to the Ward he represented.

Councillor S Corney declared a Non-Registrable Interest in Minute No 8 (a) by virtue of the fact that the application related to the Ward he represented.

Councillor R Slade declared an Other Registrable Interest in Minute No 8 (b) by virtue of the facts that the application related to the Ward he represented and that he was a Member of St Neots Town Council Planning Committee. Councillor Slade left the meeting and took no part in the debate or voting on the application.

Councillor B Pitt declared an Other Registrable Interest in Minute No 8 (b) by virtue of the facts that the application related to the Ward he represented and that he was a Member of St Neots Town Council Planning Committee. Councillor Pitt left the meeting and took no part in the debate or voting on the application.

7 DEVELOPMENT MANAGEMENT - DEFERRED ITEM - OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED FOR: CONSTRUCTION OF AN ADDITIONAL STOREY, IMPROVEMENTS TO THE FENESTRATION AND INSULATION, THE CREATION OF 3 FURTHER FLATS, BRINGING THE TOTAL TO 5. CONSTRUCTION OF A 2 BEDROOM DWELLING TO THE REAR WITH ACCESS FROM WEST STREET - 37 NEW STREET, ST NEOTS - 23/00727/OUT

Following a request from Officers, it was

RESOLVED

that the application be deferred to enable further work to be undertaken on flood risk.

8 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) **All Reserved matters for the erection of 87 dwellings along with landscape, scale, layout and appearance and all ancillary works pursuant to Outline permission 20/00863/OUT - Land off Tunkers Lane, Bury - 22/01946/REM**

(Councillor J Prestage, Bury Parish Council, L Delegate, agent, and N Hillier, applicant, addressed the Committee on the application).

See Minute No 6 for Members' interests.

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

- b) **Erection of a bespoke-designed wheelchair-friendly bungalow and associated ancillary works - 49 St Neots Road, Eaton Ford, St Neots - 24/00336/FUL**

(S Richardson, agent, addressed the Committee on the application).

See Minute No 6 for Members' interests.

that the application be refused for the following reasons:

- a) It is considered that the proposed development of one dwelling would fail the sequential test for flooding contrary to Policy LP5 of the Huntingdonshire's Local Plan to 2036 (2019), Section 4 of the Cambridgeshire Flood and Water SPD 2017, Paragraphs 165 and 168 of the NPPF 2023 and Policy A3 of the St Neots Neighbourhood Plan to 2029 (2016). The proposed development is therefore unacceptable in principle as it would place people and property at an unwarranted risk of flooding. The principle of the proposed development is therefore unacceptable.
- b) The erection of a dwelling within this small site within the St. Neots Conservation Area would infill a historic landscape and would be an

obvious contrast to historic back of pavement development and would result in loss of views through the site and closing off the historic right of way between the terraces. The proposal would represent overdevelopment of the plot further compromising green space and failing to respect existing views, street patterns and historic building lines. The proposal is thereby contrary to Policies LP34 of Huntingdonshire's Local Plan to 2036 (2019), Policy A3 of the St Neots Neighbourhood Plan to 2029 (2016), the objectives of the NPPF 2023 set out at paragraphs 130 parts a-d, 200 and 202 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- c) The large footprint and siting of the dwelling creates a cramped form of development which will lead to overbearing impacts to the rear gardens of Nos. 1 and 2 Davey Mews and No. 49 St Neots Road contrary to Local Plan Policy LP14 part B Amenity. By virtue of this cramped form of development, it is considered that the proposal would have a significant adverse impact on the amenity standards of Nos 1 and 2 Davey Mews to the rear of the dwelling and Nos. 47a and 48 St Neots Road due to overbearing impacts and so has failed to be designed in a way that does not detrimentally impact neighbour amenity. Overall, it is considered that the proposal fails to demonstrate that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive, high quality and well-designed places that successfully integrate with adjoining buildings, contrary to Local Plan Policies LP11, LP12 and LP14 of Huntingdonshire's Local Plan to 2036 (2019) and paragraph 135 part F of the NPPF 2023.

- c) **Change of use of land adjacent to the property to residential use and retention of existing boundary fence - 29 Acacia Avenue, St Ives - 24/00090/FUL**

(H Ali, applicant, 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.

9 APPEAL DECISIONS

The Committee received and noted a report by the Planning Service Manager (Development Management), which contained details of five 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 15th JULY 2024

Case No: 23/02358/FUL

Proposal: USE OF LAND FOR GYPSY AND TRAVELLER
RESIDENTIAL USE CREATING 7 PITCHES
COMPRISING THE SITING OF 1 MOBILE HOME, 1
TOURING CARAVAN, A DAY ROOM AND
ASSOCIATED PARKING AND A NEW CHILDREN'S
PLAY AREA.

Location: LEGACY PARK, CHATTERIS ROAD, SOMERSHAM

Applicant: MR FREDERICK ADAMS

Grid Ref: 538044 279276

Date of Registration: 6th December 2023

Parish: SOMERSHAM

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) in accordance with the Scheme of Delegation as the Officer recommendation of approval is contrary to that of the Parish Council.

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

- 1.1 The application site is located in the countryside to the north-east of Somersham approximately 2.9km travelling distance from the centre of the village.
- 1.2 The site is primarily in Flood Zone 3a with small sections of Flood Zone 2 and is therefore considered to be at a high risk of flooding from river sources. The SFRA 2017 also shows the north-western corner of the site is also shown as being susceptible to surface water flooding and the western portion of the site at high risk of groundwater flooding.
- 1.3 The site has come forward in 3 elements.
- 1.4 The eastern element of the site benefits from permanent planning permission for 4 pitches.

1.5 The central element of the site now benefits from a 5 year temporary planning permission for 4 pitches, allowed at appeal 30th May 2024.

1.6 This application relates to the western element of the site.

Proposal

1.7 This application seeks approval for change of use of land for gypsy and traveller residential use creating 7 pitches comprising the siting of 1 mobile home, 1 touring caravan, a day room and associated parking and a new children's play area.

1.8 2 of the pitches are not allocated to specific people but would be available for Gypsies and Travellers in need of temporary transit accommodation.

1.9 This application has been accompanied by the following:

- Design and Access Statement
- Additional statement
- Personal Circumstances Statement
- Flood Risk Assessment
- Plans

1.10 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

2. NATIONAL GUIDANCE

2.1 The National Planning Policy Framework (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 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

2.4 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
- LP6: Waste Water Management
- LP8: Key Service Centres
- LP10: The Countryside
- LP11: Design Context
- LP12: Design Implementation
- LP14: Amenity
- LP15: Surface Water
- LP16: Sustainable Travel
- LP17: Parking Provision
- LP27: Gypsies, Travellers and Travelling Showpeople
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows

3.2 Supplementary Planning Documents (SPD) and Guidance:

- Huntingdonshire Design Guide Supplementary Planning Document (2017)
- Developer Contributions SPD (2011)
- Huntingdonshire Landscape and Townscape SPD (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2017)
- Cambridgeshire Flood and Water SPD (2017)
- LDF Developer Contributions SPD (2011)
- Annual Monitoring Review regarding housing land supply (2020)
- Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

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

3.3 The National Design Guide (2021):

- C1 - Understand and relate well to the site, its local and wider context
- I1 - Respond to existing local character and identity
- I2 - Well-designed, high quality and attractive
- B2 - Appropriate building types and forms
- M3 - Well-considered parking, servicing and utilities infrastructure for all users
- N3 - Support rich and varied biodiversity
- H1 - Healthy, comfortable and safe internal and external environment
- H2 - Well-related to external amenity and public spaces
- H3 - Attention to detail: storage, waste, servicing and utilities.

For full details visit the government website

4. PLANNING HISTORY

- 4.1 0801685FUL: Temporary change of use of land from agriculture to caravan/mobile home travellers site (two pitches) including new vehicular access, associated roadway and hardstanding. (Refused)
- 4.2 0803522FUL: Permanent change of use of agricultural land to a travellers site with 6 pitches including new vehicular access roadway and hardstanding (Refused)
- 4.3 0803523FUL: Permanent change of use of agricultural land to a travellers site for 2 pitches including new vehicular access, associated roadway and hardstanding (Refused, Appeal Allowed)
- 4.4 0900550FUL: Permanent change of use of land from agriculture to caravan/mobile home travellers site (6 pitches) including vehicular access roadway and hardstanding (Refused, Appeal Dismissed)
- 4.5 1401501FUL: Change of use of land to provide two additional pitches for gypsy/travellers (Approved)
- 4.6 18/00840/FUL: Change of use of land to provide four additional gypsy/traveller pitches with day rooms and gym room/ store (Refused, Appeal Allowed)
- 4.7 22/02501/FUL: Change of use of agricultural land to caravan holiday park comprising 18 pitches and toilet block (retrospective) (Pending consideration)

5. CONSULTATIONS

- 5.1 Somersham Parish Council – Recommend refusal.
 - Over development of the site
 - There is insufficient infrastructure on the proposed site to support a holiday park for amenities, such as drainage.
 - The Council are concerned approval of this application will increase the negative effects relating to biodiversity including the disturbance of protected species.
 - There is already an established, registered holiday Caravan and Motorhome site within the village.
 - Finally, as per the experience of previous applications for the site, the Council are concerned approval of this application provides little certainty any conditions set will be adhered to.
- 5.2 Cambridgeshire County Council's Highway Authority – No objection subject to conditions regarding access width, access

specification, on-site parking laid out, radius kerbs and access drainage.

I note that the access is in place and has been in place and agreed with the Highway Authority through various applications as a shared use. However, upon visiting the site I note that the access is not constructed to Cambridgeshire County Council's specification.

- 5.3 Huntingdonshire District Council's Environmental Protection Officer – No objection subject to a condition regarding free flow of air.

This application site is within 250m of an Environment Agency landfill buffer so could potentially be exposed to hazards landfill gas. If minded to approve this application, I recommend you either request the applicant carry out a site investigation to quantify and assess the risk of hazardous ground gases or ensure future residents do not block the air gap between the base of the mobile home and the ground floor slab so that there will be a free flow of air beneath. The Day Room will also need adequate ventilation beneath the floor slab.

6. REPRESENTATIONS

- 6.1 1 letter of support from a neighbouring property.

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 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 (relevant to this applications) 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 in the determination of this application are:
- The Principle of Development (Including Impact upon the Character and Appearance of the Area, Amenity, Flood Risk and Highway Safety, Access, and Parking Provision)
 - Biodiversity
 - Developer Contributions
 - Other matters

The Principle of Development (Including Impact upon the Character and Appearance of the Area, Amenity, Flood Risk and Highway Safety, Access, and Parking Provision)

- 7.6 The application site is located in the countryside and therefore must be assessed against Policy LP10 of the Local Plan which states that “Development in the countryside will be restricted to the limited and specific opportunities as provided for in other policies of this plan and that all development in the countryside must:
- a. seek to use land of lower agricultural value in preference to land of higher agricultural value:
 - i. avoiding the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) where possible, and
 - ii. avoiding Grade 1 agricultural land unless there are exceptional circumstances where the benefits of the proposal significantly outweigh the loss of land;
 - b. recognise the intrinsic character and beauty of the countryside; and
 - c. not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others.”
- 7.7 With regard to part a, the proposal would result in the loss of approximately 0.3ha of Grade 2 Agricultural Land. This loss would conflict with Policy LP10 to a degree. However, 0.3ha loss would not be significant in terms of the availability of best and most versatile land across the District and would not have a detrimental impact upon current food or crop production.
- 7.8 In terms of parts b and c, these matters are assessed in detail further below in ‘Principle of Development’ section of report against Policy LP27. Overall, subject to conditions, the proposal is considered to recognise the intrinsic character and beauty of the countryside and would not give rise to noise, odour, obtrusive light

or other impacts that would adversely affect the use and enjoyment of the countryside by others.

Gypsy and Traveller Status

- 7.9 A primary consideration is whether planning policies relating to gypsies and travellers are relevant in the consideration of this application.
- 7.10 The national Planning Policy for Traveller Sites (PPTS) document was updated December 2023 with an amended definition of Gypsies and Travellers in paragraph 1 within Annex 1:
1. *For the purposes of this planning policy “gypsies and travellers” means: Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*
- 7.11 Paragraph 2 within Annex 2 goes on to state:
2. *In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:*
 - a) *whether they previously led a nomadic habit of life*
 - b) *the reasons for ceasing their nomadic habit of life*
 - c) *whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.*
- 7.12 The accompanying Personal Circumstance & Gypsy Status Statement submitted with the application describes the background of the families which make up the applicant group. The information includes details of their nomadic lifestyle, and it is noted that each pitch includes space for a touring caravan which meets with the stated intention to continue to travel in the future. The Personal Circumstance & Gypsy Status Statement also sets out the need, across all of the families that form the applicant group, for children to be in education, and the need regularly access to healthcare services and to ensure a family support network is available.
- 7.13 The test of the evidence is the balance of probabilities: that is, whether something is more likely than not. Having regard to the submitted Personal Circumstance & Gypsy Status Statement, it considered that the families who will be occupying the pitches fulfil the definition of gypsies and travellers.

- 7.14 When assessing the location of the site against the built-up areas definition and the tables on pages 53 to 55 of the Local Plan to 2036, the site lies outside the built-up area of Somersham, which is a Key Service Centre, the site is therefore considered to be within the countryside.
- 7.15 Local Plan policy LP27 relates to Gypsies, Travellers and Travelling Showpeople and its purpose, as stated in paragraph 7.33 of the Local Plan, is to enable the appropriate provision of sites to meet the specific needs of such groups. It states that new traveller sites outside of the built-up area will be supported in sustainable locations where they respect the scale of the nearest settled community and will be very strictly limited in open countryside that is away from existing settlements.
- 7.16 The Council will therefore support a proposal which contributes to the delivery of Gypsy and Traveller pitches where it satisfies each of criteria a) to j) of the policy.

Need for Gypsy and Traveller sites

- 7.17 The local Plan to 2036 does not specifically allocate any sites for gypsies, travellers or showpeople.
- 7.18 As stated above, the site is not located within the built-up area of Somersham, and therefore in planning policy terms it is in the open countryside where planning policies for the countryside apply. The Planning Policy for Traveller Sites (PPTS) published in August 2015 is not opposed in principle to traveller sites being located in the countryside, so long as they are not within Green Belt land. Huntingdonshire does not have any areas of Green Belt. Stipulations in the PPTS include: -
* Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan; -
* Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing undue pressure on the local infrastructure’.
- 7.19 Paragraph 4 of the NPPF (2021) states that it should be read in conjunction with the Government’s Planning Policy for Traveller Sites and that decisions on traveller sites should also have regard to the Framework so far as relevant. The Planning Policy for Traveller Sites (PPTS) sets out the Government’s overarching aim to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community. The PPTS includes policies on plan-making and on decision-taking. Paragraph 23 of the PPTS states that local planning authorities should determine applications in accordance with the presumption

in favour of sustainable development and the policies in the NPPF and PPTS.

- 7.20 Paragraph 24 of the PPTS states that when considering planning applications local planning authorities (LPAs) should consider the following:
- a) The existing level of local provision and need for sites,
 - b) The availability (or lack) of alternative accommodation for the applicants,
 - c) Other personal circumstances of the applicant,
 - d) The locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites, and
 - e) That LPAs should determine applications for sites from any travellers and not just those with local connections.
- 7.21 Paragraph 26 of the PPTS requires weight to be attached to factors such as:
- a) Effective reuse of brownfield land, untidy or derelict land;
 - b) Sites which positively enhance the environment for example by soft planting;
 - c) Promoting opportunities for healthy lifestyles, such as provision of adequate landscaping and play areas for children
 - d) Not over enclosing or isolating a site with hard landscaping, walls and fences.
- 7.22 The criteria and means by which new traveller development is to be controlled is set out in further policies within the PPTS and in local policies which closely reflect the NPPF policies, and these are considered below.
- 7.23 Under the PPTS Policy B, planning authorities should, amongst other things, set pitch targets for gypsies and travellers which address likely needs in their area, working collaboratively with neighbouring local planning authorities. In producing their local plans, planning authorities should, amongst other things:
- a) identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets;
 - b) identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15:
 - c) consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites;
 - d) relate the number of pitches to the circumstances of the specific size or location of the site and the surrounding population's size and density;
 - e) protect local amenity and environment.

- 7.24 Paragraph 11 of The PPTS (2015) sets out that criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community.
- 7.25 Paragraph 13 of the PPTS (2015) requires LPAs to ensure that traveller sites are sustainable economically, socially and environmentally and includes the criteria that should be used in the setting of LPA policies.
- 7.26 Policy H, paragraph 22 of the PPTS (2015) notes that planning law requires applications for planning permission to be determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise.
- 7.27 In line with PPTS Paragraph 24, following factors are considered:
- PPTS Paragraph 24 (a) The existing level of provision and need for traveller pitches:*
- 7.28 For the purposes of plan preparation, paragraph 9 of PPTS advises local planning authorities that they should set pitch targets which address the likely permanent and transit site accommodation needs of Travellers in their area, working collaboratively with neighbouring local planning authorities. Policy H, para 27 of the PPTS, states that the absence of a 5-year supply of deliverable sites should be a significant material consideration in any subsequent planning application when considering applications for the grant of temporary planning permission.
- 7.29 Policy LP27 of the Huntingdonshire Local Plan to 2036 refers to The Cambridgeshire, Kings Lynn & West Norfolk, Peterborough and West Suffolk Gypsy and Traveller Accommodation Assessment 2016 (GTAA 2016), which identified a need within Huntingdonshire for an additional 9 permanent residential Gypsy and Traveller pitches between 2016 and 2036, of which 5 were needed between 2016 and 2021.
- 7.30 An updated GTAA is currently underway and will be published shortly to inform the Local Plan Review.
- 7.31 It is acknowledged in that the 2016 GTAA is a dated source of evidence and the numbers in it should not be treated in any way as a ceiling. Therefore, in the absence of an updated GTAA proposals for new pitches should be made in the context of the existing data available and based on policy LP27. Until the updated GTAA is produced, the Council is unable to provide any evidence on the extent of the shortfall, whilst noting that it is likely

that there will be additional need for those who were excluded from the GTAA process based on the previous PPTS definition.

PPTS Paragraph 24 (b) the availability (or lack) of alternative accommodation for the applicants:

- 7.32 Based on the status of the GTAA 2016 and absence of allocated sites for Gypsies and Travellers within the Local Plan together with the amount of retrospective planning applications granted permission and pending consideration since the publication of the GTAA 2016, it is considered that there is a shortage of Gypsy and Traveller sites in Huntingdonshire, and therefore there is still an unmet need within the District. In this instance the accompanying Personal Circumstance & Gypsy Status document describes why the occupiers of the pitches have, prior to settling on the site, struggled to find a suitable permanent base and have largely led a roadside existence, and in some cases have previously on a temporary basis stayed at Legacy Park.
- 7.33 It is therefore considered that there is a lack of alternative accommodation for the applicants.

PPTS Paragraph 24 (c) other personal circumstances of the applicant:

- 7.34 The accompanying Personal Circumstance & Gypsy Status Statement submitted with the application describes the personal circumstances of the occupiers. This includes one couple who are expecting a child, a man with a visiting child who also provides care for elderly relatives who occupy the central element of the site, a family with 3 young children and another family with 1 young adult and 1 child. It clearly sets out the need for children having a base for education etc and how the occupiers provide a support network for each other.
- 7.35 Article 1 of the First Protocol sets out that a person is entitled to the peaceful enjoyment of his possessions and that no one shall be deprived of his possessions except in the public interest. Article 8 of the Human Rights Act states that everyone has the right to respect for his private and family life and his home. Refusing would represent an interference with the home and family life of the proposed occupiers, such that both Articles would be engaged. There is also a positive obligation imposed by Article 8 to facilitate the gypsy way of life.
- 7.36 The future occupants of the proposed pitches are an ethnic minority, and thus have the protected characteristic of race under s149(7) of the Equality Act 2010. The proposal would meet the needs of those persons with a relevant protected characteristic, by reason of race, and so, as required by section 149(1) of the Equality Act 2010, the public sector equality duty is applicable.

PPTS Paragraph 24 (d) that the locally specific criteria used to guide the allocation of sites in plans, or which form the policy where there is no identified need for pitches, should be used to assess applications that may come forward on unallocated sites:

- 7.37 The criteria within policy LP27 is therefore relevant and is discussed within material considerations below.

PPTS Paragraph 24 (e) that they should determine applications for sites from any travellers and not just those with local connections:

- 7.38 In this instance, these are applicants who originate from the region and also applicants who have continuously travelled across the country before becoming aware of the site. The applicants appear to fulfil the definition of Gypsy and Travellers. Policy LP27 of Huntingdonshire's Local Plan to 2036 is therefore relevant and the application will be assessed with regard to any travellers not just those with local connections.

Sustainability in terms of Policy LP27 of Huntingdonshire's Local Plan to 2036

- 7.39 Policy LP27 of the Local Plan to 2036 sets out a range of criteria to be satisfied. These are set out below, and the scheme is subsequently assessed against the provisions of each of these criteria:

LP27.a) The location is within 1.5 miles of a primary school and 2 miles of a GP surgery:

- 7.40 The site is approximately 1.35 miles from Somersham Primary School geographically with 2 miles travelling distance. The site is approximately 1.5 miles from Parkhall GP Surgery geographically with 1.8 miles travelling distance. Paragraph 7.39 of the Local Plan notes that the distances should be considered a guide rather than a fixed limit and that account will also be taken of qualitative aspects, and in particular the nature of the route to the nearest primary school, including the presence or lack of pavements and/or cycle paths.
- 7.41 The route from the site to Somersham is unlit and without pavements and cycle paths with a road speed limit of 60mph heading towards Somersham. The route is not suitable for children to travel to school by walking or cycling. Given that it is not a significant travelling distance, adults may take up the option to cycle to the village. Paragraph 25 of the PPTS states that Local Planning Authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan.

- 7.42 Although part of the open countryside, it is considered that the site is reasonably close to Somersham and should not be considered as away from it. The distances to the nearest Primary School and GP Surgery are acceptable and the necessary car journeys would be short in distance such that the harm which would arise from a reliance on motor vehicles would not be significant.
- 7.43 Overall, it is recognised that there is some conflict with part a of Policy LP27 given the poor quality of the route for pedestrians to access the village of Somersham. However, it is considered the location of the proposed development is broadly in accordance with the aims of the PPTS, and there would not be a significant level of harm associated with the required car journeys in this instance.

LP27.b) The character and appearance of the wider landscape would not be significantly harmed:

- 7.44 The site extends an existing gypsy and traveller site, as part of the previous approvals for those pitches landscaping has been agreed and planted to enclose the site along its boundaries. This landscaping has become established and now provides an effective screen, preventing views into both the existing and proposed site from Chatteris Road.
- 7.45 The Huntingdonshire Landscape and Townscape Supplementary Planning Document 2022 (HLTSPD) places the appeal site within the Fen Margin Character Area, with the key characteristics of the area being generally well vegetated with deciduous woodland, hedgerow trees and orchards with a matrix of land uses.
- 7.46 The HLTSPD sets out the Fen Margin is strongly influenced by the adjoining areas but also has a distinct character of its own comprising a mosaic of landscape types united by their flat topography, vegetation (particularly woodlands and treed hedgerows) and extensive skiescapes. The small size of the fields along with the hedges, trees and woodlands create a sense of enclosure to the landscape although this is partially offset by the expansive views of the sky. The HLTSPD states that development proposals should maintain existing hedgerow trees and woodlands and create soft edges to built developments which have a visual relationship with surrounding landscapes.
- 7.47 Any effect on the character and appearance of the countryside must be considered having regard to the existing lawful development on the adjoining site. The existing site has, given the period of time that it has been occupied as a Gypsy and Traveller pitch, assimilated into the wider landscape and is not unduly prominent within it. The landscaping that has been put in place has matured and now forms part of the rural character of the area.

- 7.48 The existing landscaping comprises a mix of native deciduous and non-native evergreen species and from within the site the native deciduous trees and hedging create a pleasant back drop to the development and soften the appearance of the site as a whole. This accords with Paragraph 26 of the PPTS which requires sites to be well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness, and to promote opportunities for healthy lifestyles such as ensuring adequate landscaping.
- 7.49 Furthermore, as set out within the HLTSPD, trees and hedgerows are characteristic of this part of the Fen Margin and when viewed along Chatteris Road, the landscaping on the boundary of the appeal site is viewed in the context of similar landscaped boundaries around neighbouring properties and is not an uncommon feature in the wider landscape.
- 7.50 Whilst the proposed development would result in the expansion of the site and an introduction of a further pitches, it would not expand beyond the natural boundaries which have been established as part of the adjoining development and would be served by the existing access. Views into the site would be minimised, to ensure that any cumulative visual impact would be compatible with the rural character and appearance of the area. Accordingly, the introduction of the proposal into the site would not harm and would respect and conserve the character of this part of the countryside. The proposal would therefore be in accordance with policies LP10, LP11, LP12 and LP27.b) of the Local Plan.

LP27.c) The location and scale of sites does not dominate the nearest settled community, when the proposal is considered collectively with other nearby traveller sites

- 7.51 LP27, criterion c) is based on the national Planning Policy for Traveller Sites (2015) paragraphs 14 and 25. Paragraph 25 states that: "Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure." No definition is provided of what should be considered the 'nearest settled community'.
- 7.52 There is a residential dwelling to the south known as The Paddocks and a residential dwelling associated with Holwood Nursery to the north beyond the adjacent paddocks. It is not considered that these properties constitute a settled community in terms of the meaning of the PPTS and Local Plan. Approval of this application would increase the number of approved Gypsy and Traveller pitches at Legacy Park from 4 to 8 which accords with paragraph 7.41 of the Local Plan which states, "It is anticipated that new Gypsy and Traveller sites will be in the form of small family sized sites of up to four pitches although some larger sites that already exist, or new sites of up to eight pitches, may be

appropriate depending upon local circumstances.” Overall, it is considered that the proposal is acceptable against this criterion.

LP27.d) The proposed boundary treatment provides a good balance between minimising the development’s impact on surrounding countryside and its integration into the local community

- 7.53 The PPTS at paragraph 26 sets out that sites should not be enclosed with so much hard landscaping, high walls or fences that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.
- 7.54 As part of the previous approvals for the wider site, landscaping has been agreed and planted to enclose the site along its boundaries. This landscaping has become established and now provides an effective screen, preventing views into both the existing and proposed site from Chatteris Road.
- 7.55 The site is therefore not enclosed with hard landscaping, walls or fences which the PPTS consider gives the impression of isolation.
- 7.56 There is clearly a balance to be struck between providing a level of privacy and security for the appeal site and to ensure that the site is integrated into the local community. In this instance the site is located along Chatteris Road, which comprises a number of individual properties and commercial uses and these all have a degree of screening, predominately in the form of landscaped boundaries.
- 7.57 Social cohesion is found through the linkages established between those occupying the site and the community provided within the nearest settlements of Somersham and Chatteris. Furthermore, the site itself also provides for social cohesion between the neighbouring pitches and those on the appeal site, with clear links and support provided by family members living across both sites. These linkages are just as important to prevent social isolation for the intended occupiers.
- 7.58 In conclusion, the existing boundary treatment provides a good balance between minimising the impact on the countryside and integration into the local community, in accordance with policy LP27b of the Local Plan and utilises soft landscaping to enhance the environment in accordance with paragraph 26 of the PPTS. This is in line with the recent appeal decision for the central element of the site.

LP27.e) There will not be a significant adverse effect on the amenity of nearby residents or the effective operation of adjoining uses

- 7.59 Vehicular access is proposed via the existing access for the pitches to the east. This access is approximately 50 metres away from the nearest residential property (outside Legacy Park) and it leads to a driveway within the site which would be low speed and is also well separated from the neighbouring property. In addition, the main body of the site is around 70 metres from the main used areas of the neighbouring property.
- 7.60 In terms of the impact of the development on existing occupiers of Legacy Park it is considered that the proposed site plan is suitable to accommodate further pitches and associated vehicle movements and parking while preventing any undue residential amenity impacts. As discussed above, conditions could be imposed as standard for this type of development to restrict the number of caravans on the site and to prevent commercial activities and commercial vehicles over 3.5 tonnes.
- 7.61 The impact of the development on the adjacent Dressage Centre is also discussed above and it is considered that the domestic activity associated with proposed development would not generate noise and disturbance to a degree which would have a significant detrimental impact on the operation of the Dressage Centre nor introduce activities likely to create unexpected events which cause alarm to horses and their handlers noting the scale and siting of the proposed pitches, and the environment nearby to the site including traffic noise on Chatteris Road, 4 existing and approved Gypsy and Traveller Pitches, and activities associated with Holwood Nursery. Overall, it is considered that the proposal accords with this criterion.

LP27.f) The site provides a high level of residential amenity for the proposed residents, for example in relation to protection from noise and provision of play facilities

- 7.62 The Council's Environmental Health Team were consulted on the application and provided no comments. The proposed block plan shows an acceptable amount of recreational space in addition to a gym/store. Given the location and proposed layout of the site, it is considered that the proposal would result in a high standard of residential amenity for future occupiers and is acceptable against this criterion.

LP27.g) The health and safety of occupants is not put at risk, including through unsafe access to sites, poor air quality, contamination or unacceptable flood risk

- 7.63 In terms of Highway safety, Cambridgeshire County Council Highways have stated the access is in place and has been agreed with the highway authority through various applications. However, upon visiting the site it was noted that the access is not constructed to Cambridgeshire County Councils specification. Conditions are therefore recommended to upgrade the access

construction to the required standards. Having regard to the consultee comments and subject to conditions, it is considered that the site can be safely accessed in accordance with Policy LP17 of the Local Plan.

- 7.64 The great channel of the Ouse Washes is approximately 3.25km from the appeal site and together with the Ouse Washes Barrier banks, the Ouse Washes protect the area from fluvial flooding from the Delph and New Bedford rivers. The Delph and New Bedford Rivers are artificial channels into which water from the Great Ouse is channelled at Earith. The site is protected from these potential sources of flooding because, if the river banks are at risk of being over topped, the Environment Agency opens the Earith Sluices to allow water into the Ouse Washes from the Great Ouse.
- 7.65 Sited within the Middle Level of the Fens, the site lies within Flood Zone 3a but the Environment Agency have confirmed that it is located outside of the extent of the Fenland Breach mapping and is therefore not considered to be at a risk of flooding in the event of a breach of the Ouse Washes flood defences. The main source of flood risk at this site is associated with watercourses under the jurisdiction of the Warboys, Somersham and Pidley Internal Drainage Board (IDB).
- 7.66 The Middle Level Commissioners, on behalf of the IDB, have set out in a consultation response on the central element (18/00840/FUL) of the site that there are a range of defences to minimise the risks of flooding and that these have been designed to give adequate protection between the 1 in 60 and 1 in 100 years events, inclusive of climate change.
- 7.67 However, the proposal would increase the number of caravans on the site and involve the erection of associated dayrooms, as such the proposed intensification of the number of residential caravans on the site would increase the number of households to be affected by any future flooding.
- 7.68 Local Plan Policy LP5 states a proposal will only be supported where all forms of flood risk, including breaches of flood defences or other defence failures have been addressed and with reference to the Cambridgeshire Flood and Water Supplementary Planning Document (SPD). This includes that the sequential approach and sequential test are applied and passed and if necessary the exception test is applied and passed. The majority of the site has been identified as being within Flood Zone 3a.
- 7.69 Whilst the applicants Flood Risk Assessment makes reference to the site being within Flood Zone 1 within the 2010 Strategic Flood Risk Assessment (SFRA), Officers are relying on the 2017 SFRA as its evidence base, rather than the 2010 SFRA which took into

account existing defences and concluded that the site was therefore in Flood Zone 1.

7.70 PPG Paragraph: 024 Reference ID: 7-024-20220825 Revision date: 25 08 2022:

“How can the Sequential Test be applied to the location of development?”

The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites:

- Within medium risk areas; and*
- Then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.*

Initially, the presence of existing flood risk management infrastructure should be ignored, as the long-term funding, maintenance and renewal of this infrastructure is uncertain. Climate change will also impact upon the level of protection infrastructure will offer throughout the lifetime of development. The Sequential Test should then consider the spatial variation of risk within medium and then high flood risk areas to identify the lowest risk sites in these areas, ignoring the presence of flood risk management infrastructure.

It may then be appropriate to consider the role of flood risk management infrastructure in the variation of risk within high and medium flood risk areas. In doing so, information such as flood depth, velocity, hazard and speed-of-onset in the event of flood risk management infrastructure exceedance and/or failure, should be considered as appropriate. Information on the probability of flood defence failure is unsuitable for planning purposes given the substantial uncertainties involved in such long-term predictions.”

7.71 The 2017 SFRA follows the recommended approach in the Planning Practice Guidance (PPG) in relation to existing defences and is the most up to date in relation to flood risk.

7.72 The Framework and the PPG indicate that residential development should be directed to areas of lowest flood risk. Paragraph 168 of the Framework states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding and this is on the basis of a sequential, risk based approach to the location of development.

7.73 Paragraph 173 of the Framework sets out that when determining any planning application, development should only be approved in

areas at risk of flooding where it can be demonstrated that the most vulnerable development is located in areas of lowest flood risk. In addition, the PPG requires the appellant to carry out a sequential test first, which steers new development to areas with the lowest risk of flooding from any source.

- 7.74 Given its location in Flood Zone 3a, irrespective of whether the Environment Agency or IDB consider the site to be at a low risk of flooding, it is necessary to carry out a sequential test, as set out in the LP policy, SPD and PPG. In particular the PPG confirms that the presence of existing flood risk management infrastructure should be ignored, as long term funding, maintenance and renewal of this infrastructure is uncertain. Climate change could also impact on the level of protection infrastructure will offer throughout the lifetime of the development.
- 7.75 The SPD sets out how a sequential test should be undertaken, including agreeing the geographical search for the sequential test, which is generally the entire Local Planning Authority area. There is no evidence that an Authority wide search for sites has been undertaken with the applicant's FRA merely concluding that the sequential test is met as the site is located in a defended Flood Zone 3. Furthermore, the FRA does not set out any other sites that have been considered and ruled out or whether there is any spatial variation of flood risk between other sites.
- 7.76 The applicant sets out a section on a sequential test in the FRA, however this is evidence on the lack of allocated sites for Gypsies and Travellers and the failure of the Council to have an up to date needs assessment. These are matters which fall to be considered later in the planning balance, but do not negate the need for a sequential test to be carried out in accordance with the LP policy and SPD.
- 7.77 Therefore, it has not been demonstrated that the sequential test has been passed as it has not been shown that sites at a lower risk of flooding are not reasonably available and the necessary steps of the sequential test have simply not been carried out or evidenced appropriately.
- 7.78 As defined within the PPG the use of a site for caravans, mobile homes and park homes intended for permanent residential use are classified as highly vulnerable. Therefore, the Framework does not require the Exception Test to be applied to sites within Flood Zone 3a.
- 7.79 However, if it were to apply it should be demonstrated that the development would provide wider sustainability benefits to the community that outweigh the flood risk, and that it will be safe for the lifetime of the development. Both elements of the test will have to be passed for development to be permitted.

- 7.80 Paragraph 13 of the Planning Policy for Traveller Sites (PPTS) sets out that traveller sites should be sustainable economically, socially and environmentally and should not locate sites in areas of high risk of flooding, given the particular vulnerability of caravans. However, with regard to wider sustainability benefits, the proposal would provide limited economic and social benefits for the wider community through the spending of future occupiers in the local economy. In terms of environmental benefits, the proposal would provide a settled base that reduces the need for long distance travelling and possible environmental damage caused by unauthorised encampment. However noting the scale of the proposal, the weight to be afforded is modest. The potential wider sustainability benefits to the community should carry no more than modest weight, and would not outweigh the significant risk to occupants of the site resulting from its location in a flood zone with a high probability of flooding.
- 7.81 The second limb of the exception test requires that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere. The evidence provided sets out the investments that have been made on flood defences within the locality and how this will ensure that the development will be safe for its lifetime. Also, that due to the drainage of the site it will not increase flood risk elsewhere.
- 7.82 The PPG sets out that proposals that are likely to increase the number of people living in an area of flood risk require careful consideration, as they could increase the scale of any evacuation required and that even low levels of flooding can pose a risk to people in situ because of, for example, the presence of unseen hazards and contaminants in floodwater, or the risk that people remaining may require medical attention.
- 7.83 It also sets out that access routes should allow occupants to safely access and exit their dwellings in flood conditions and that vehicular access to allow the emergency services to safely reach the development will all be required. Wherever possible, safe access routes should be provided that are located above design flood levels and which avoid flow paths.
- 7.84 However, the access to the site is also within Flood Zone 3 and therefore would be impassable during a flood event, whilst the access to the site has already been established and therefore previously deemed suitable for the development, this was based on four households and not for the increased occupation associated with the proposed development.
- 7.85 It has not therefore been demonstrated that the development would be safe throughout its lifetime and it is concluded that this element of the exception test has not been satisfied.

- 7.86 It is considered that the development significantly harms the living conditions of future occupiers due to the risk of flooding and so undermines wider consideration of public safety contrary to the relevant requirements of policy LP5 of the Local Plan, and the guidance within the SPD. Subsequently, the proposal conflicts with Policy LP27.g) of the Local Plan as the health and safety of occupants is put at risk through unacceptable flood risk.

LP27.h) There is adequate space for operational needs, including the parking and turning of vehicles

- 7.87 It is considered that the proposed plans demonstrate there is adequate space for vehicles to park, and enter and leave the site in a forward gear and therefore the proposal is acceptable against this criterion.

LP27.i) There are appropriate management arrangements in place, where the site may have multiple owners or tenants or be used for transit purposes

- 7.88 It is understood that the site would continue to be owned by the applicant and that the proposed occupiers are relatives. Therefore, given the scale of the proposal, it is considered that the site would be appropriately managed by the applicant. The shared facilities requiring management are the access drive and the sewage treatment plant and this can be secured by condition. In regard to the 2 proposed transient pitches, conditions are recommended to ensure this is managed.

LP27.j) The site can be safely and adequately serviced by infrastructure

- 7.89 The site can be safely and adequately serviced by infrastructure – The applicant has not submitted information in this regard. However, it is noted from the Officer report for the approved application 1401501FUL that apart from gas and foul drainage, main services are available to Legacy Park. It is considered that the site can be appropriately serviced by infrastructure and therefore the proposal is acceptable against this criterion.

Biodiversity

- 7.90 Policy LP30 of the Local Plan states that a proposal will be required to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated. A proposal that is likely to have an impact, either direct or indirect, on biodiversity or geodiversity will need to be accompanied by an appropriate appraisal, such as a Preliminary Ecological Appraisal, identifying all individual and cumulative potential impacts on biodiversity and geodiversity. A proposal will ensure no net loss in biodiversity and provide a net gain where possible, through the planned retention, enhancement and creation of habitats and

wildlife features, appropriate to the scale, type, and location of development.

7.91 The application is not accompanied by an ecological assessment. It is considered that there would be some degree of loss in biodiversity given the proposal would replace part of a grassed paddock with hardstanding, caravans and dayrooms. However, it is considered that the level of biodiversity loss in this instance would be relatively minor, and it is noted that although separate to this application, extensive planting around the paddock and Traveller sites carried out by the applicant would have contributed positively to biodiversity. In this case it is considered that the low level of biodiversity loss could be satisfactorily mitigated by ecological enhancements which could be secured by condition.

7.92 Therefore, subject to a condition for ecological enhancements, it is considered that in this case the proposal would not lead to a net loss in biodiversity in accordance with Policy LP30 of the Local Plan.

Developer Contributions

Bins

7.93 Part H of the Developer Contributions SPD (2011) requires a payment towards refuse bins for new residential development. However, the agent has confirmed that the site has a private waste collection which serves the site. This will be controlled through the site development scheme condition.

Other Matters

Intentional unauthorised development

7.94 The establishment of additional pitches on the site, without planning permission amounts to intentional unauthorised development, as such the 2015 ministerial statement is relevant. By way of mitigation, the appellant's relatives have had limited options in respect of accommodation and the appellant has sought to regularise the situation through a planning application. Nonetheless, the works undertaken have gone beyond what is necessary to establish a temporary home pending the outcome of the application.

Conclusion

7.95 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.96 Officers must therefore weigh up the material considerations.

- 7.97 It is considered that the applicants meet the 2023 PPTS definition of Gypsies and Travellers.
- 7.98 Article 1 of the First Protocol sets out that a person is entitled to the peaceful enjoyment of his possessions and that no one shall be deprived of his possessions except in the public interest. Article 8 of the Human Rights Act states that everyone has the right to respect for his private and family life and his home. Refusing the application would represent an interference with the home and family life of the proposed occupiers, such that both Articles would be engaged. There is also a positive obligation imposed by Article 8 to facilitate the gypsy way of life.
- 7.99 The future occupants of the proposed pitches are an ethnic minority, and thus have the protected characteristic of race under s149(7) of the Equality Act 2010. The proposal would meet the needs of those persons with a relevant protected characteristic, by reason of race, and so, as required by section 149(1) of the Equality Act 2010, the public sector equality duty is applicable.
- 7.100 Until the updated GTAA is produced, the Council is unable to provide any evidence on the extent of the unmet need, whilst noting that it is likely that there will be additional need for those who were excluded from the GTAA process based on the previous PPTS definition. It is also considered there is a lack of alternative sites for the applicants. Significant weight is therefore afforded to this consideration.
- 7.101 Significant weight is also afforded to the personal circumstances, which includes children, of the applicants.
- 7.102 The provision of 2 transient pitches would also contribute towards the unmet need and would help mitigate against potential illegal encampments. Moderate weight is afforded to this.
- 7.103 The provision of a children's play area (which will be secured through a condition) is a benefit of the scheme and therefore afforded modest weight.
- 7.104 The establishment of additional pitches on the site, without planning permission amounts to intentional unauthorised development. This adds modest additional weight as a material consideration against the proposal.
- 7.105 Considerable weight is afforded to the risk to the intended occupiers from flooding as described. In the overall planning balance, the benefits of the proposal, including that the development would provide a settled base for four households, are not sufficient in this case to outweigh the harm arising from the risks from flooding.

- 7.106 It must therefore be considered whether a temporary planning permission may be acceptable. This must take in to account the limited duration of any permission and any reasonable expectation of a change in planning circumstances by the end of that period.
- 7.107 As outlined, there will be difficulty with finding alternative authorised accommodation and there will be significant benefits for the intended occupiers to have a safe place to reside given that there are children on the site.
- 7.108 The Inspector concluded on the central part of the site that:

“71. Whilst the risks arising from flooding would remain, in this case the Environment Agency have confirmed that the risk is low. In granting a temporary permission any risk would be incurred for a strictly limited period of time and allow for further consideration of a sequential test to determine if the site is suitable for permanent occupation.

72. Furthermore, the Council is in the process of updating its GTAA in order to inform a new Local Plan, which will identify future sites and the council have advised that this could be adopted in 2027. They have set out that preferred options for sites are likely to be identified by 2025 and that there is a reasonable prospect of identifying sites at a lower risk of flooding. Therefore, there is a possibility of legitimate alternative sites becoming available through that process, from around the time of its adoption.

73. A temporary permission would allow time for the appellant’s and the Council to work together to find a long term solution, and on this basis I consider that a five year temporary permission would be reasonable in this instance and based on the facts of the case before me.”

- 7.109 Whilst the personal circumstances of the occupiers may differ, the weight afforded to them is significant. It would therefore be unreasonable for Officers to come to a different conclusion that a temporary permission for a period of five years is acceptable.
- 7.110 Therefore, the material considerations would clearly outweigh the temporary harm arising from a limited period of occupation in order to justify the grant of a temporary permission personal to the intended occupiers. A temporary permission would be a proportionate response that balances the qualified Article 8 Human Rights of the intended occupiers for respect of private and family life, and also a home with the material considerations outlined in this report.

8. RECOMMENDATION - APPROVAL subject to the following conditions:

- Temporary personal permission and occupancy
- Cease of occupation
- Approved plans
- Maximum number of pitches/caravans
- Site development scheme
- Transient pitches management
- No commercial activities
- Access works
- Childrens play area

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:

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

From: [DevelopmentControl](#)
To: [DevelopmentControl](#)
Subject: Comments for Planning Application 23/02358/FUL
Date: 13 February 2024 12:16:45

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 13/02/2024 12:16 PM from [REDACTED]

Application Summary

Address:	Legacy Park Chatteris Road Somersham
Proposal:	Use of Land for Gypsy and Traveller Residential Use creating 7 pitches comprising the siting of 1 mobile home, 1 touring caravan, a Day Room and associated parking and a new Children's Play Area.
Case Officer:	Lewis Tomlinson

[Click for further information](#)

Customer Details

Name:	[REDACTED]
Email:	[REDACTED]
Address:	[REDACTED]

Comments Details

Commenter Type:	Town or Parish Council
Stance:	Customer objects to the Planning Application

Reasons for comment:

Comments: Further to the meeting held on the 12th February 2024, councillors recommend refusal of this application on the following grounds;

- * Over development of the site
- * There is insufficient infrastructure on the proposed site to support a holiday park for amenities, such as drainage.
- * The council are concerned approval of this application will increase the negative effects relating to biodiversity including the disturbance of protected species.
- * There is already an established, registered holiday Caravan and Motorhome site within the village.

Finally, as per the experience of previous applications for the site, the council are concerned approval of this application provides little certainty any conditions set will be adhered to.

Kind regards

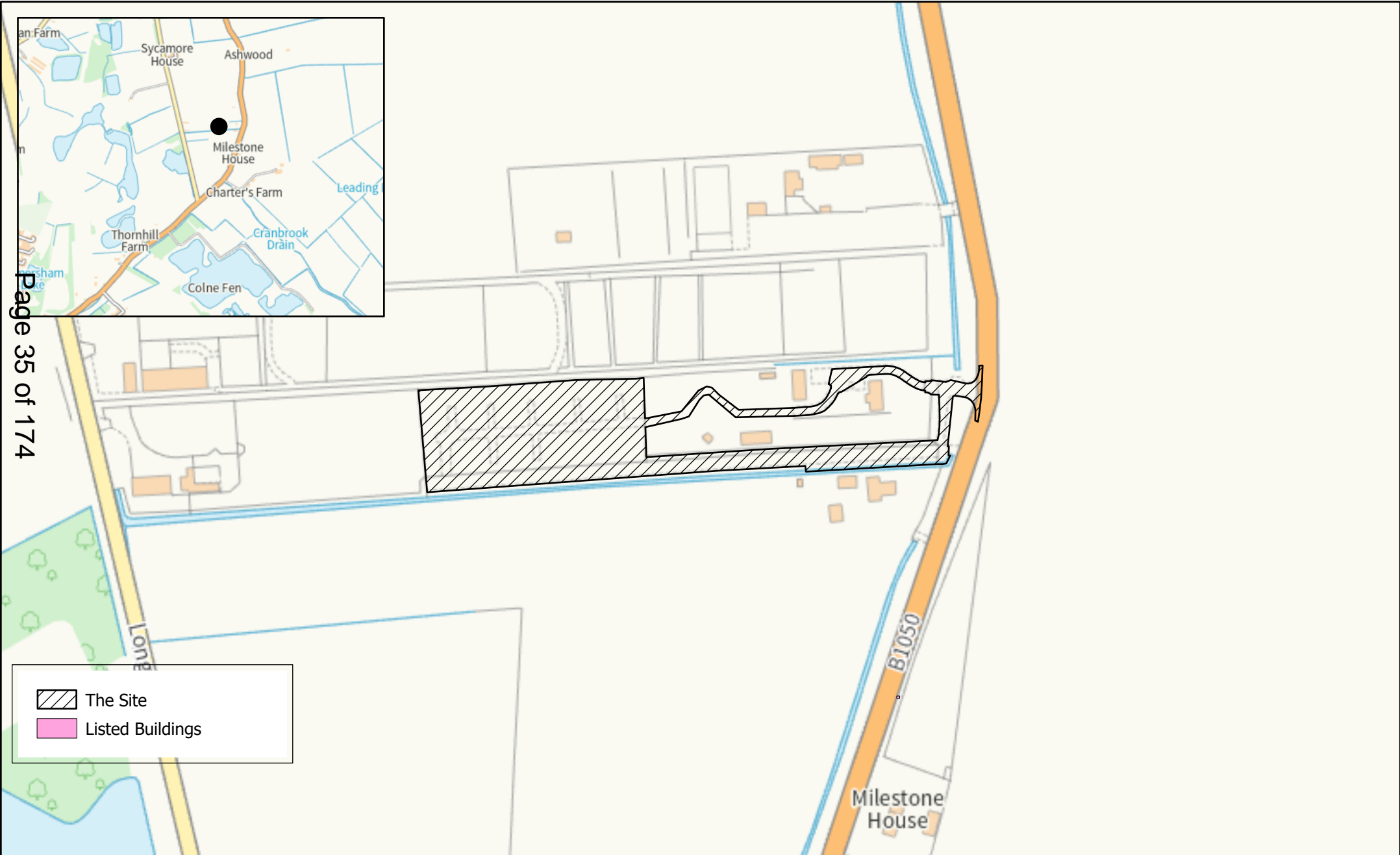
Development Management Committee

Application Ref: 23/02358/FUL

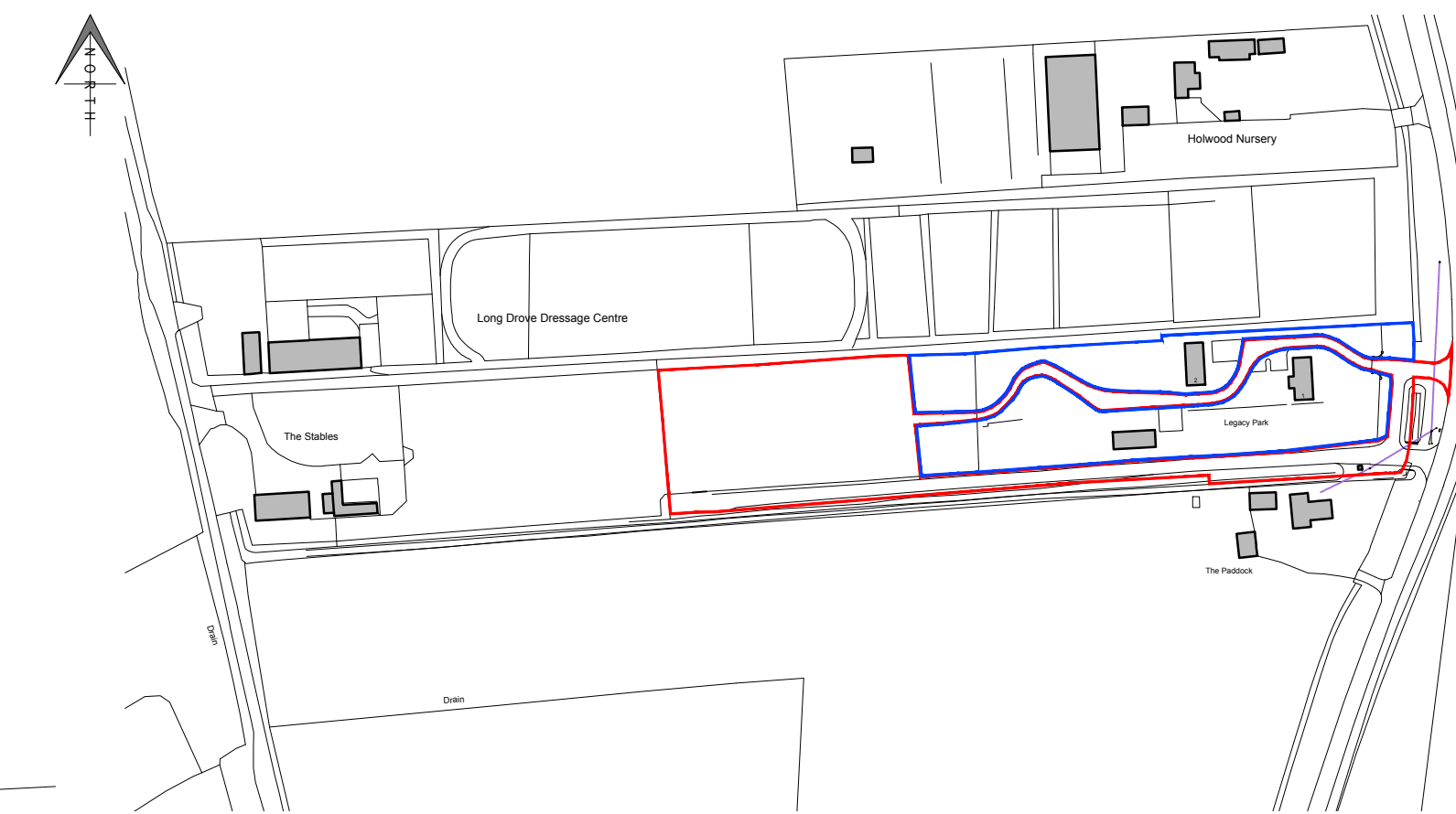
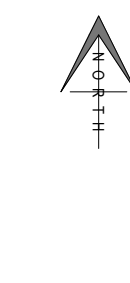
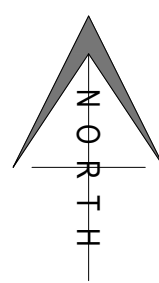


Scale = 1:2,500

Date Created: 03/07/2024



Page 35 of 174








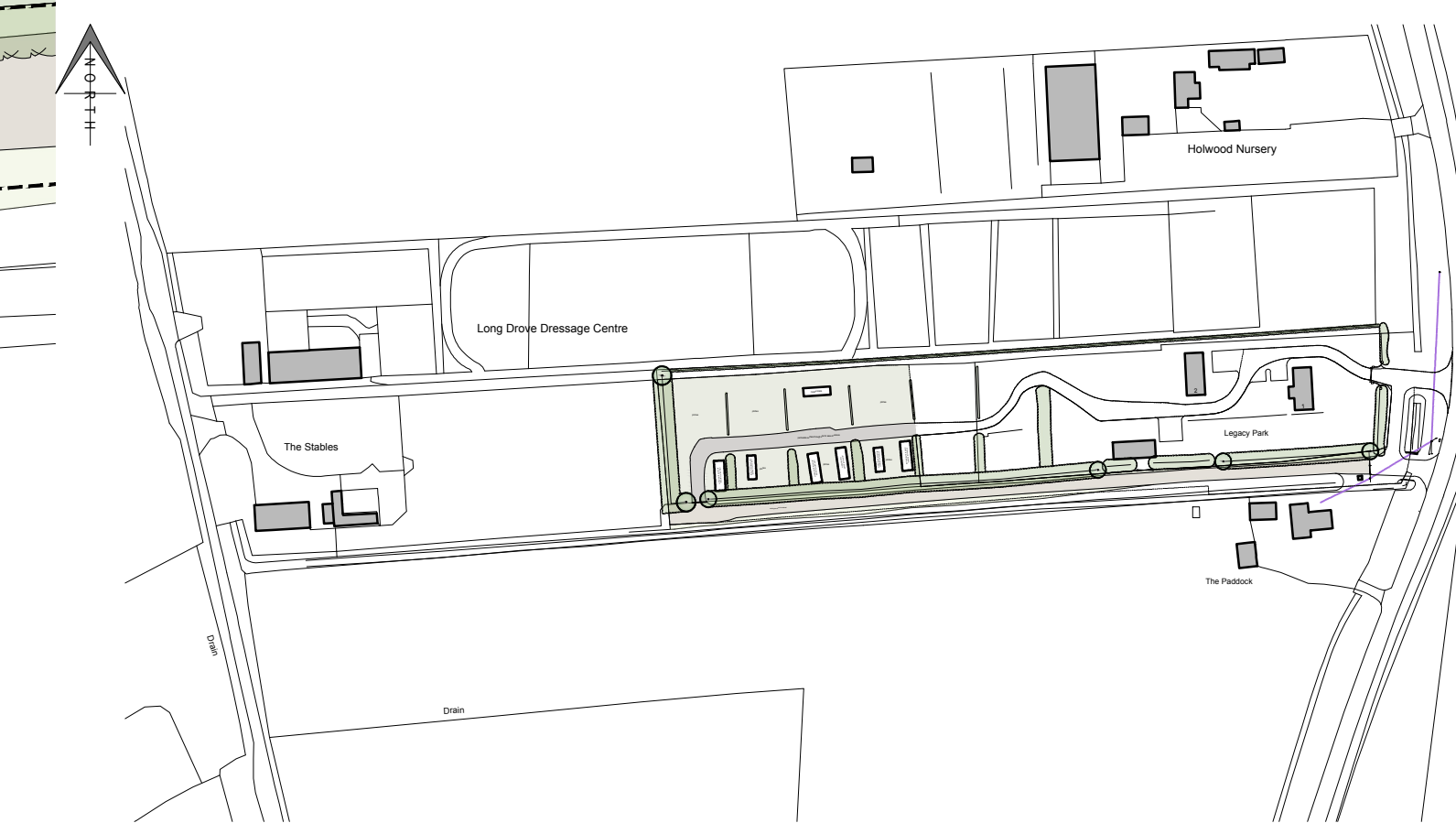
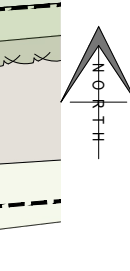
© Crown copyright and database rights 2019 OS 100041041

Location Plan

0 10 20 50 100 125m
scale - 1:2500

Key

-  Permeable surface.
-  Existing access to be retained.
-  Grass.
-  Existing tree - indicative size and location.
-  Existing hedge - indicative size and location.



Block Plan

0 10 20 50 100 125m
scale - 1:2500

Page 36 of 174

Site Plan - As Existing

0 2 4 6 8 10 12.5m
scale - 1:250

PROJECT :
Proposed Change of Use at Legacy Park, Chatteris Road, Somersham
for Mr F Adams

DRAWING TITLE :
PLANNING SUBMISSION
Existing Site Plan and Location Plan

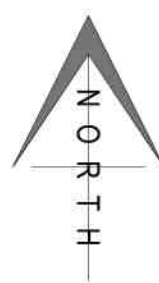
DATE :
Oct 23

SCALE :
Var @ A1








SHEET :
PC-162-P100

REV :
-





Key

-  Permeable surface.
-  Existing access to be retained.
-  Grass.
-  Existing tree - indicative size and location.
-  Existing hedge - indicative size and location.
-  Clargester Tank - indicative size and location.
-  Refuse Skip - collected and replaced from site to suit demand.



Page 37 of 174

Site Plan - Indicative Proposed Layout

scale - 1:250

PROJECT :
Proposed Change of Use at Legacy Park, Chatteris Road, Somersham
for Mr F Adams

DRAWING TITLE :
PLANNING SUBMISSION
Indicative Proposed Site Layout

DATE :
Oct 23

SCALE :
Var @ A1

SHEET :
PC-162-P101

REV :
A



This page is intentionally left blank

DEVELOPMENT MANAGEMENT COMMITTEE 15th JULY 2024

Case No: 23/00500/FUL

Proposal: PROPOSED CHANGE OF USE OF GOLF CLUBHOUSE AND HOTEL TO FORM 14 DWELLINGS, DEMOLITION OF LATER EXTENSIONS TO THE HERITAGE ASSETS, GREENKEEPERS STORE, SHOP AND OFFICE AND THE ERECTION OF 5 DWELLINGS (19 DWELLINGS TOTAL) AND ASSOCIATED WORKS.

Location: ABBOTSLEY GOLF CLUB, DREWELS LANE,
ABBOTSLEY, ST NEOTS, PE19 6XN

Applicant: DAVID ABBOTSLEY LIMITED

Grid Ref: 520781 256664

Date of Registration: 20th March 2023

Parish: ABBOTSLEY

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) in accordance with the Scheme of Delegation as the Officer recommendation of approval is contrary to that of the Parish Council.

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

- 1.1 The application site measures 1.8ha and consists of a cluster of buildings that were formally agricultural but have been more recently used as facilities in association with the golf club including a hotel (now closed). The mix of buildings include the original brick farmstead (used as the golf club house) which is considered to be curtilage listed, with attached and detached later additions, a brick built building (used as the hotel), a large agricultural shed which was used as the green keeper's store and a smithy building which is also considered to be curtilage listed. Eynesbury Hardwicke House to the east is the principal grade II listed building which falls outside of the application site although is under the applicant's ownership. The later additions to the farmstead are not considered to have any heritage or architectural merit.
- 1.2 The site is located in the countryside approximately 2km by road to Abbotsley to the east and approximately 3km by road to

Eynesbury/St Neots to the north west. A public right of way currently traverses the site however the existing green keepers store has been constructed over the line of the right of way as it legally exists. The site is located entirely within flood zone 1.

Proposal

- 1.3 This application seeks planning permission for the proposed change of use of golf clubhouse and hotel to form 14 dwellings, demolition of later extensions to the heritage assets, greenkeepers store, shop and office and the erection of 5 dwellings (19 dwellings total) and associated works.
- 1.4 This scheme consists of the following:
 - Conversion of the hotel building to form 7 dwellings (units 1-7).
 - Partial demolition of the later additions adjoining the historic farmstead (previously used as the golf club house)
 - Conversion of the historic farmstead to form 7 dwellings in total (units 8-14).
 - Demolition of the green keepers store and replacement with 5 dwellings (units 15-19). This includes the conversion of the smithy building to form part of unit 16.
- 1.5 During the determination period of the application, amended plans and documents have been submitted addressing requirements raised by HDC's Urban Design, Lead Local Flood Authority and the Local Highway Authority.
- 1.6 A previous proposal for Proposed change of use of golf clubhouse and hotel to form 14 dwellings, demolition of later extensions to the heritage assets, greenkeepers store, shop and office and the erection of 8 dwellings (22 dwellings total) and associated works under planning application reference 21/00274/FUL was refused under delegated powers for the following reasons:
 1. The amount of proposed development in this remote location is considered unsustainable with regard to access to nearby services and facilities and the reliance on future occupiers of the site to use private vehicles to travel. This proposal would conflict with the most fundamental objectives of the strategy for development in Huntingdonshire set out by Policy LP2 of the Local Plan and the overarching aims of the NPPF 2021 which seek to achieve sustainable development through concentrating significant development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities which reflect current and future needs. In addition, the proposal does not satisfactorily meet any of the specific opportunities for development in the countryside provided for by other policies of the Local Plan as required by Policy LP10. The proposal is therefore

contrary to Policies LP2, LP10 and LP33 of the Local Plan. The proposal is also contrary to Paragraph 8 parts a & b and Paragraph 80 part c of the NPPF 2021.

2. Insufficiently detailed plans and supporting evidence have been provided with the application to demonstrate that safe physical access to and from the public highway can be achieved. It is therefore considered that the proposal is unacceptable regarding sustainable travel and vehicle movements and conflicts with Policies LP16 parts a & c and LP17 parts b & c of the Local Plan as well as paragraph 105, paragraph 110 parts a & b and paragraph 111 of the NPPF 2021.
3. The application is not supported by a site-specific flood risk assessment or drainage strategy as required by Policy LP5 of the Local Plan which states that sites on 1ha or more will only be supported where a site specific flood risk assessment has been produced. The application therefore fails to adequately consider and mitigate against flood risk contrary to LP5 of the Local Plan (2019) and the Paragraphs 167 and 169 of the National Planning Policy Framework (2021).
4. Due to the omission of a signed S.106 Agreement and the lack of any clear intention to provide public open space within the site, the proposed development would fail to deliver the required infrastructure and social benefits, specifically, Public Open Space, a contribution to improve local Outdoor Sports facilities, and Waste Management. As such, the proposal is contrary to Policies LP3 and LP4 of the Local Plan, paragraphs 57 & 58 of the NPPF 2021 and the Developer Contributions Supplementary Planning Document (2011) (costs updated annually).

1.7 This application has been accompanied by the following drawings and documents:

- Proposed plans
- Planning Statement & DAS
- Arboricultural Information
- Preliminary Ecological Assessment
- Surface Water Drainage Strategy

1.8 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

2. NATIONAL GUIDANCE

2.1 The National Planning Policy Framework (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 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.
- 2.4 For full details visit the government website [National Guidance](#)

3. PLANNING POLICIES

3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)

- LP1: Amount of Development
- LP2: Strategy for Development
- LP4: Contributing to Infrastructure Delivery
- LP5: Flood Risk
- LP6: Waste Water Management
- LP9: Small Settlements
- LP11: Design Context
- LP12: Design Implementation
- LP14: Amenity
- LP15: Surface Water
- LP16: Sustainable Travel
- LP17: Parking Provision and Vehicle Movement
- LP20: Homes for Rural Workers
- LP25: Housing Mix
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows
- LP33: Rural Buildings
- LP34: Heritage Assets and their Settings

3.2 Supplementary Planning Documents (SPD) and Guidance:

- Huntingdonshire Design Guide Supplementary Planning Document (2017)
- Bluntisham Conservation Area Character Statement
- Developer Contributions SPD (2011)
- Huntingdonshire Landscape and Townscape SPD (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2017)
- Cambridgeshire Flood and Water SPD (2017)

- LDF Developer Contributions SPD (2011)
- Annual Monitoring Review regarding housing land supply (2020)
- Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

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

- 3.3 The National Design Guide (2021):
- C1 - Understand and relate well to the site, its local and wider context
 - I1 - Respond to existing local character and identity
 - I2 - Well-designed, high quality and attractive
 - B2 - Appropriate building types and forms
 - M3 - Well-considered parking, servicing and utilities infrastructure for all users
 - N3 - Support rich and varied biodiversity
 - H1 - Healthy, comfortable and safe internal and external environment
 - H2 - Well-related to external amenity and public spaces
 - H3 - Attention to detail: storage, waste, servicing and utilities.

For full details visit the government website

4. PLANNING HISTORY

- 4.1 The site has a considerable amount of planning and appeal history however most relevant are set out below.
- 4.2 15/01994/FUL approved in August 2016 granted the change of use from Hotel to 4 dwellings. This permission has now lapsed.
- 4.3 17/00470/FUL (18/00007/REFUSL) was allowed on appeal for the sub-division of the existing clubhouse and restaurants to four dwellings and an extension to form a new dwelling. The inspector acknowledged that the site is unsustainably located however the appeal was allowed at a time prior to the adoption of the Local Plan, when the core strategy was considered to be out of date and thus was permitted under the tilted balance. A significant factor for the inspector was the existing use of the buildings to be converted. This permission has now lapsed.
- 4.4 17/00439/FUL (18/00008/REFUSL) related to the demolition of a barn (the green keepers store) and the erection of two dwellings which was dismissed several weeks after the above appeal was allowed on account of the sites unsustainable location and the harm the new buildings would cause to the character of the countryside. Again, the tilted balance was applied but the harm outweighed the benefits.

- 4.5 19/00082/FUL approved in June 2019, permitted the demolition of the barn and replacement with one dwelling. The Officer's justification for approval was compliance with LP33 as the replacement dwelling would be smaller in footprint than the existing barn and enhance its immediate setting.
- 4.6 21/00274/FUL for Proposed change of use of golf clubhouse and hotel to form 14 dwellings, demolition of later extensions to the heritage assets, greenkeepers store, shop and office and the erection of 8 dwellings (22 dwellings total) and associated works was refused under delegated authority 14th April 2022, on the grounds of principle, access, drainage and S106.

5. CONSULTATIONS

- 5.1 Abbotsley Parish Council – Recommends refusal.

It was felt that this is a comprehensive and considered planning application with a powerful design and access statement and planning statement. Matters of policy are difficult for the Parish Council to assess. However it does appear that the proposals are contrary to aspects of development plan policies in the Huntingdonshire Local Plan 2036 and in particular to policy LP10 development in the countryside.

The Parish Council has broadly accepted the conversion of rural buildings to residential use but does not support the concept or justification for new build housing in the countryside. The proposals would create an isolated residential estate outside the established settlement of Abbotsley and this is considered to be unsustainable and unacceptable. It was agreed that new buildings are not appropriate in this location.

A major concern expressed was that the development of this size and nature would not have a suitable access to the site. The existing concrete track is narrow, not in good condition, and is not wide enough to allow cars to pass except in the occasional passing bay. The development will have in excess of 40 car parking spaces.

Councillors expressed concern on safety grounds that the access road is unlit and partially adjacent to a wood and is used by pedestrians. They would be vulnerable. This demonstrates how remote the location is and the users of the site would need to use private vehicles to travel. This is not a sustainable development, which is a fundamental requirements of planning policies.

It was considered that the new housing would have an adverse impact on the existing Stockmans cCttage and Horsemans Cottages with a degree of overlooking and loss of privacy.

The development does not provide any benefit to the surrounding area or to the local community. It is recognised that there are exceptions to providing affordable housing but concerns were raised that there is no affordable housing proposed. Potentially over 30 children could reside on the site with no recreational facilities planned within the site. The limited facilities of Abbotsley playing field and village hall are some miles away and the development could not be easily supported by village residents.

In summary, although accepting the principles of redeveloping redundant buildings, the development of a residential site with new housing development in the open countryside in a non-sustainable remote location is not considered acceptable.

5.2 Cambridgeshire County Council's Highway Authority – No Objection.

Although the number of staff and visitors would vary according to the time of year and day of the week, the number of vehicle movements is greater than what would be generated by 19 dwellings. The Planning Statement indicates that it is possible that one of the two courses could reopen in the future and there would be an average of 50 2-way trips per day. However, these movements plus the movements created by the dwellings would still be less than the previous use as two golf courses, a hotel and restaurant. Drawing 21/15/01/101 Site Access Plan indicates that the access is 6m wide for 22m with 6m radii which is acceptable. The access road is 3m wide but has both formal and incidental passing places.

Therefore, given that there will no intensification of use, no significant adverse effect upon the Public Highway should result from this proposal should it gain benefit of Planning Permission. Please ensure that our Asset Information Definitive Mapping (Rights of Way) team have been consulted as the access road is a Public Right of Way (Footpath1/5).

5.3 Lead Local Flood Authority - No Objection subject to conditions regarding a surface water drainage scheme and construction drainage.

5.4 HDC Environmental Health Officer – No Objection subject to a condition regarding contamination.

5.5 HDC Tree Officer - No Objection subject to a tree protection compliance condition.

5.6 HDC Urban Design Forum – No Objection subject to conditions regarding materials, architectural details, boundary treatments, hard/soft landscaping, ground levels/finished floor levels and street lighting.

5.7 HDC Conservation Officer – No objection.

The proposed scheme would cause an increase in the amount of development within the setting of the Listed building but this is relatively minor compared to existing modern development associated with the golf course use. Any minor levels of harm would be outweighed by the removal of inappropriate modern extensions and through finding a permanent viable use for the existing buildings as per NPPF paragraph 202. An accompanying Listed building consent should be submitted for the proposed alterations to the curtilage Listed buildings. Otherwise, I have no objections to the principle of change of use to residential as a way to help preserve the significance of, and setting to, the Listed building.

5.8 Cambridgeshire County Council's Historic Environment Team (Archaeology) – No objection subject to a written scheme of investigation condition, due to the archaeological potential of the site.

6. REPRESENTATIONS

6.1 3 neighbouring properties have objected on the following grounds:

- The proposal will generate a significant amount of traffic along a single track lane with passing places that is not lit. This will be an issue for pedestrians and wildlife.
- Concerns over the access, a narrow concrete farm track, and public right of way
- Stockmans Cottage will be overlooked
- Out of character with the rural character of the location, particularly in terms of layout and density
- Overshadowing and loss of privacy
- Noise and disturbance from the proposed development
- Objections made to previously refused application 21/00274/FUL still stand

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 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 (relevant to this applications) 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 in the determination of this application are:
- The Principle of Development
 - Design, Visual Amenity and Impact on character of the area – (Appearance, Layout, Scale and Landscaping)
 - Affordable Housing
 - Residential Amenity
 - Highway Safety
 - Flood Risk and Surface Water
 - Biodiversity
 - Impact on Trees
 - Other matters

The Principle of Development

- 7.6 The site is located within the open countryside.
- 7.7 The starting point for assessing the principle of any development in the countryside is Policy LP10 of Huntingdonshire's Local Plan to 2036.
- 7.8 Policy LP10 of the Local Plan states that *development in the countryside will be restricted to the limited and specific opportunities as provided for in other policies of this plan and that all development in the countryside must:*
- a. seek to use land of lower agricultural value in preference to land of higher agricultural value:*
 - i. avoiding the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) where possible, and*
 - ii. avoiding Grade 1 agricultural land unless there are exceptional circumstances where the benefits of the proposal significantly outweigh the loss of land;*

- b. recognise the intrinsic character and beauty of the countryside;*
- and*
- c. not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others.*

- 7.9 With regard to criteria (a) of Policy LP10, the site is previously developed land (also known as brownfield land) and would therefore, not result in the loss of any of the districts best and most versatile agricultural land.
- 7.10 With regard to Criteria (b) and (c), the proposal is considered to be compliant. These will be addressed in the design section of this report below.
- 7.11 In addition to complying with Policy LP10, development in the countryside is restricted to the limited and specific opportunities as provided for in other policies of the Local Plan, including Policy LP33 'Rural Buildings' which is most relevant in this instance.
- 7.12 Policy LP33 is considered to be most relevant because the scheme consists of the conversion of the hotel building to form 7 dwellings (units 1-7), the conversion of the historic farmstead to form 7 dwellings in total (units 8-14) and the demolition of the green keepers store and replacement with 5 dwellings (units 15-19). This includes the conversion and inclusion of the smithy building, to form part of unit 16, which will be discussed separately below.
- 7.13 Policy LP33 of the Local Plan states *that a proposal for the conversion of a building in the countryside that would not be dealt with through 'Prior Approval/ Notification' will be supported where it can be demonstrated that:*
- a. the building is:*
 - i. redundant or disused;*
 - ii. of permanent and substantial construction;*
 - iii. not in such a state of dereliction or disrepair that significant reconstruction would be required; and*
 - iv. structurally capable of being converted for the proposed use;*
 - and*
 - b. the proposal:*
 - i. would lead to an enhancement of the immediate setting; and*
 - ii. any extension or alteration would not adversely affect the form, scale, massing or proportion of the building.*

A proposal for the replacement of a building in the countryside will be supported where criteria a, i to iii above are fulfilled and the proposal would lead to a clear and substantial enhancement of the immediate setting. A modest increase in floorspace will be supported.

The position of the replacement buildings within the site should be considered comprehensively so that it is located where it would have the least possible adverse impact on the immediate surroundings, the wider landscape and the amenity of the users of existing buildings nearby’.

- 7.14 As outlined above, the proposal is a mixture of the conversions of existing buildings to dwellings, as well as the replacement of an existing building, with the f new dwellings.
- 7.15 Regardless of whether the proposal is for a conversion of an existing building or the replacement of an existing building, it should be demonstrated that the buildings comply with Policy LP33 a.i) – a.iii). For conversion a.iv) should also be complied with.
- 7.16 With regard to part a.i) of Policy LP33, it is acknowledged as it has been in the determination of previous applications and appeals, that the golf club is closed and this has been since the course was allegedly vandalised in 2017 and as such the associated buildings and facilities are disused. Officers also note that to the west of the site, a new golf club house was approved and implemented under 18/00736/FUL which also has parking adjacent to it. This means that if the golf course were ever to be reopened in the future, there is a replacement golf club and associated parking for users. For these reasons, it is considered that the buildings are redundant or disused in accordance with part a.i) of Policy LP33.
- 7.17 With regard to parts a.ii) and a.iii), Officers have attended the site to visit the buildings and can confirm all the buildings are of permanent and substantial construction, and also not in a state of dereliction or disrepair that significant reconstruction would be required. In regard to part a.iv), Officers can also confirm that both the old hotel building and the historic building are structurally capable of being converted for the proposed use.
- 7.18 Given that parts parts a.i), a.ii) a.iii) and a.iv) are met, the existing hotel building and historic farmstead qualify for conversion and the greenkeepers store qualifies in principle for replacement under Policy LP33.
- 7.19 Officers therefore need to assess whether the proposal, especially in relation to the replacement of the greenkeepers store, would lead to a clear and substantial enhancement of the immediate setting. LP33 also requires ‘The position of the replacement buildings within the site should be considered comprehensively so that it is located where it would have the least possible adverse impact on the immediate surroundings, the wider landscape and the amenity of the users of existing buildings nearby’.
- 7.20 For the reasons set out in the below design section, Officers consider that the proposed development would lead to a clear and

substantial enhancement of the immediate setting in accordance with policies LP10 and LP33.

- 7.21 The previous application 21/00274/FUL for 22 dwellings was refused on the principle of development as the amount of proposed development in this remote location is considered unsustainable with regard to access to nearby services and facilities and the reliance on future occupiers of the site to use private vehicles to travel. The key difference between the two applications is the quantum and form of development. This application has removed the 3 additional dwellings that did not have a policy justification (Policy LP33) given the countryside location. As outlined above, there is clear support from Policy LP33 for the conversion of the existing hotel building and historic farmyard buildings to create 14 dwellings and the replacement of the greenkeepers store with the erection of 5 dwellings (19 in total). Refusal reason 1 of 21/00274/FUL has therefore been addressed.
- 7.22 The principle of development is therefore considered to be acceptable, subject to the material considerations discussed below.

Design, Visual Amenity and Impact on character of the area

- 7.23 Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context. Policy LP12 states that new development will be expected to be well designed and that a proposal will be supported where it can be demonstrated that it contributes positively to the area's character and identity and successfully integrates with adjoining buildings and landscape.
- 7.24 Section 12 of the NPPF (2023) seeks to achieve well designed places, noting that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.
- 7.25 The National Design Guide (2020) sets out the characteristics of well-designed places and demonstrates what good design means in practice. It covers the following: context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan. Of particular note to the current proposals is guidance relating to design and how this understands and relates well to the site within its local and wider context, how the history of the place has evolved and that local sense of place and identity are shaped by local history, culture and heritage, how a proposal responds to existing local character and identity, whether proposals are well designed, high quality and attractive and whether they are of an appropriate building type and form.

- 7.26 The Huntingdonshire Design Guide 2017 sets out design principles based on recognised best practice and explains key requirements that the Council will take into consideration when assessing planning proposals. The Design Guide promotes locally distinctive design which respects and enhances the character of Huntingdonshire.
- 7.12 The buildings relevant to this application are within the setting of the Grade II Listed Hardwick Farmhouse and consists of a collection of former agricultural buildings and bespoke structures providing accommodation and uses supporting the function of a golf club that is no longer in use.
- 7.13 It is noted that the previous application 21/00274/FUL was not refused on design grounds.
- 7.14 There is currently a large amount of hard surfacing, such as concrete and gravel, which surrounds the existing buildings on site.
- 7.15 The proposed conversion of the existing hotel building has been carefully designed with legible entrances to all units. The scheme incorporates soft landscaping and tree planting to provide private thresholds to the proposed units, but to also help break up and integrate the associated existing parking area for units 1-5 into the surrounding rural area.
- 7.16 The partial demolition of the later additions and the proposed conversion of the existing farmstead buildings is also supported. The general layout and proposed openings have been designed to provide a high quality conversion. The parking for units 8-14 has also been distributed in a manner which avoids the clustering of car parking.
- 7.17 The existing greenkeepers store has a footprint (floorspace) of 716sqm and is a considerably large dominant building on the site. The proposal seeks to replace this building with 5 dwellings with a total floorspace of approximately 711sqm.
- 7.18 The scale and massing of the 5 dwellings has been designed to ensure they are of an appropriate size and scale for their countryside setting. Plot 15 is of a single storey scale. Plot 16 is 1.5 storey in height and includes a single storey link connecting to the 'Smithy' which is supported. Plot 16 is also accessed from the track/public right of way, and therefore helps reflect the character of the adjacent Stockmans Cottages. Plot 17 is 1.5 storey in height. Plots 18 and 19 are 2 storey. The proposed materials of brickwork, cladding, slate rooftiles and black window frames/doors are considered to be in keeping with the character of the surrounding area. The overall layout and form of units 15-19 has been well designed to provide a high quality development.

- 7.19 The central area of the site was previously dominated by the car parking surrounding it. The proposal seeks to remove that excessive car parking area and replace it with a green informal play area providing a much softer focal point to the site.
- 7.20 Cycle and refuse storage would be accommodated within communal stores or the rear garden areas of the individual units. The design and appearance of the cycle stores is recommended to be conditioned.
- 7.21 The Urban Design Team support the proposal subject to conditions regarding materials, architectural details, boundary treatments, hard/soft landscaping, ground levels/finished floor levels and street lighting. A condition removing Permitted Development (PD) rights is also recommended given the countryside location and nearby heritage assets.
- 7.22 Taking all of the above into consideration, and subject to the above recommended conditions, Officers are of the view that the proposed development would be of an acceptable design, would lead to a clear and substantial enhancement of the immediate setting and therefore would recognise the intrinsic character and beauty of the countryside as well as not having any significant impacts that would adversely affect the use and enjoyment of the countryside by others. The proposed development is in accordance with Policies LP10, LP11, LP12 and LP33 of the adopted Huntingdonshire Local Plan to 2036 and the Huntingdonshire Design Guide SPD. Subsequently, the principle of development is supported as outlined above.

Impact upon Heritage Assets

- 7.23 The site is situated to the west of Hardwick Farmhouse, a Grade II Listed Building. The southern part of the historic farmstead and the Smithy building are considered to be curtilage Listed.
- 7.24 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.
- 7.25 Paras 195 - 204 of the NPPF provide advice on proposals affecting heritage assets and how to consider different levels of harm. Para. 206 states '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'. Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice. It is also noted that Local Plan Policy LP2, which sets out the overarching development strategy for Huntingdonshire through the plan period, includes the

main objectives of conserving and enhancing the historic environment within the district.

- 7.26 Paragraph 205 of the NPPF (2023) sets 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'. Paragraph 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.'
- 7.27 The Conservation Team has been consulted as part of the proposal. From a heritage perspective, the Conservation Team have advised that the proposal would be beneficial to the surviving parts of the historic farm complex by removing unsightly modern structures and finding a viable use for the historic farm buildings. The proposed new dwellings are generally acceptable in terms of siting, scale and design and they would not be substantially harmful to the setting of the Listed Building. Most of the previous conversion works to the surviving farmyard buildings have been done under Listed Building consent and they retain most of the architectural elements of historic interest. An accompanying Listed Building consent should be submitted for the proposed alterations to the curtilage Listed Buildings. Otherwise, the Conservation Team have no objections to the principle of change of use to residential, as a way to help preserve the significance of, and setting to, the Listed Building.
- 7.28 Officers therefore consider that any harm caused by the proposal, would be outweighed by the removal of inappropriate modern extensions and through finding a permanent viable use for the existing buildings as per NPPF paragraph 202. The proposal is therefore considered to be in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 195-214 of the National Planning Policy Framework 2023 and Policy LP34 of Huntingdonshire's Local Plan to 2036.

Affordable Housing

- 7.29 Policy LP24 of the Local Plan states that a proposal will be supported where:
- a. it delivers a target of 40% affordable housing on a site where 11 homes or 1,001m² residential floorspace (gross internal area) or more are proposed;
 - b. it provides approximately 70% of the new affordable housing units as social or affordable rented properties with the balance made up of other affordable tenures;

- c. affordable housing is dispersed across the development in small clusters of dwellings; and
- d. it ensures that the appearance of affordable housing units is externally indistinguishable from that of open market housing.

- 7.30 Paragraph 65 and footnote 31 of the NPPF 2023 set out that to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount equivalent to the existing gross floorspace of the existing buildings.
- 7.31 Paragraph 026 Reference ID: 23b-026-20190315 of the PPG states that where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the Local Planning Authority calculates any affordable housing contribution which would be sought. Affordable housing contributions may be required for any increase in floorspace.
- 7.32 While Policy LP24 does not reference vacant building credit, the removed affordable housing provision is acceptable taking into account the NPPF and PPG objective to reduce affordable housing contribution when replacing vacant existing buildings to incentivise the re-use of brownfield land. The application overall proposes a reduction in the amount of overall floor space therefore applying the vacant building credit, the scheme overall would not be liable for any affordable housing provision/contributions.

Residential Amenity

- 7.33 Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

Amenity of neighbouring properties

- 7.34 The closest neighbouring residential properties to the west of the site, which are most likely to be impacted upon as a result of the proposed development is Stockmans Cottage. Concerns have been raised by this property in regard to overlooking, loss of privacy and noise/disturbance. The two nearest units to Stockmans Cottage are units 16 and 17. Unit 17 has been designed to have no first floor windows on the rear gable facing towards the south. The proposed first floor windows on the western facing elevation are positioned to ensure any views of Stockmans Cottage would be too oblique to result in a significant overlooking impact. Unit 16 incorporates the 'Smithy' building which is the element located nearest to Stockmans Cottage which will be single storey in height. No first floor windows are proposed

on the western facing elevation. Officers are therefore content that the proposed development would not result in any significant overlooking or loss of privacy impacts for Stockmans Cottage. In terms of noise and disturbance, the proposal is for a residential development, which would be compatible with surrounding existing residential uses.

- 7.35 The other closest neighbouring residential property, which is most likely to be impacted upon as a result of the proposed development is the Eynesbury Hardwicke Manor located to the east of the site. It is not considered that the proposed conversion of the historic farmstead buildings would have a significant impact upon this nearby property.

Amenity for future occupiers

- 7.36 In respect of the amenity for future occupants, all units would have access to external amenity space, would have an acceptable outlook as well as adequate daylight provision.
- 7.37 The proposed development would therefore be considered to be acceptable in terms of the levels of privacy, light and outlook afforded to both existing neighbouring properties and future occupants of the proposed development. Overall, taking the above factors into consideration, the proposal is considered to be acceptable with regard to its impact on residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework, in this regard.

Highway Safety & Parking Provision

- 7.38 Policies LP16 and LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.
- 7.39 Officers note the concerns raised by residents about the increase of traffic movements and the proposed access arrangements.

Highway Safety

- 7.40 The previous application 21/00274/FUL was refused on the basis that insufficient information had been submitted to demonstrate that safe physical access to and from the public highway can be achieved.
- 7.41 The Highway Authority has been consulted as part of the application and have reviewed the additional information provided with this application. The previous use of the site included hospitality. Although the number of staff and visitors would vary

according to the time of year and day of the week, the number of vehicle movements was greater than what would be generated by the proposed 19 dwellings. The Planning Statement indicates that it is possible that one of the two courses could reopen in the future and there would be an average of 50, 2-way trips per day. However, these movements plus the movements created by the dwellings would still be less than the previous use as two golf courses, a hotel and restaurant. Drawing 21/15/01/101 Site Access Plan indicates that the access is 6m wide for 22m with 6m radii which is acceptable. The access road is 3m wide but has both formal and incidental passing places. The Highway Authority therefore confirms that given that there would be no intensification of use, that no significant adverse effect upon the Public Highway should result from this proposal. As such, the proposal is in accordance with Policy LP17 of Huntingdonshire's Local Plan to 2036. Refusal reason 2 of 21/00274/FUL has therefore been addressed.

Parking

- 7.42 At least two off-street car parking spaces are to be provided for each dwelling with a number of visitor parking spaces being located in the parking court for units 1-5. The proposed site plan shows a communal cycle store for units 1-5, and stores within the individual rear gardens of the other units. The proposal would therefore help to encourage sustainable modes of transport and would comply with aims of policies LP16 and LP17 of the of the Huntingdonshire Local Plan in regards to car and cycle parking.

Public Right of Way

- 7.43 The access road to the site is a Public Right of Way (Footpath1/5). It is also noted that the public right of way currently traverses the site but the existing green keepers store has been constructed over the line of the right of way as it legally exists. As outlined by the Highway Authority Officers the previous use of the site included hospitality. Although the number of staff and visitors would vary according to the time of year and day of the week, the number of vehicle movements was greater than what would be generated by the proposed 19 dwellings. The Planning Statement indicates that it is possible that one of the two courses could reopen in the future and there would be an average of 50, 2-way trips per day. However, these movements plus the movements created by the dwellings would still be less than the previous use as two golf courses, a hotel and restaurant. Notwithstanding this, Officers are seeking comments from the Cambridgeshire County Council Asset Information Definitive Mapping and will provide an update at the committee meeting.

Flood Risk and Surface Water

- 7.44 National guidance and Policy LP5 of the Local Plan to 2036 seek to steer new developments 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)).
- 7.45 The site is located in Flood Zone 1, no fluvial flood mitigation is required. The topography of the site and being located on a relatively high natural land level means that the risk of surface water flooding is very low.
- 7.46 The previous application 21/00274/FUL was refused on the basis that insufficient information had been submitted to demonstrate that surface water could be dealt with.
- 7.47 The Lead Local Flood Authority has been consulted as part of the application and has reviewed the submitted surface water drainage strategy and raises no objection to the proposal as surface water from the proposed development can be managed through tanked permeable paving. The Lead Local Flood Authority recommends the inclusion of conditions regarding a surface water drainage scheme and construction drainage.
- 7.48 Overall, the proposal is therefore considered to be acceptable with regard to its impact on both flood risk and surface water, and would not result in flooding on the site or elsewhere. The proposal therefore accords with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework in this regard. Refusal reason 3 of 21/00274/FUL has therefore been addressed.

Biodiversity

- 7.49 Paragraph 180 of the NPPF (2023) states Planning policies and decisions should contribute to and enhance the natural and local environment. Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible, through the planned retention, enhancement and creation of habitats and wildlife features, appropriate to the scale, type, and location of development.
- 7.50 This application is accompanied by a Preliminary Ecological Appraisal by Skilled Ecology dated March 2021. The Wildlife Trust were consulted on the previous application and considered the Preliminary Ecological Appraisal adequately covered all relevant issues and there was no requirement for further surveys, and that the proposed mitigation and enhancement measures should be secured by condition. Informative notes are suggested in respect

of licencing. Officers agree with this assessment and are of the view, that in this case this advice still stands.

- 7.51 As such, subject to the imposition of recommended conditions, the proposal is considered to broadly accord with the objectives of Policy LP30 of Huntingdonshire's Local Plan to 2036 and Section 15 of the National Planning Policy Framework in this regard.

Impact on Trees

- 7.52 Policy LP31 of the Huntingdonshire Local Plan to 2036 requires proposals to demonstrate that the potential for adverse impacts on trees, woodland, hedges and hedgerows has been investigated and that a proposal will only be supported where it seeks to conserve and enhance any existing tree, woodland, hedge or hedgerow of value that would be affected by the proposed development.
- 7.53 This application is accompanied by an arboricultural report and impact statement and method statement (which includes tree protection plans). It is proposed that 7 trees and a large group of leylandii are removed to facilitate the proposals. The trees to be removed include two category B trees and the remaining trees/groups of trees being category C.
- 7.54 The Tree Officer has reviewed the submitted information and has raised no objections from an arboricultural perspective. Given that there are a number of trees that require protection during construction, the Tree Officer recommends conditions to ensure this tree protection is secured.
- 7.55 Accordingly, subject to the imposition of conditions regarding landscaping details, the proposal is considered acceptable in accordance with Policy LP31 of the Local Plan to 2036.

Archaeology

- 7.56 To the adjacent east of the development lies the medieval moated manor of Eynesbury Hardwick (Cambridgeshire Historic Environment Record reference. 01116). The moated manor is believed to be related to the manor of Puttocks Hardwick dating to the 14th century. Related architectural fragments have been found in the vicinity which imply the presence of an early high status building, possibly a chapel. The manor house currently extant within the moated enclosure is believed to date to the 16th/17th centuries and has undergone multiple additions up until the 19th century (National Heritage List Entry reference. 1210913). The development lies close to the likely entranceway to the moated enclosure, with deserted medieval settlement remains being known to the adjacent north (CHER ref. 02320). To the west and south of the development and settlement remains, evidence for medieval ridge and furrow cultivation is commonly known from

cropmarks and in some cases surviving earthworks (CHER ref. 06094 and MCB18961). To the west lies the Roman road between the towns of Sandy and Godmanchester (CHER ref. MCB17569). An Iron Age to Roman settlement complex is also known from the west, formed of a complex of seven irregularly shaped enclosures, a ring ditch and pit alignment (CHER ref. MCB19080).

- 7.57 The County Archaeologist has assessed the application and has advised that due to the archaeological potential of the site a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary.
- 7.58 It is therefore recommended that a condition requiring a programme of archaeological work, commencing with the evaluation of the application area, which has been secured in accordance with a Written Scheme of Investigation (WSI) to be submitted to and approved by the LPA in writing prior to the commencement of the development.
- 7.59 Overall, the proposed development is considered to accord with Policy LP34 of the Local Plan to 2036 and paragraph 194 of the NPPF (2021), subject to the imposition of condition requiring a WSI to be submitted to and approved by the LPA in writing prior to the commencement of the development.

Accessible and adaptable Homes

- 7.60 Policy LP25 of the Local Plan to 2036 requires proposals that include housing to meet the optional Building Regulation requirement M4(2) "Accessible and adaptable dwellings" unless it can be demonstrated that site specific factors make this unachievable. A condition was imposed on the outline planning permission to ensure that the new dwelling (excluding the conversions) would be built in accordance with these standards and that they are maintained for the life of the development. It is recommended that such a condition be imposed again under this application should Members be minded to grant permission.

Water Efficiency

- 7.61 Policy LP12 of the Local Plan to 2036 requires proposals that include housing to comply with the optional building regulation for water efficiency, as set out in Approved Document G. A condition was imposed on the outline planning permission to ensure that the development was built in accordance with these standards and that they are maintained for the life of the development. It is recommended that such a condition be imposed again under this application should Members be minded to grant permission.

Developer Contributions

Open/Green Space/Formal Sports Provision

- 7.62 The previous application 21/00274/FUL was refused on the basis that no S106 agreement has been completed and there was a lack of any clear intention to provide public open space within the site.
- 7.63 The key difference between the two applications is the quantum and form of development. This application has reduced the amount of dwellings down from 22 to 19, including the removal of the 3 additional dwellings that did not have a policy justification (Policy LP33) given the countryside location.
- 7.64 All units have access to external amenity space. Given the proposed quantum of development and given that that the proposed site plan also shows circa 680sqm of informal play area and open space, Officers consider the proposed development would provide an acceptable level of open space as part of the development and therefore an offsite contribution would not be required. The proposal therefore complies with Policies LP3 and LP4 of the Local Plan to 2036. Refusal reason 4 of 21/00274/FUL has therefore been addressed.

Bins

- 7.65 Part H of the Developer Contributions SPD (2011) requires a payment towards refuse bins for new residential development. A Unilateral Undertaking to secure the provision of wheeled bins will be submitted prior to the committee meeting, and Members updated accordingly. On this basis the proposal would provide a satisfactory contribution to meet the tests within the CIL Regulations. The proposal would accord with Policy LP4 of the Huntingdonshire Local Plan to 2036 and the Developer Contributions Supplementary Planning Document (2011).

Community Infrastructure Levy (CIL)

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

Other Matters

- 7.67 Neighbouring properties have raised concern about the impact upon wildlife due to the increase in traffic. As outlined above, the Highway Authority has advised there would not be an increase in traffic. Whilst Officers note the concerns raised, it is not considered the potential impacts on wildlife from use of the access road could warrant a refusal of planning permission in this instance.

Conclusion

- 7.68 Planning law requires that applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.69 A previous application under reference 21/00274/FUL for 22 dwellings was refused on the grounds of principle, access, drainage and S106. The key difference between the two applications is the quantum and form of development. This application has reduced the amount of dwellings proposed down from 22 to 19, including the removal of the 3 additional dwellings that did not have a policy justification (Policy LP33) given the countryside location. Additional information regarding access and drainage has been provided and deemed to be acceptable by consultees. The number of dwellings has been reduced and the proposed site plan shows the provision of informal open space. It is considered that the refusal reasons on 21/00274/FUL have therefore been addressed.
- 7.70 It is considered that any harm caused by the proposal to the heritage assets would be outweighed by the removal of inappropriate modern extensions and through finding a permanent viable use for the existing buildings as per NPPF paragraph 202.
- 7.71 Having regard for all relevant material considerations, it is concluded that the proposal would accord with local and national planning policy. Therefore, it is recommended that planning permission be granted.

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

- Time
- Approved Plans
- Materials
- architectural details
- boundary treatments
- hard/soft landscaping
- ground levels/finished floor levels
- street lighting
- PD rights removal
- Cycle/bin store
- Tree protection plan compliance
- surface water drainage scheme
- construction drainage
- contamination
- Written scheme of investigation archaeology

- Accessible homes
- Water efficiency

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:

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

Pathfinder House, St Mary's Street
Huntingdon. PE29 3TN
Developmentcontrol@huntingdonshire.gov.uk

01480 388424
www.huntingdonshire.gov.uk

Head of Planning Services
Pathfinder House
St. Mary's Street
Huntingdon
Cambridgeshire PE 29 3TN

Application Number: 23/00500/FUL Case Officer Lewis Tomlinson

Proposal: Proposed change of use of golf clubhouse and hotel to form 14 dwellings, demolition of later extensions to the heritage assets, greenkeepers store, shop and office and the erection of 5 dwellings (19 dwellings total) and associated works.

Location: Abbotsley Golf Club Drewels Lane Abbotsley

Observations of Abbotsley Town/Parish Council.

Please ✓ box as appropriate

Recommend **approval** because(please give relevant planning reasons in space below)

Recommend **refusal** because...(please give relevant planning reasons in space below)

Please see separate sheet.

No observations either in favour or against the proposal

Abbotsley Parish Council Clerk to Abbotsley ~~Town~~/Parish Council. (For GDPR purposes please do not sign)

Date: *12th May 2023*

Failure to return this form within the time 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 response to email address below:-

Development.control@huntingdonshire.gov.uk

(Development Management)

ABBOTSLEY PARISH COUNCIL

Clerk to the Council:

clerk@abbotsleyparishcouncil.gov.uk www.abbotsleyparishcouncil.gov.uk

Lewis Tomlinson
Development Control
Huntingdonshire District Council

12th May 2023

Dear Lewis

**23/00500/HHFUL - Proposed change of use of golf clubhouse and hotel to form 14 dwellings, demolition of later extensions to the heritage assets, greenkeepers store, shop and office and the erection of 5 dwellings (19 dwellings total) and associated works
Abbotsley Golf Club, Drewels Lane, Abbotsley**

Abbotsley Parish Council considered this application at their meeting held 11th May 2023. The Parish Council voted to recommend **refusal**, with five Councillors voting and one abstaining.

It was felt that this is a comprehensive and considered planning application with a powerful Design and Access Statement and Planning Statement. Matters of planning policy are difficult for the Parish Council to assess. However, it does appear that the proposals are contrary to aspects of Development Plan Policies in the Huntingdonshire Local Plan 2036 and in particular to Policy LP10 Development in the Countryside.

The Parish Council has broadly accepted the conversion of rural buildings to residential use but does not support the concept or justification for new build housing in the countryside. The proposals would create an isolated residential estate outside the established settlement of Abbotsley and this is considered to be unsustainable and unacceptable. It was agreed that new buildings are not appropriate in this location.

A major concern expressed was that the development of this size and nature would not have a suitable access to the site. The existing concrete track is narrow, not in good condition, and is not wide enough to allow cars to pass except in the occasional passing bay. The development will have in excess of 40 car parking spaces.

Councillors expressed concern on safety grounds that the access road is unlit and partially adjacent to a wood and is used by pedestrians. They would be vulnerable. This demonstrates how remote the location is and the users of the site would need to

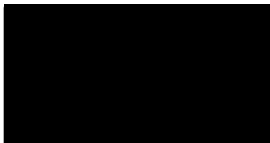
use private vehicles to travel. This is not a sustainable development, which is a fundamental requirement of planning policies.

It was considered that the new housing would have an adverse impact on the existing Stockmans Cottage and Horsemans Cottage with a degree of overlooking and loss of privacy.

The development does not provide any benefit to the surrounding area or to the local community. It is recognised that there are exceptions to providing affordable housing but concerns were raised that there is no affordable housing proposed. Potentially over 30 children could reside on the site with no recreational facilities planned within the site. The limited facilities of Abbotsley playing field and village hall are some miles away and the development could not be easily supported by village residents.

In summary, although accepting the principle of redeveloping redundant buildings, the development of a residential site with new housing development in the open countryside in a non-sustainable remote location is not considered acceptable.

Yours sincerely

A solid black rectangular box used to redact the signature of the Clerk to Abbotsley Parish Council.

Clerk to Abbotsley Parish Council

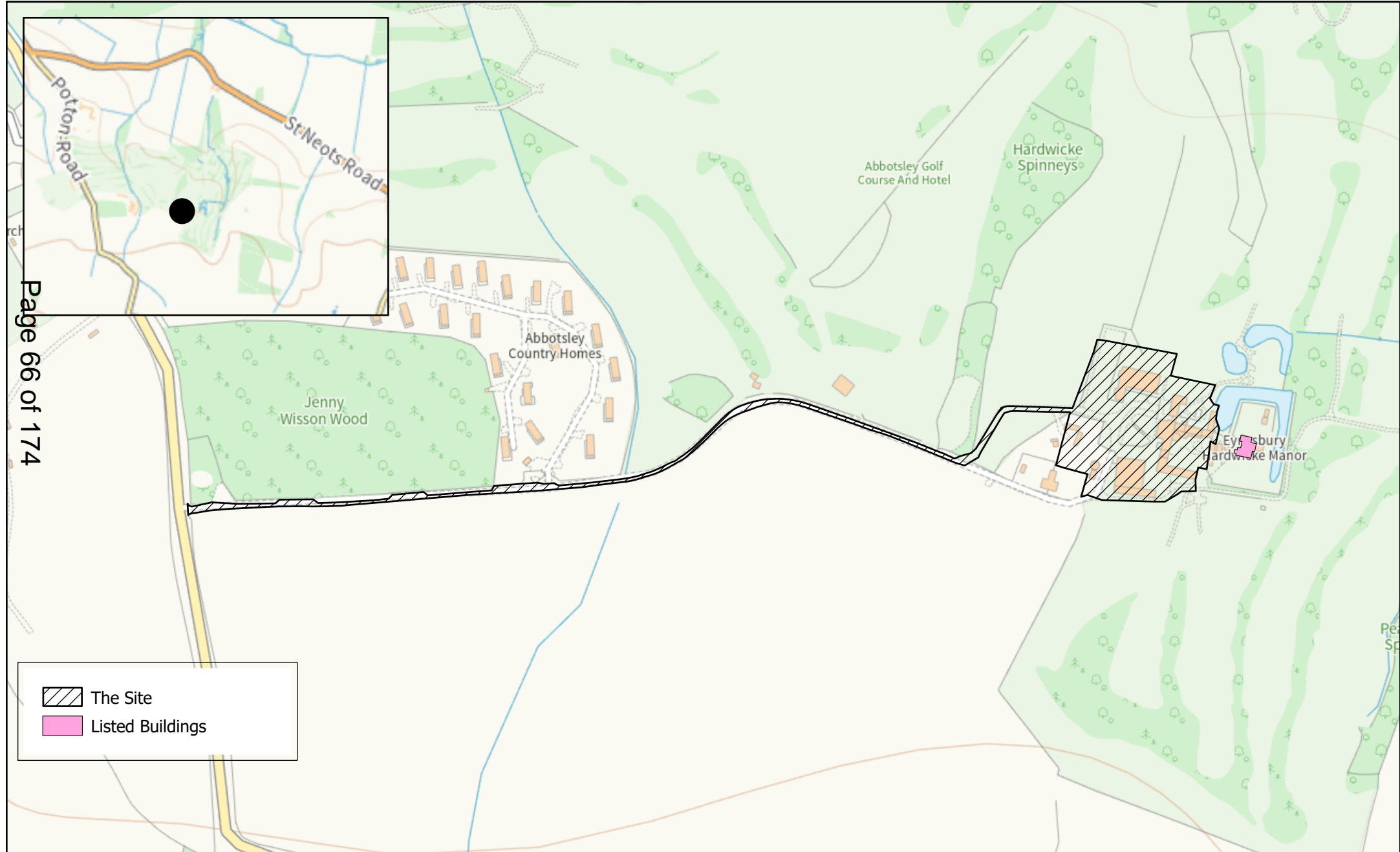
Development Management Committee

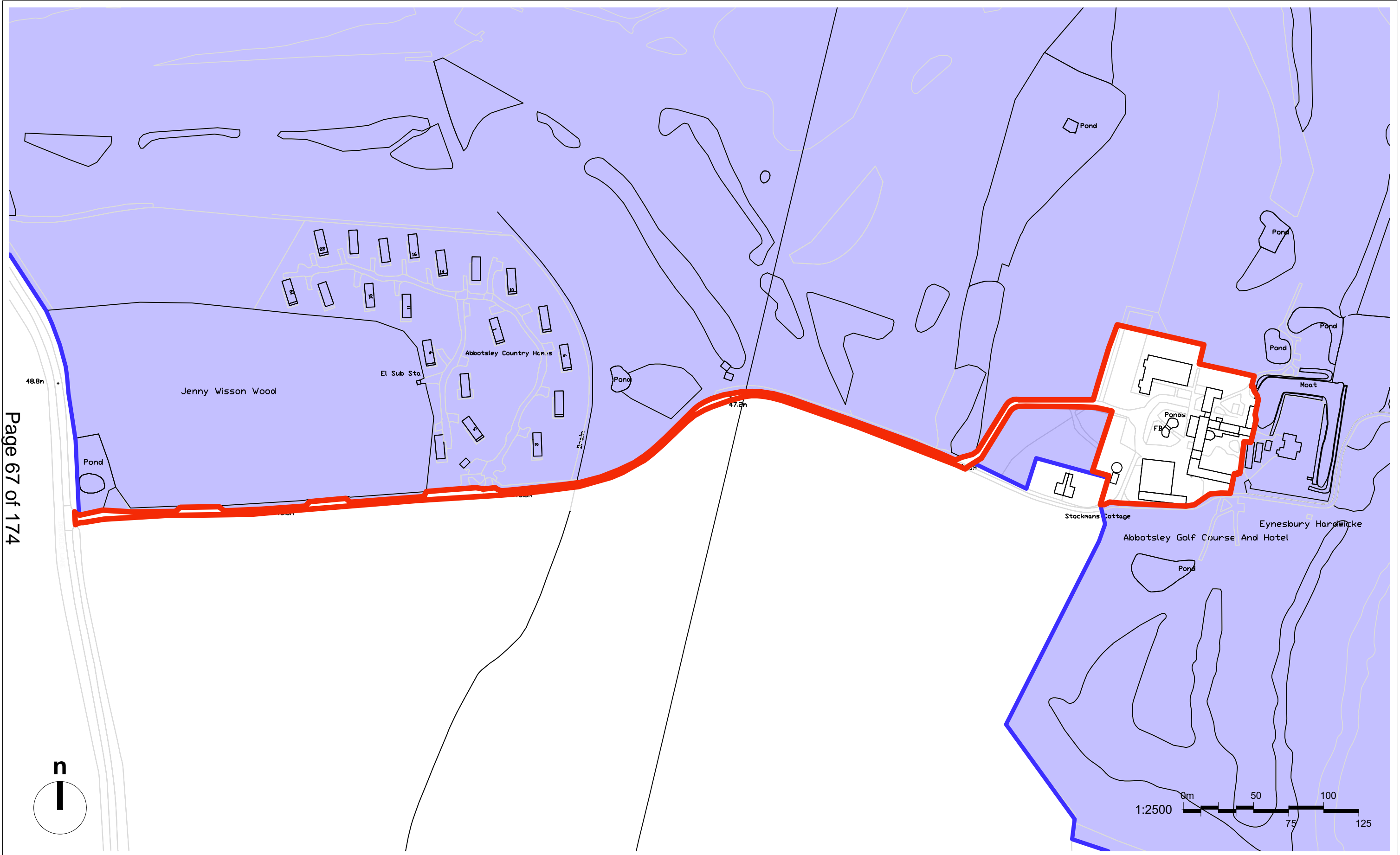
Application Ref: 23/00500/FUL



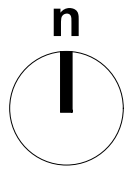
Scale = 1:4,000

Date Created: 03/07/2024





Page 67 of 174



rev.	date	description	drn	chk'd

NOTES
 Do not scale from this drawing, use figured dimensions only.
 All dimensions to be checked on site.
 All drawings to be read in conjunction with other contract documentation.
 Any discrepancies to be reported to the Contract Administrator before any work commences.
 © Copyright Bidwells LLP

client: Abbotsley Ltd.		drawn: AB		date: Jan 21		scale @ A3: 1:2500	
project: Conversion of Abbotsley Golf & Country Club		chk'd: --		rev: PA2		status: Planning	
discipline: ARCHITECTURE		dwg no.: DR-A-0001		project no.: 55699			

BIDWELLS

Trumpington Road
 Cambridge CB2 9LD
 t: 01223 841841
 f: 01223 845150
 bidwells.co.uk

LEGEND	
	Survey Station
	Level (cross indicates position unless annotated)
	Kerb
	Drop Kerb
	Change of Surface
	Banking
	Hedge/Bush Canopy
	Gate
	Wall
	Fence
	Frost Drainage With 10, 15 mm Storm Drainage
	Overhead Electricity Line
	Underground Electricity Line
	Overhead Telephone Line
	Underground Telephone Line
	Tree with trunk(s) (Ave spread dia) Height if specified
	Sagging

ABBREVIATIONS (Where applicable)	
GENERAL	LP Lamp Post
AV Air Valve	MH Manhole
BB Bellows Beacon	MKR Marker
BG Box Gully	NO Not Observed
BL Blind	NI No Further Information
BP Boundary Post	NSF Not Surveyed - Information From
BS Bus Stop	P Post
CD Cable Duct	PM Parking Meter
CL Cover Level	PRV Pressure Reducing Valve
CM Cable Marker	RE Roading Eye
CPS Concrete Paving Slabs	RG Road Gully
CP Down Pipe	RS Road Sign
ECS Electricity Control Box	EW Rain Water Pipe
EDP Electricity Cable PE	SC Skip Cock
EJB Electricity Cable Junction Box	SP Signpost
EP Electricity Pole	SV Scape Valve
ERP Earthing Point	T Tree
FB Flower Bed	TG Telephone Gull Base
FH Fire Hydrant	TL Threshold Level
FG Feeds into Ground	TI Telephone Inspection Cover
FP Footpath	TJ Telephone Junction Box
G Gully	TL Traffic Light
GP Gate Post	TP Telephone Pole
GV Gas Valve	UTL Underdrain to Lift
H Hydrant	VP Vent Pipe
I Inceptor Cover	WL Water Level
L Invert Level	WM Water Meter
KO Kerb Outlet	WV Water Valve

ABBREVIATIONS (Where applicable)	
FENCES AND WALLS	BRV Brick Wall
	BLW Block Wall
	DF Post & Barbed Wire Fence
	CB Close Boarded Fence
	CI Corrugated Iron Fence
	CF Chain Link Fence
	CS Concrete Wall
	DSW Dry Stone Wall
	IR Iron Railing Fence
	OB Open Boarded Fence
	PC Post & Chain Fence
	RFL Rail & Chain Link Fence
	PF Panel Fence
	PI Post & Rail Fence
	PV Post & Wire Fence
	PWM Post & Wire Mesh Fence
	RF Reaching Wall
	SF Security Fence
	STW Stone Wall
	SW Sheep Wire Fence

Page 88 of 174



SURVEY STATION SCHEDULE			
STN	EASTINGS	NORTHINGS	LEVEL REMARKS
101	520833.833	256589.436	48.965 TEMP NAIL
102	520838.058	256641.633	48.914 MAG NAIL IN ROAD
103	520784.281	256638.526	48.173 MAG NAIL IN CONCRETE
104	520786.389	256639.170	47.520 MAG NAIL IN CONCRETE
105	520827.085	256665.225	47.530 NAIL IN PEG
106	520835.857	256627.312	47.520 MAG NAIL IN BRICK
107	520833.432	256614.419	47.301 MAG NAIL IN BRICK
108	520845.467	256613.126	47.579 TEMP NAIL
109	520841.586	256605.837	48.024 TEMP NAIL
109A	520820.344	256599.040	47.810 NAIL IN PEG
109B	520820.017	256610.491	47.820 MAG NAIL IN BRICK
109C	520818.829	256620.238	47.287 MAG NAIL IN CONCRETE
110	520805.951	256566.825	49.120 H/L NAIL IN CONCRETE
110A	520789.834	256601.511	48.334 MAG NAIL IN TIMBER STRIP
111	520781.454	256567.389	48.861 H/L NAIL IN CONCRETE
112	520754.859	256588.554	48.220 H/L NAIL IN CONCRETE
113	520767.787	256625.439	48.211 MAG NAIL IN CONCRETE

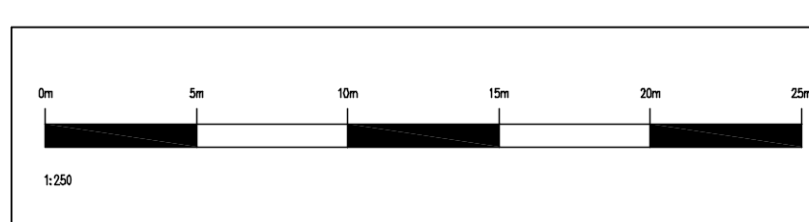
NOTES

SURVEY TIED INTO NATIONAL GRID (OS18) AND OSGRID21 DATUM FOR HEIGHT USING GPS EQUIPMENT UTILIZING THE TRIMBLE VRS NOW SYSTEM FOR REAL TIME KINEMATIC (RTK) CORRECTIONS NATIONAL GRID SCALE FACTOR HAS NOT BEEN APPLIED TO THE SURVEY UNLESS SPECIFIED

DRAINAGE AND SERVICE INFORMATION SHOWN ON THIS SURVEY HAS BEEN OBTAINED BY VISUAL INSPECTION ONLY. ALTHOUGH ALL POSSIBLE CARE HAS BEEN TAKEN TO ENSURE THAT DETAILS SHOWN ARE CORRECT, WE ARE UNABLE TO ACCEPT ANY RESPONSIBILITY FOR COSTS ARISING OUT OF ANY ERRORS OR OMISSIONS.

COPYRIGHT: THIS DRAWING MAY NOT BE REPRODUCED IN ANY FORM WHATSOEVER WITHOUT THE CONSENT OF C J SURVEYS LTD.

C J SURVEYS LTD LAND BUILDING ENGINEERING PROFESSIONAL MEASURED SURVEYS Tel: 01638 581031 Mobile: 07845 775645 Web: www.cjsurveys.co.uk E-mail: mail@cjsurveys.co.uk	CLIENT PARTNERS IN PLANNING & ARCHITECTURE	
	DATE: APR 2020 DRAWN: CJ SHEET SIZE: SCALE: A0 1:250	PROJECT: TOPOGRAPHIC SURVEY ABBOTTSLEY GOLF CLUB DRAWING NO.: 0432011





Page 69 of 174

Stockmans Cottage

Pond

Pond

Moat

Eynesbury Hardwicke Manor

Eynesbury Hardwicke

NOTES
 Do not scale from this drawing, use figured dimensions only.
 All dimensions to be checked on site.
 All drawings to be read in conjunction with other contract documentation.
 Any discrepancies to be reported to the Contract Administrator before any work commences.
 © Copyright Bidwells LLP

client: Abbotsley Ltd.	project: Conversion of Abbotsley Golf Club	drawn by: gm		date: April '24	scale: 1:200	<p>Trumpington Road Cambridge CB2 9LD T 01223 841841 F 01223 846100 bidwells.co.uk</p>
drawn title: PROPOSED SITE LAYOUT - GROUND FLOOR PLAN		checked by: gm	date: April '24	scale: 1:200		
discipline: ARCHITECTURE	project no: 55699	draw no: DR-A-0110	rev: PA4	status: PLANNING		
© Copyright Bidwells LLP						

This page is intentionally left blank

DEVELOPMENT MANAGEMENT COMMITTEE 15th JULY 2024

Case No: 24/00066/S73

Proposal: VARIATION OF CONDITION 2 (APPROVED PLANS) AND 13 (FEEDSTOCK LIMIT) OF 22/01107/FUL TO AMEND DESIGN/LAYOUT AND INCREASE AMOUNT OF TOTAL FEEDSTOCK TONNAGE PERMITTED IN 12 MONTH PERIOD BY 15%.

Location: COLLMART GROWERS LTD, THE DROVE,
PONDERSBRIDGE, HUNTINGDON, PE26 2TP

Applicant: COLLMART GROWERS LIMITED

Grid Ref: 525914 292082

Date of Registration: 15th JANUARY 2024

Parish: FARCET

RECOMMENDATION – APPROVE

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

1. DESCRIPTION OF SITE AND APPLICATION

Site overview and constraints

- 1.1 The site is located to the south of the Drove, Pondersbridge. The site lies to the west of several large storage and packing building where the processing, curing/drying of onions takes place for Collmart Growers Ltd (the applicant), the proposals will form part of this larger site within the Farcet Parish Council boundary. Beyond the large buildings to the east is the residential settlement of Pondersbridge which falls within boundary of Whittlesey Town Council within the District of Fenland.
- 1.2 The application site measures 2.63 hectares in area and is accessed off the existing access from The Drove which leads onto Ramsey Road. There are large, surfaced areas associated with the storage and packing buildings that enable off road parking and turning for large vehicles. To the south of the site is Beavill's Leam, an artificial drainage cutting with its embankment and informal footpath/track.

- 1.3 The site is located within Flood Zone 3 as identified on the Environment Agency Flood Maps for Planning and Huntingdonshire's Strategic Flood Risk Assessment (2017). The site and surrounding land is classified as Grade 1 Agricultural Land.
- 1.4 The landscape characteristic is generally flat open farmland with no existing features; however, the land levels rise to the Drove and Ramsey Road where there are unobstructed views into the site. The existing buildings and large wall of storage crates are prominent in the wider public views from Herne Road to the south and Ramsey Road to the north.

Background and proposal

- 1.5 Planning application reference 18/01782/FUL for 'Proposed Anaerobic Digestion Plant and Associated Infrastructure' was granted planning permission under delegated powers on 26th November 2018. Subsequently, the plans were amended under planning application reference 19/01542/S73 (approved 3rd December 2019) to incorporate changes to the location, number and type of digesters proposed. These planning permissions are no longer extant due to the passage of time.
- 1.6 Planning application reference 22/01107/FUL for 'Proposed Anaerobic Digestion Plant and Associated Infrastructure' was granted planning permission under delegated powers on 22nd September 2023 and this permission remains extant. The approved plans show the anaerobic digestion plant and associated infrastructure sited to the rear of the existing buildings on site.
- 1.7 Planning approval 22/01107/FUL permits a total feedstock limit for the process of 43,200 tonnes per annum made up of onion waste, straw, potato, and maize. The feedstock would be a by-product from onion processing currently undertaken by the applicant or grown on the applicant's land within Cambridgeshire. Crop feedstocks would be transferred to the site using a tractor and trailer during typical harvest periods prior to unloading within the clamp. This would be compacted and covered using protective plastic sheeting to form an airtight layer to minimise emissions and preserve the feedstock throughout the year.
- 1.8 The feedstocks would be digested within the sealed Anaerobic Digestion (AD) tank producing approximately 6.8MW of biomethane and heat per year. The biomethane created would be exported off site via a pipeline to a national grid connection. The heat created would be used to heat the digestion process, curing/drying process of the onions within the adjacent stores and for heating of the existing production buildings.

- 1.9 The process also creates digestate which will be used as a biofertilizer on the applicant's farmland, reducing the need for fossil fuel reliant inorganic fertiliser. The liquid digestate created would be pumped into the covered storage lagoon prior to transfer into a tanker for land application during the spring, summer and autumn as part of the agricultural cycle. Solid digestate would be stored within a bunker prior to transfer off-site for long-term storage and subsequent land application.
- 1.8 The current application seeks to vary condition 2 (approved plans) and the amendments to the design/layout of the site are summarised below:
- Alterations to size and/or siting of clamp, straw processing building, feed hoppers, continuous-flow stirred tank reactors (CSTR), flare, biogas upgrade unit;
 - Additional ancillary buildings/equipment including propane tanks, lighting mast, electrical kiosk, control room, transformer compound, potato and onion hoppers, weighbridge, odorant removal plant and chillers/coolers.
- 1.9 For ease, a comparison of the approved plans and 'replacement' or additional plans has been included below:

<i>Approved Plans</i>		<i>Replacement/Proposed Plans</i>	
Plan Type	Reference	Plan Type	Reference
Block Plan	01/22/AD1 Rev A	Block Plan	LUT-212-024 Rev A
Access Details	18860-TDPB-5-500 Rev A	/	/
Elevations (Biogas Pre-Treatment and Upgrade Units)	01/22/AD10	Floor plans and Elevations (Biogas Upgrade Area)	LUT-121-010
Floor plans and Elevations (CHP unit)	01/22/AD14	Floor plans and Elevations (CHP unit)	LUT-212-008
Floor plans and Elevations (Clamp)	01/22/AD9	Floor plans and Elevations (Clamp)	LUT-212-007
Floor plans and Elevations (Compressor Units)	F0012658 Rev 2	Floor plans and Elevations (Biogas Compressors)	LUT-212-014
Floor plans and Elevations (Digester Feeder Unit)	01/22/AD6	Floor plans and Elevations (200m3 Feeders)	LUT-212-013
Floor plans and Elevations (Digester Plans)	01/22/AD3	/	/
Floor plans and Elevations (Gas Entry Unit)	01/22/AD8	Floor plans and Elevations (Gas Entry Unit)	LUT-212-011
Floor plans and Elevations	01/22/AD4	Floor plans and Elevations (CSTR)	LUT-212-005

(Homogenisation Tank)			
Section (Lagoon Section)	01/22/AD13	/	/
Location Plan	01/22/AD2	/	/
Floor plans and Elevations (Process Building)	01/22/AD5	Floor plans and Elevations (CO2 Recovery Area)	LUT-212-009 Rev A
Floor plans and Elevations (Straw Processing Building)	01/22/AD7	Floor plans and Elevations (Straw Processing Building)	LUT-212-006 Rev A
/	/	Elevation Views	LUT-212-004 Rev G
/	/	Floor plans and Elevations (Propane Tanks)	LUT-212-012 Rev A
/	/	General Arrangement	LUT-212-003 Rev E
/	/	Floor plans and Elevations (Biogas Flare)	LUT-212-015 Rev A
/	/	Floor plans and Elevations (Odorant Removal Plant)	LUT-212-026 Rev A
/	/	Floor plans and Elevations (Chillers/Coolers)	LUT-212-027 Rev A
/	/	Floor plans and Elevations (Weighbridge)	LUT-212-028 Rev A
/	/	Floor plans and Elevations (LV equipment)	LUT-212-029 Rev A
/	/	Floor plans and Elevations (Transformer Compound)	LUT-212-030 Rev A
/	/	Floor plans and Elevations (Potato and Onion Hoppers)	LUT-212-017 Rev A
/	/	Floor plans and Elevations (Lightning Mast)	LUT-212-021 Rev A
/	/	Floor plans and Elevations (Reverse Compressors)	LUT-212-020 Rev A
/	/	Floor plans and Elevations (Electrical Kiosk)	LUT-212-019 Rev A
/	/	Floor plans and Elevations (Control Room)	LUT-212-018 Rev A

- 1.10 The application also seeks to amend the wording of condition 13 (feedstock limit) of 22/01107/FUL to increase the amount of total feedstock tonnage permitted in 12-month period by 15%, from 43,200 tonnes to 49,680 tonnes. The amount of biomethane generated would remain the same as previously approved, however the system needs the flexibility for more feedstock input (15%) than previously accounted for to generate the same amount of gas.
- 1.11 The following documents have been submitted with the application:
- Odour Assessment (reference 2594-5r1) dated 6th December 2023 by Redmore Environmental
 - Odour Management Plan (reference 2594-6r1) dated 6th December 2023 by Redmore Environmental
 - Noise Impact Assessment Report and Noise Management Plan (reference A1248) dated December 2023 by Anglia Consultants
 - Drainage Design Strategy and Philosophy Statement Revision 0 (reference 28696) dated December 2023 by Plandescil Consulting Engineers

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)
- LP2: Strategy for Development
 - LP5: Flood Risk

- LP6: Waste Water Management
 - LP9: Small Settlements
 - LP10: The Countryside
 - LP11: Design Context
 - LP12: Design Implementation
 - LP14: Amenity
 - LP15: Surface Water
 - LP16: Sustainable Travel
 - LP17: Parking Provision and Vehicle Movement
 - LP19: Rural Economy
 - LP30: Biodiversity and Geodiversity
 - LP31: Trees, Woodland, Hedges and Hedgerows
 - LP35: Renewable and Low Carbon Energy
 - LP34: Heritage Assets and their settings
 - LP36: Air Quality
 - LP38: Ground Contamination and Groundwater Pollution
- 3.2 Supplementary Planning Documents/Guidance
- Huntingdonshire Design Guide SPD (2017)
 - Developer Contributions SPD (2011)
 - Huntingdonshire Landscape and Townscape Assessment (2022)
 - Cambridgeshire Flood and Water SPD (2017)
 - Huntingdonshire Tree Guidance Note 3

For full details visit [Local policies](#)

4. RELEVANT PLANNING HISTORY

- 4.1 23/02327/S73 – Variation of condition 13 (Feedstock Limit) of 22/01107/FUL for Proposed Anaerobic Digestion Plant and Associated Infrastructure – Pending consideration
- 4.2 22/01107/FUL – Proposed Anaerobic Digestion Plant and Associated Infrastructure – Approved 22.09.2023
- 4.3 22/80025/COND – Conditional information for 18/01782/FUL: C12 (Noise) – Details agreed 29.03.2022
- 4.4 22/80042/COND – Conditional information for 18/01782/FUL: C10 (Odour Management Plan) – Details agreed 26.02.2022
- 4.5 21/80387/COND – Conditional Information for 18/01782/FUL: C7 (Highway Junction Improvement Scheme- Ramsey Road and The Drove) – Details agreed 29.04.2022
- 4.6 19/01542/S73 – Variation of Condition 2 of 18/01782/FUL - amend plans to change layout and design – Approved 03.12.2019

- 4.7 18/01782/FUL – Proposed Anaerobic Digestion Plant and Associated Infrastructure – Approved 25.04.2019.
- 4.8 17/00684/FUL – Erection of an agricultural storage building – Approved
- 4.9 1101238FUL – Extension to vegetable processing plant to provide additional office space – Approved 02.03.2012
- 4.10 0503728REM – Approval of landscaping relating to the erection of buildings for packing, grading, preparation and distribution of vegetables. Construction of hardstanding and access – Approved 02.08.2006
- 4.11 0502499REM – Approval of external appearance and design in respect of building for packing, grading, preparation and distribution of vegetables – Approved 15.11.2005
- 4.12 0400810FUL – Retention of extension to building for processing packaging of vegetables – Approved 21.07.2005
- 4.13 0213092OUT – Erection of buildings for packing, grading, preparation and distribution of vegetables. Construction of hardstanding and access – Approved 18.05.2004

5. CONSULTATIONS

- 5.1 Farcet Parish Council - Recommend refusal on the grounds of the increase in vehicular traffic and highway safety.
- 5.2 Whittlesey Town Council – Recommend refusal. Request that should the Anaerobic Digester be granted it operates with the existing application condition and not an increase as there will already be additional traffic and this would further increase the vehicle movements. It should also be noted that the application has not been complete correctly.
- 5.3 Fenland District Council – No objection providing additional traffic, noise and odour is satisfactorily addressed.
- 5.4 Environment Agency – No comment.
- 5.5 Local Lead Flood Authority – We have reviewed the submitted information and based on this we have no objections regarding the variation of conditions 2 and 13. The proposals appear to increase the impermeable area on site as well as traffic movements, therefore further attenuation and water quality treatment may be required. This detail is to be provided upon submission of the discharge of condition application and we therefore have no further comments to make.

- 5.6 CCC Archaeology – We have reviewed the amended plans and these do not alter our advice. We have no objections or recommendations.
- 5.7 CCC Minerals and Waste Team – No comments.
- 5.8 HDC Environmental Health – Environmental Health matters will be dealt with under the Environmental Permit regulated by the Environment Agency, therefore we have no further comments to make in relation to this proposed variation.
- 5.9 HDC Conservation Team – No comment.
- 5.10 CCC Highways – Having looked at the proposed increase in traffic movements associated with this application over those already approved within applications 22/01107/ful and prior to that 18011782FUL. The indicated weekly increase of 1.7 lorry movements and 4.8 tractor movements per week, this could not be seen as significant and a recommendation of refusal would not be possible to defend at any subsequent appeal based on this increased level of activity. Given the above I have no objections on highway safety grounds. The previous conditions appended to the previous applications should also be reiterated.

6. REPRESENTATIONS

- 6.1 144 neighbours and previous objectors have been consulted on the current Section 73 application.
9 representations have been received from 3 households in objection raising the following matters:
- Roads unsuitable for the volume of traffic proposed
 - Odour and air quality impacts to the detriment of nearby residents
 - Health risks associated with release of gases
 - Safety concerns due to the proximity to residential housing and the river
 - Risk of fire or explosion from gas tanks
 - Site visible from roads in and out of Pondersbridge meaning proposal would be prominent
 - The site is visible from public areas
 - No beneficial gain for the residents of the surrounding area
 - Noise Pollution including mechanical sounds of processing equipment, transportation activities and potential backup generators
 - Property value
 - Existing access road in state of disrepair and proposal would exacerbate this issue
 - Highway safety
 - Accuracy and completeness of submitted information
 - Visual impact on landscape

- New design of digester would have much greater visual impact as it will be seen above existing buildings
- This new plan also has the clamp increasing by 9%, (an increase in area of 404.16 m² and volume of 1,818.72 m³) to accommodate the storage of the extra foodstock
- Quality of life for residents
- Contamination risk to rivers
- The new plans mention a proposed building on the existing site that is not part of the anaerobic digester

7. ASSESSMENT

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

- Principle of development
- Design, Visual Amenity and Impact on the Character of the Countryside
- Residential amenity
- Heritage Impacts
- Highway Safety, Parking Provision and Access
- Biodiversity
- Flood Risk and Drainage
- Other matters

Principle of development

7.2 The proposed amendments are set out above and all other parts of the development remain unchanged and therefore the previous planning permission remain relevant and unamended. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted, subject to new or amended conditions. In this instance, the application seeks to vary conditions 2 and 13 of 22/01107/FUL through the submission of amended and additional drawings and documents.

7.3 The principle of development has been established by the original permission and therefore this will not be considered as part of this application. In determining an application under this section, Officers have regard to the development plan and all other material considerations.

Design, Visual Amenity and Impact on the Character of the Countryside

7.4 Policies LP11 and LP12 of the Huntingdonshire Local Plan to 2036 state that developments should respond positively to their context, draw inspiration from the key characteristics of its surroundings and contribute positively to the area's character and identity. Policy LP10 states that development in the countryside should b. recognise the intrinsic character and

beauty of the countryside; and c. not give rise to noise, odour, obtrusive light, or other impacts that would adversely affect the use and enjoyment of the countryside by others.

- 7.5 The site is characterised by the existing agricultural production/storage buildings to the northeast; and flat open countryside to the south and northwest with residential dwellings to the east of the wider site. Part of the application site is currently being used to store crates.
- 7.6 Under the original application 22/01107/FUL, the delegated Officer Report acknowledged that the introduction of the Anaerobic Digester (AD) and associated plant would have visual impacts on the surrounding countryside and would result in some landscape harm, however the proposals would be viewed alongside the range of existing modern agricultural buildings and subject to securing 15 metre and 5 metre wide planting areas plus a 2 metre high bund by condition, on balance the visual impacts of the development would not be so great as to conflict with Policies LP10, LP11 and LP12 of the Local Plan to 2036.
- 7.7 The proposal looks to increase the size, height and/or siting of the approved AD equipment. For example, the approved 'homogenisation tanks' measure 20 metres in width and 7 metres in height and the proposed CSTR tanks measure 26.86 metres in width and 11.6 metres in height. The approved straw processing building measures 30 metres in length, 9 metres in width and 7 metres in height and the proposed measures 52 metres in length (with additional cantilever roof over the conveyor belt), 19 metres in width and 11.1 metres in height. The proposed straw processing building is now sited in a north-west alignment adjacent to the gas holder, CSTR's and feed hoppers and would largely obscure views of this equipment in views from the west. The approved clamp measures 84 metres in length, 53 metres in width and 4.5 metres in height and the proposed measures 90.6 metres in length, 53.6 metres in width and 4.5 metres in height.
- 7.8 The existing buildings on site measure approximately 9 – 11 metres in height. Although the proposal looks to increase the height of the proposed equipment, it is not considered in the context of the existing site this would appear unduly prominent within the landscape. Views of the proposed AD and ancillary plant would be largely obscured by the existing buildings from dwellings in the adjacent settlement of Pondersbridge to the east. There are no formal public rights of way within the vicinity of the site and public realm visibility is limited to nearby roads, B1095 to north, B1040 to south, Straight Drove to the west and unadopted farm tracks.
- 7.9 Details of ancillary buildings/equipment having also been submitted with this application, including propane tanks, lighting mast, electrical kiosk, control room, transformer compound,

potato and onion hoppers, weighbridge, odorant removal plant and chillers/coolers. Drawing LUT-212-024 Rev A shows the proposed buildings and equipment sited along the eastern boundary of the application site, to the rear of the existing buildings and adjacent to the AD plant and clamp. Excluding the lightning mast, the structures would be low-level in the context of the approved AD plant and existing buildings. Due to their siting between approved and existing built form, it is not considered there would be any additional detrimental harm to the appearance of the site or the surrounding countryside.

- 7.10 The proposal retains the proposed 2-metre-high bund and 15-metre-wide landscaping strip to the north of the site. Once matured, this landscaping buffer would soften views of the existing buildings and proposed AD in views from the B1095 to the north. A 5-metre landscape strip is also shown along the western boundary as previously approved which would soften views from Bevill's Learn to the south and longer distance views from Straight Drove to the west.
- 7.11 The landscaping and planting details are limited at this stage and Condition 4 of 22/01107/FUL requires further details of the hard and soft landscaping proposals prior to commencement of development. It is recommended that this condition be reimposed, if Members are minded to grant planning permission, to ensure the proposal can be satisfactorily assimilated into the surrounding landscape in accordance with Policy LP10, LP11 and LP12 of the Local Plan.
- 7.12 Furthermore, Condition 3 of 22/01107/FUL requires details of external finishes for the proposed buildings/structures and it is recommended that this condition also be reimposed to ensure the materials, finish and/or colour of the buildings are appropriate having regard to the rural setting of the site.
- 7.13 As with the approved scheme, the introduction of additional built form within the fen landscape would result in some landscape harm and whilst soft landscaping is proposed, this would not fully obscure views or mitigate the harm arising from the scheme. However, subject to the recommended conditions, it is considered that the proposals would be viewed alongside the existing agricultural use and buildings and on balance, would accord with Policies LP10, LP11, LP12 and LP19 of the Local Plan to 2036.

Residential Amenity

- 7.14 Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and

maintained for users and occupiers of neighbouring land and buildings.

- 7.15 The proposal seeks to amend the wording of condition 13 to increase the feedstock tonnage permitted in 12-month period by 15%, the important issues to consider are any potential increased odour and noise impacts associated with this. The application is accompanied by an updated Odour Assessment (reference 2594-5r1), Odour Management Plan (reference 2594-6r1) and Noise Impact Assessment Report and Noise Management Plan (reference A1248).
- 7.16 The Environment Agency has been consulted but has provided no additional comments. HDC's Environmental Health Officers and Fenland District Council have raised no objection to the proposed amendments.
- 7.17 As with the approved scheme (22/01107/FUL), due to the proposed throughput, as well as the inclusion of waste within the feedstock, the activities proposed fall under the Environmental Permitting Regime and therefore the site will require an Environmental Permit from the Environment Agency (EA). An Environmental Permit will control environmental emissions from the process such as air pollution, noise, vibration, odour, dust, light, land contamination and energy, and will contain strict controls on waste storage and acceptance procedures, management of the site to control emissions, and monitoring requirements.
- 7.18 As the proposed activities would be covered by an EA Permit the LPA are limited with what conditions can be used to control the development. Paragraph 194 of the NPPF 2023 stipulates:
"The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities."
- 7.19 Therefore, as with the approved scheme (22/01107/FUL), potential pollution associated with the AD would be subject to alternative control by the way of an Environmental Permit which takes precedence over planning conditions in the interests of reducing dual control and potential issues regarding conflicting conditions and enforcement responsibilities. It is therefore expected matters such as air pollution, noise, vibration, odour and/or contamination in respect of protection of residential amenity which would usually be controlled/mitigated by conditions recommended by HDC's Environmental Health Team,

would instead be covered by the Environmental Permit and enforced by the Environment Agency.

- 7.2 Should the feedstock input change in future, no longer requiring regulation under the Environmental Permitting system, condition 8 on the previous permission (22/01107/FUL) states *“Should the Anaerobic Digestion activities on site not be covered by an Environment Agency regulated Environmental Permit, the operator shall cease all associated activity until a Noise Management Plan and Odour Management Plan are submitted to and agreed in writing by the Local Planning Authority. The agreed plans shall be implemented immediately and adhered to in perpetuity prior to the use hereby permitted commencing”*. It is therefore recommended that this condition be reimposed should Members be minded to approve this application under Section 73 to ensure odour and noise would continue to be controlled.

Odour

- 7.21 Representations received during this application, as well as previous applications for the AD on site have raised concerns relating to air quality and odour. The application is accompanied by an updated Odour Assessment (reference 2594-5r1) dated 6th December 2023 by Redmore Environmental and Odour Management Plan (reference 2594-6r1) dated 6th December 2023 by Redmore Environmental. This sets out that a number of changes to the consented scheme are now proposed which include an increase in the tonnage of feedstocks that will be processed at the facility, as well as variation to the site layout and infrastructure. The proposed changes have the potential to affect odour emissions from the facility and associated impacts at sensitive locations in the vicinity of the site. As such, a further Odour Assessment has been undertaken to consider potential effects.
- 7.22 Potential odour sources from the proposed facility layout and operating procedures are:
- Exposed crops, onions and potatoes within the silage clamps;
 - Exposed materials during transfer to the feed hoppers;
 - Exposed material within the feed hoppers;
 - Liquid digestate within the storage lagoon;
 - Air expelled from the digestate tanker during filling;
 - Solid digestate within the bunker.
- It should be noted that the actual AD process itself is sealed and therefore does not form a source of odour, or other emissions such as methane (CH₄) or hydrogen sulphide (H₂S) under normal operation.
- 7.23 The updated Odour Assessment states that the significance of odour impacts as a result of the development was predicted to be negligible at all receptor locations, including the closest residential properties on The Drove, Ramsey Road, Decrease

Drove and Kings Farm. Notwithstanding this, the application is also accompanied by an updated Odour Management Plan which set out the procedures that will be followed at the site in order to prevent or minimise odour emissions during normal operating scenarios, set out corrective actions and remedial measures that will be utilised to prevent or minimise odour emissions during abnormal and emergency events and formalise the procedures for dealing with any odour complaints.

Noise

- 7.24 The proposal involves changes to the proposed AD plant and layout and therefore an updated Noise Impact Assessment Report and Noise Management Plan (reference A1248) dated December 2023 by Anglia Consultants has been submitted. This states that noise is likely to be generated from operation of the combined heat and power units (CHP) and associated compressors, from vehicle movements delivering and removing digester materials, from digester loading vehicles and from the straw extrusion plant.
- 7.25 The proposed AD and associated plant would be sited at the rear of the site, screened from the nearest residential receptors on The Drove and Ramsey by existing buildings. The submitted Noise Assessment identifies that noise produced by the AD Plant would be below the baseline day and nighttime background noise at both receptor locations and not likely to be perceptible. The additional vehicle movements generated by the AD transport operations are not likely to result in any perceptible change at the receptor positions, when compared to the noise generated by existing vehicle movements on the site.
- 7.26 As mentioned above, the AD and associated activities on site would be regulated by the Environment Agency under the Environmental Permitting (England and Wales) Regulations (2016) and as such it will not fall to the local authority to ensure that odour and noise are appropriately managed at the site. In the event that the activities on site no longer fell under the aforementioned regulations, Officers are satisfied on the basis of the submitted Odour and Noise Assessments and Management Plans that odour, air quality and noise could be appropriately managed. This is subject to the recommended imposition of a condition, as per the previous consents, requiring a Noise Management and Odour Management Plan to be submitted and approved with the Local Planning Authority should the activities no longer be covered by an Environment Agency Regulated Permit in the future.
- 7.27 Overall, it is not considered the amendments proposed to the site layout or increase in feedstock processed at the site would have unacceptable detrimental impacts on nearby properties and

therefore the proposal accords with Policy LP14 of the Local Plan, subject to the suggested conditions.

Heritage Impacts

7.28 The nearest part of the application site is approximate 230 metres away from the Church of St Thomas a Grade II Listed Building. Given the significant distance between the site and the Church of St Thomas, the proposal, by virtue of its siting and location is considered to preserve the setting and significance of this heritage asset. The proposals have also been assessed in consultation with Cambridgeshire County Council Archaeology Team, who have raised no objections to the proposed amendments. It is considered the proposal meets the aims and objectives of Policy LP34 of Huntingdonshire's Local Plan and the NPPF 2023 in this regard.

Highway Safety, Parking Provision and Access

7.29 Policy LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.

7.30 The proposed development would be served by an existing access to the Collmart Growers site and utilise existing parking and turning areas within the site. Drawing no. 18860-TDPB-5-500 Rev A approved under 22/01107/FUL shows an improvement to the existing junction at The Drove with the B1095 to allow two HGV vehicles to enter and leave simultaneously. This junction improvement was supported as the existing junction and road surface shows signs of damage as it has been serving large vehicles associated with the existing site operations.

7.31 It is understood that the existing average number of vehicle movements accessing the site is 40 HGV movements and 10 tractor/trailer movements. The proposed AD plant operation as approved (22/01107/FUL) would add 4 HGV movements and 11 tractor/trailer movements. The proposal to increase the feedstock limit by 15% under this application would result in 1.7 additional lorry movements and 4.8 additional tractor movements weekly above the approved scheme (22/01107/FUL). The Highway Authority have raised no objection as the indicated weekly increase in traffic movements could not be seen as significant compared to the approved scheme. The Highways Officer has recommended previous conditions appended to the previous approvals should be reiterated.

7.32 Under the approved scheme and proposed scheme, the biogas created on site would be piped to the network as opposed to

transported off-site by tankers. This means that there would be no large vehicle movements associated with this aspect of the process. Details of the proposed connection have not been provided within the application, however condition 12 of 22/01107/FUL requires this to be demonstrated prior to first use of the development. It is recommended that this condition be reimposed if Members are minded to grant permission under this Section 73 application, to ensure that a piped connection is in place which avoids additional vehicle movements associated with the transportation of biogas.

- 7.33 Condition 16 of 22/01107/FUL requires that the existing access from The Drove be widened to 20.8 metre to the road edge as specified. Condition 15 secures the proposed improvements works to the junction of The Drove and the B1095 prior to the development commencing onsite. It is recommended that these conditions are also reimposed should Members be minded to grant planning permission under Section 73. Furthermore, it is recommended that the wording of condition 13 be amended to increase the feedstock limit per annum, as it has been considered above that the additional vehicle movements associated with this amendment would not have a detrimental impact on highway safety. Condition 14 requiring the monitoring and recording of feedstock is also recommended to be imposed on any permission granted under Section 73. With the above, it is considered that the proposal would therefore accords with Policy LP17 of the Local Plan.

Biodiversity

- 7.34 Policy LP30 of the Local Plan requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible.
- 7.35 The application site comprises arable land and is considered to have negligible-low nature ecology value. The approved scheme and proposed scheme include landscaping strips and bunds which would enhance the biodiversity within the site. Condition 4 of 22/01107/FUL requires further details of the proposed planting, species, type, size and a timetable for planting and maintenance regimes to ensure no net loss in biodiversity and to achieve a net gain. Subject to this condition being reimposed should planning permission be granted, it is considered the proposal complies with the requirements of Policy LP30 of the Local Plan.

Flood Risk and Drainage

- 7.36 The application site falls within Flood Zone 3 on the Environment Agency's Flood Map for Planning and Flood Zone 3a on

Huntingdonshire's Strategic Flood Risk Assessment (2017). Paragraph 165 of the National Planning Policy Framework (NPPF 2023) states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).

- 7.37 Under the previous application 22/01107/FUL, the sequential test was considered to be passed as all of the applicant's land falls within flood zone 3, therefore in circumstances where the proposals are considered to be less vulnerable in flood zone 3 and given that the proposals have to be sited in close proximity to the storage and production buildings to feed heat back into the buildings and close to the feedstock for operational reasons, it was considered that there were no practical alternative locations for the development within the established agricultural unit at lower risk of flooding. Furthermore, the proposed use is classified as "less vulnerable" as per table 3 of the NPPF Technical Guidance which is a compatible use in Flood Zone 3a.
- 7.38 It is not considered that the proposed amendments would increase the flood risks to or from the development. The Environment Agency have raised no objection. The Local Lead Flood Authority have also been consulted and have advised that the amendment does not appear to have any surface water flood risk or drainage implications. Conditions imposed on 22/01107/FUL require the submission of a surface water drainage scheme, long term maintenance arrangements for the surface water drainage system and drainage arrangements during construction. Subject to these conditions being reimposed if permission were to be granted, the proposed development is considered to be acceptable in terms of flood risk and drainage meeting the aims and objectives of Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan and the NPPF 2023.

Other matters

- 7.39 An application under Section 73 of the Town and Country Planning Act 1990, if approved, has the effect of the issue of a new, separate, planning permission. Consequently, the conditions applied to the previous permission to which this application relates must be reviewed and added to any approval of this application where they would pass the tests of conditions set out in paragraph 56 of the NPPF 2023.
- 7.40 The wording of condition 1 in respect of the time limit would be amended so as to not extend the time within which the works must be started in accordance with Section 91 of the Town and Country Planning Act 1990, as amended. The list of approved drawings would be varied to include the amended drawings however the wording of condition 2 (approved plans) will remain to ensure the development is carried out in accordance with the approved plans list. The wording of condition 13 (feedstock limit)

would be amended to increase the amount of total feedstock tonnage permitted in a 12-month period from 43,200 tonnes to 49,680 tonnes. The remainder of the conditions on the original application are recommended to be imposed on this application and would continue to have effect.

Conclusion

7.41 Having regard to national and local planning policies, and having taken all relevant material considerations into account, it is recommended that application should be approved for the proposed amendments. It is recommended that the wording of all conditions on the original application (22/01107/FUL) be replicated on this application under section 73 of the Town and Country Planning Act 1990, excluding those conditions which will be amended as outlined above.

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

- Time limit
- Approved plans
- Submission of materials and finishes
- Hard and soft landscaping
- Surface water drainage scheme
- Maintenance arrangements for surface water drainage scheme
- Drainage during construction
- Requirement for Noise and Odour Management Plan should activities no longer require Environmental Permit
- Noise Construction Hours
- Hours of Operation
- Details of external lighting
- Details of piped network connection
- Feedstock limit
- Records of Feedstock
- Highway improvement works
- Access width

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: Lucy Pateman

Enquiries: lucy.pateman@huntingdonshire.gov.uk

From: [REDACTED]
To: [DevelopmentControl](#)
Subject: Planning observations
Date: 07 February 2024 12:13:45

Good afternoon,
Farcet Parish Council planning observations are:

[REDACTED]

24/00066/S73- Variation of condition 2 (approved plans) and 13 (feedstock limit) of 22/01107/FUL to amend design/layout and increase amount of total feedstock tonnage permitted in 12month period by 15%, Collmart Growers Ltd The Drove Pondersbridge dwelling, retail unit and equine facilities, 93 Peterborough Road Farcet Peterborough Farcet Parish Council would recommend refusal on the grounds of the increase in vehicular traffic and highway safety.

Kind regards

[REDACTED]
Parish Clerk
Farcet Parish Council

[REDACTED]

PRIVACY NOTICE - WHEN YOU CONTACT US

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored so that it is possible to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will not be shared or provided to any other third party. A copy of the Council's Email Privacy Notice is available on the www.farcetpc.org.uk website.

This communication is confidential and may be legally privileged. It is intended solely for the addressee(s) only. Please notify the sender if you have received this in error and delete it immediately. Unauthorised use or disclosure of the contents may be unlawful.

[REDACTED]
website: www.farcetpc.org.uk

Development Management Committee



Scale = 1:5,000

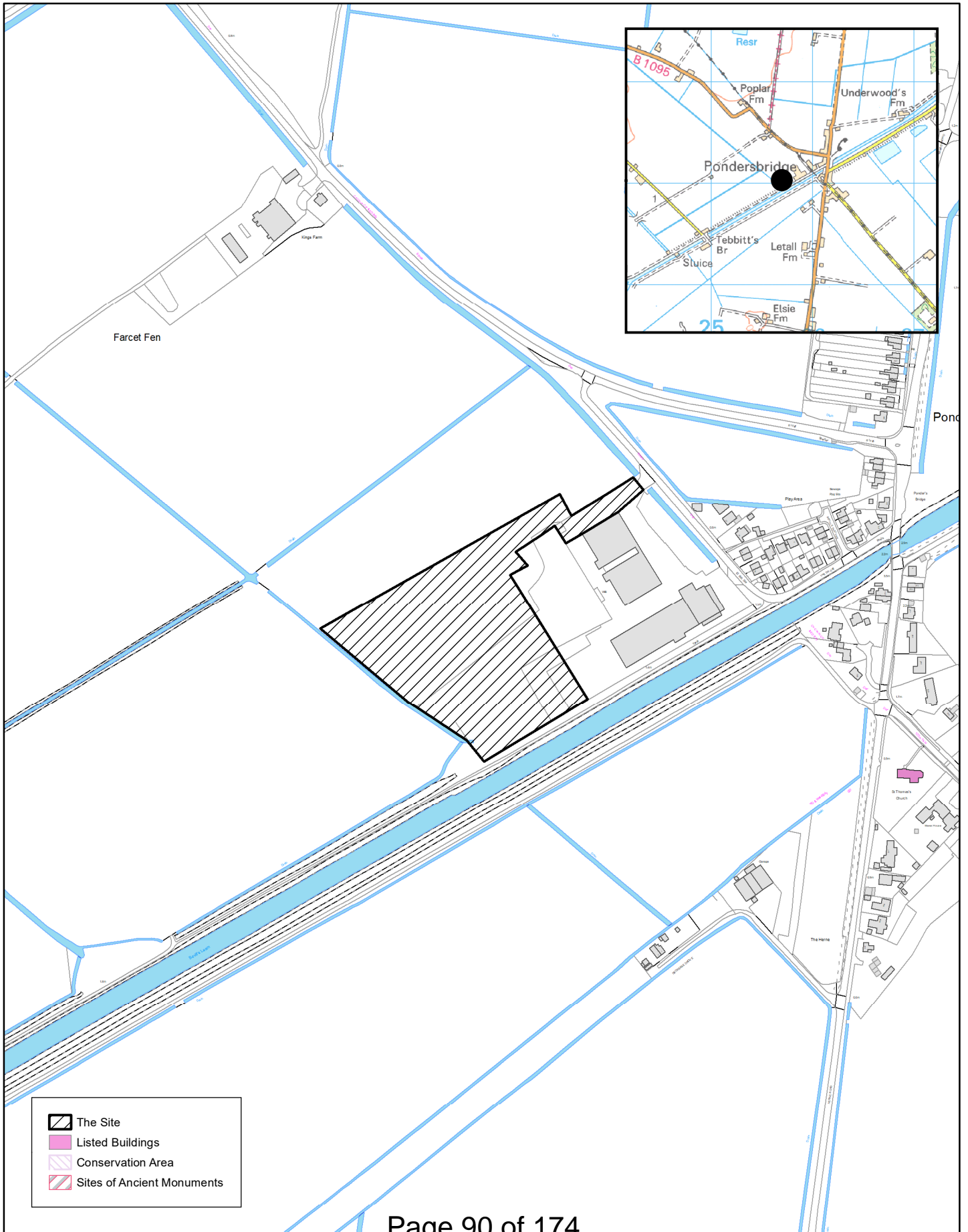
Date Created: 03/07/2024

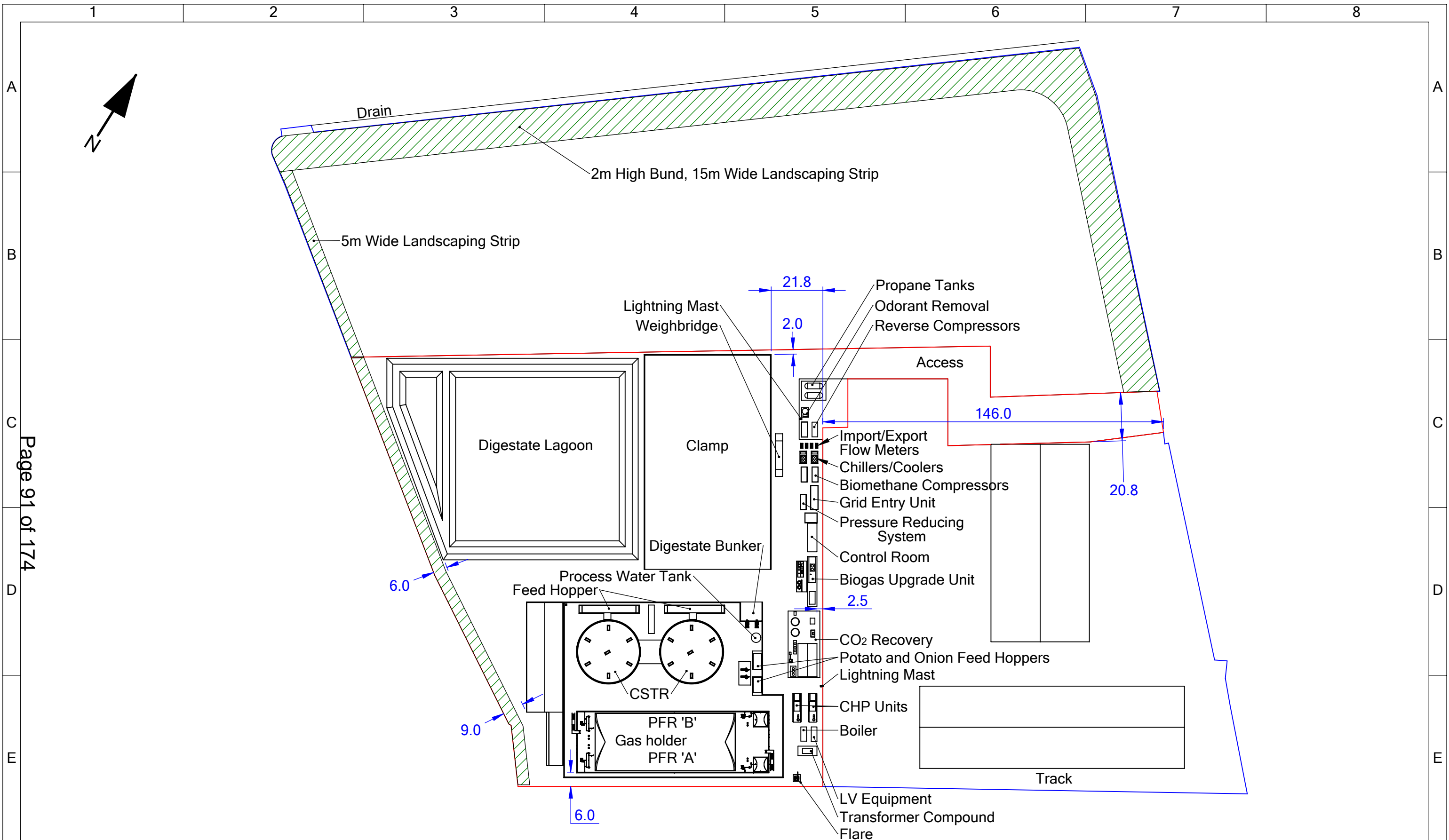
Application Ref: 24/00066/S73

Location: Farcet/Pondersbridge



© Crown copyright and database rights 2024
Ordnance Survey HDC 100022322

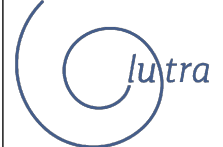




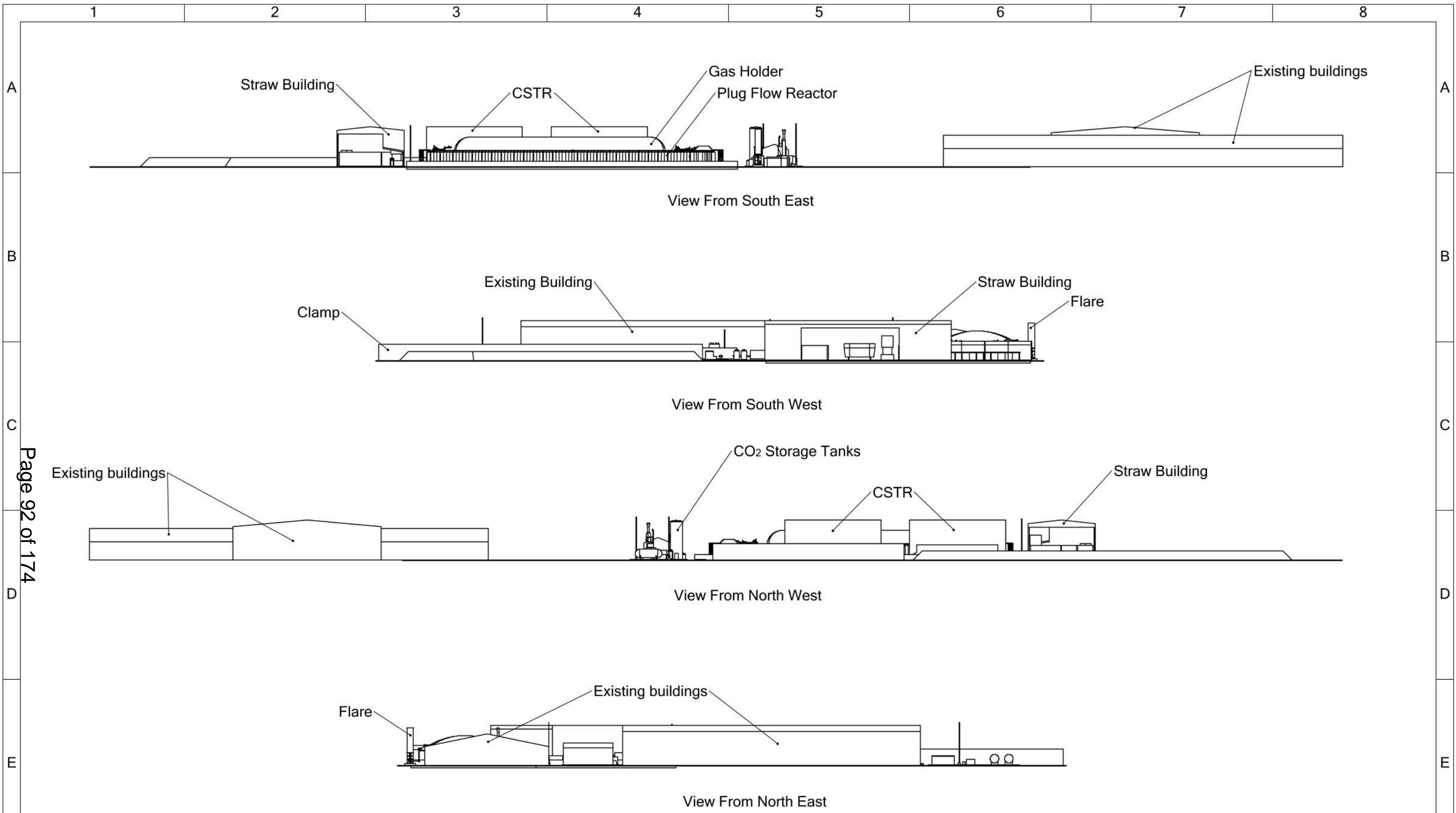
Page 91 of 174

A3

Drawn by: M. K. Aplin	Checked by:	Approved by: - date: -	All dimensions in metres	Date: 16/01/2024	Scale: 1:1500
---------------------------------	-------------	---------------------------	-----------------------------	----------------------------	-------------------------


Lutra Ltd. Barrett's Mill Woofferton Ludlow SY8 4AH		This drawing is the property of Lutra Ltd. and may not be copied in whole or in part or communicated to a third party or used for any purpose without the written consent of Lutra Ltd.	Collmart AD Plant General Arrangement Including Lease Boundary	
			Drawing No. LUT-212-024	Sheet 1 of 1

Rev.	Description	Date	Checked	Approved
A	Initial issue	16/01/2024		



Page 92 of 174

G	Proposed building on existing site removed	17/06/2024		
F	Straw building redrawn	24/01/2024		
E	Larger feed hoppers	06/12/2023		
D	Existing site buildings and descriptions added	05/12/2023		
C	Revised straw processing area, flare relocated	30/11/2023		
B	Revised site layout	29/11/2023		
A	Initial issue	21/03/2023		
Rev.	Description	Date	Checked	Approved

Lutra Ltd. Barrett's Mill Woofferton Ludlow SY8 4AH			This drawing is the property of Lutra Ltd. and may not be copied in whole or in part or communicated to a third party or used for any purpose without the written consent of Lutra Ltd.	Collmart AD Plant Elevation Views	
				Drawing No. LUT-212-004	Sheet 1 of 1

A3

Drawn by: M. K. Aplin	Checked by:	Approved by: - date: -	All dimensions in millimetres	Date: 21/03/2023	Scale: 1:1000
---------------------------------	-------------	---------------------------	----------------------------------	----------------------------	-------------------------

DEVELOPMENT MANAGEMENT COMMITTEE 15th July 2024

Case No: 24/00136/FUL

Proposal: Change of use from a vacant bank/indoor market (Class E) to a hot food takeaway (sui generis) to include the installation of extract and ventilation equipment and minor external alterations.

Location: 11a Great Whyte, Ramsey, PE26 1HG

Applicant: DPSK Ltd

Grid Ref: (E) 528793 (N) 285103

Date of Registration: 1st February 2024

Parish: Ramsey

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) in accordance with the Scheme of Delegation as the recommendation of approval is contrary to that of the Town Council.

1. DESCRIPTION OF SITE AND APPLICATION
 - 1.1 11a Great Whyte is a large Grade II Listed Building located within Ramsey Town Centre and within the Ramsey Conservation Area. The site lies within Flood Zone 1 as per the most recent Environment Agency Flood Risk Maps and Data.
 - 1.2 The property is located on a corner plot, to the south of the junction with Great Whyte and Little Whyte, and is a substantial, historic building situated in an area classed as Primary Shopping Frontage under Policy LP21 of the Local Plan to 2036 within the Ramsey Spatial Planning Area. As can be seen in the planning history detailed in part 4 of this report, the site has a historic use as a bank and most recently a mixed community use (including indoor market) though it has been vacant (at ground floor level) for a couple of years.
 - 1.3 This application seeks planning permission to change the use of the ground floor of the building to a hot food takeaway (Sui Generis Use), to make some minor external alterations and to install extraction and ventilation systems.

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 National Planning Policy Framework (December 2023) (NPPF 2023) sets out the Government's planning policies for (amongst other things):
- delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - achieving well-designed, beautiful and safe places;
 - conserving and enhancing the natural, built and historic environment
- 2.3 Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website [National Guidance](#)

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
- LP1: Amount of Development
 - LP2: Strategy for Development
 - LP4: Contributing to Infrastructure Delivery
 - LP5: Flood Risk
 - LP7: Spatial Planning Areas
 - LP11: Design Context
 - LP12: Design Implementation
 - LP14: Amenity
 - LP17: Parking Provision and Vehicle Movement
 - LP21: Town Centre Vitality and Viability
 - LP22: Local Services and Community Facilities
 - LP30: Biodiversity and Geodiversity
 - LP34: Heritage Assets and their Settings
 - LP36: Air Quality
- 3.2 Supplementary Planning Documents (SPD) and Guidance:
- Huntingdonshire Design Guide Supplementary Planning Document 2017
 - Huntingdonshire Landscape and Townscape SPD (2022)
 - Huntingdonshire Strategic Flood Risk Assessment (2017)

- Cambridgeshire Flood and Water SPD 2017
- LDF Developer Contributions SPD (2011)
- Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
- Ramsey Conservation Area Character Assessment (December 2005)
- The National Design Guide (2021)

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

4. RELEVANT PLANNING HISTORY

- 4.1 21/02821/FUL – Change of use from Bank to Commercial Facility (Class E(g) and Class F2(b) (including offices and meeting rooms), a single storey rear flat roof extension for storage, replacement UPVC windows and doors, solar panels and air source heating installed. (Permission)
- 4.2 23/00278/FUL – Proposed replacement/repair of existing decayed sliding sash windows/doors/frames to match existing. Conversion of first floor offices to residential flat (Permission)
- 4.3 23/00280/LBC - Proposed replacement/repair of existing decayed sliding sash windows/doors/frames to match existing. Conversion of first floor offices to residential flat (Consent)
- 4.4 24/00137/LBC - Change of use from a vacant bank/indoor market (Class E) to a hot food takeaway (sui generis) to include the installation of extract and ventilation equipment and minor external alterations. (Pending consideration – associated with this application).

5. CONSULTATIONS

- 5.1 Ramsey Town Council recommend refusal giving reasons as:

Council voted unanimously for refusal. Councillors felt that the highways issues with the increase in traffic, the lack of parking at peak times (5-8pm) are reasons for the refusal.
- 5.2 Cambridgeshire County Council Highways Team –No objections – further details in the proceeding sections of this report.
- 5.3 HDC Conservation Team– No objections – further details in the proceeding sections of this report.
- 5.4 HDC Environmental Health Team – No objections subject to conditions.

6. REPRESENTATIONS

6.1 Eleven comments have been received, five of these are in support of the scheme and six raise objections. These are available to view in full on HDC's Public Access Site but are summarised below:

6.2 Object:

*Town no longer vibrant and has declined. Another fast food outlet not needed or wanted.

*Concerns about parking, potential illegal parking and abuse of disabled spaces. Access to Mews Place car park is closed off after 5:30pm. This will exacerbate existing problems.

*Requirement for town to have affordable shops to entice people into the town centre rather than pushing them further afield.

*A new big chain is not required.

*Lack of diversity in the town.

*Concerns about anti-social behaviour as a result of change of use.

*Impact on Conservation Area.

*Access to bank required for elderly people.

*Government allowing low value businesses into a community which doesn't need or want them.

*Should ask people of the town what they want.

*Noise and odour as a result of the ventilation system and increased activity later in the evening.

*Noise and disruption from building works.

6.3 Support:

*Will increase footfall and benefit all businesses from spending in town.

*Challenging to get people to High Street, this will help.

*Support increased competition and help to rejuvenate the town.

*Business rates and jobs provided with outweigh negative points.

*Lack of parking does not relate to only one business.

*Preference to see building used rather than being empty.

*More variety allowing healthy competition with existing vendors.

*Parking about enforcement.

- 6.4 The matters raised above shall be addressed in the report below. However, it should be noted that competition between businesses and companies is not a material planning consideration and will not be considered in the determination of this application.
- 6.5 At this point it should be acknowledged that the application was also 'called in' to Development Management Committee by a Ward Member for Ramsey, Councillor Clarke. However, this was not supported by material planning reasons and no response was provided to a request for these. Given that due to the conflict of opinion between the LPA and the Town Council the case is to be considered at Committee level, further pursual of this matter was considered not to be necessary.

7. ASSESMENT

- 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 a number of adopted neighbourhood plans, however, there is not an adopted neighbourhood plan in place for Ramsey. Therefore, in this case no neighbourhood plans are given weight in the determination of this application.
- 7.4 The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: *Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor* [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting

that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

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

- The principle of development
- Design and visual amenity
- Impact on heritage assets
- Residential amenity
- Highway safety and parking provision
- Biodiversity
- Flood risk

The principle of the development

7.6 The site is located within the built-up area of Ramsey which is a Spatial Planning Area as defined under Policy LP7 of Huntingdonshire's Local Plan to 2036. Policy LP7 supports a proposal for a main town centre use (further detail on this is at part 7.7 onwards) where it is appropriately located within the built-up area of a spatial planning area .

7.7 Policies LP21 (Town Centre Vitality and Viability) and LP22 (Local Services and Community Facilities) seek to ensure that towns and villages across the district retain services and maintain vitality in the town centres. Whilst both are similar in their aims, in this case, as the site is within the primary shopping frontage of Ramsey town centre Policy LP21 of the Local Plan is the starting point and key Policy for considering the principle of this development. (Policy LP22 would come into force were the site not within a defined town centre).

7.8 Policy LP21 states:

“A proposal for a shop (class 'A1'), restaurant/ café (class 'A3') or drinking establishment (class 'A4') will be supported within a primary shopping frontage to encourage uses which support the vitality and viability of the location whilst maintaining its essential retail nature.

A proposal for any other main town centre use at ground floor level may be supported where it will:

a. make a positive contribution to vitality and viability by enhancing the existing quality, diversity and distribution of retail, leisure, entertainment, arts, heritage, cultural facilities, community facilities or tourist attractions; and

b. continue to provide an active frontage where there is an existing shopfront.

A proposal for any non-main town centre use will not be supported at ground floor level within a primary shopping frontage.”

Turning attention to the Local Plan Glossary, main town centre uses are defined as:

“retail development (including retail warehouse clubs and factory outlet centres); leisure, entertainment facilities, the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).”

Whilst this Policy is not explicit on the provision of hot food takeaways within a primary shopping frontage, the aim of the Policy remains that a proposal should increase footfall and support the vitality of a town centre. When assessing this application against some of the examples detailed above, it cannot be considered that the provision of a hot food takeaway would vary wildly from a drive through restaurant or some of the other uses listed (particularly when ‘length of stay’ is considered). Further, the hours of operation are given as 11am-11:00pm seven days a week and so the business shall be in operation when other local businesses (shops, food and drink outlets and professional services) are in operation not just in the evening when some of these businesses may have ceased daily trading.

- 7.9 In this case, whilst the desire for independent shops to be provided is acknowledged, it is considered that the proposal will bring what is a large and prominent building within the town centre back into service and involve the creation of an active frontage. Concerns raised regarding the number of fast food outlets already active in the town centre are noted alongside the loss of banking facilities. However, it should be acknowledged that the building has not been used as a bank for some time. Further, the changing face of the high street and technology must be considered in this determination and, on balance it is considered that the likelihood of a building of this scale being brought back into use as a bank is slim. The benefits of increased, accessible opportunities for employment are also a factor which outweighs any minor harm. Further, it should be acknowledged that the NPPF (2023) states that “in order to support a prosperous rural economy, planning policies and decisions should enable the sustainable growth and expansion of all types of businesses in rural areas, both through the

conversion of existing buildings and well-design, beautiful new buildings.”

- 7.10 One of the objections raised suggests that a poll should be undertaken for residents to put forward what they would like to see in the town. Whilst not strictly a factor of this application the proposals have been publicised and any interested party has had the opportunity to comment and their comments (either in support or objection) have been considered. For the reasons given above it is concluded that this development would comply with Policy LP21 of the Local Plan and is therefore considered to be acceptable in principle subject to other material considerations and conditions.

Design and Visual Amenity

- 7.11 As previously stated, the building which is subject to this application is located at the junction of Great Whyte and Little Whyte in Ramsey town centre. It is a large, imposing building with traditional features. Due to its location (the buildings on this section of Great Whyte are set forward of those immediately north) it is a prominent feature of the town centre when viewed from the north.
- 7.12 In terms of the immediate surroundings, these are mainly commercial premises of varying age, scale and design. Some appear to have residential dwellings above. There are a mixture of uses with Retail, Solicitors, Estate Agencies, Financial Services and so on forming the streetscene.
- 7.13 Very few changes to the exterior are proposed with these limited to the repair and repainting of the existing windows and entrance doors. Some ‘filming’ is also proposed to the windows. To the courtyard elevation (and so not visible from the streetscene) air conditioning and compressor units shall be installed but these shall be concealed by louvre panels (an acoustic enclosure). It is noted that signage is proposed (as is shown on the elevations), however this is not for consideration under this scheme and (as stated in the submitted Design and Access Statement) will be the subject of a future advertising consent application.
- 7.14 Overall, having regard to the above assessment, subject to a Condition in relation to materials, the development is not considered to be harmful to the character or appearance of the area. It therefore accords with Policies LP11, LP12 and LP34 of the Huntingdonshire Local Plan to 2036 in this regard.

Impact on Heritage Assets

- 7.15 As detailed in the preceding section of this report, the building is Grade II Listed and located within the Ramsey Conservation

Area.

Section 66(2) of the Planning (LBCA) Act 1990 (as amended) requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (LBCA) Act 1990 (as amended) states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Para. 205 of the NPPF sets 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'

Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.

- 7.16 The application is accompanied by a Heritage Statement and matters relating to the internal works to the building are considered under the associated LBC application. HDC's Conservation Team have also been consulted and, having reviewed the submitted detail raise no objections stating that:

"works to facilitate the proposed use include removal of two short lengths of existing wall, construction of partition walls and installation of a full system of air ventilation and extraction. A modern bank vault door will also be removed.

The removal of two small lengths of existing wall would have a modest impact as the removal of the majority of the ground floor walls has obscured the original plan of the building. The wall to the side of the proposed lobby is unlikely to be original and the works to the proposed Cold Room would impact relatively modern fabric. The remainder of the works would involve adding lightweight partitions, mechanical plant and flues/vents in an area stripped of historic and architectural significance. Aside from the construction of an acoustic enclosure and installation of air conditioning plant no works other than repairs are proposed to the outside of the building; the main extractor vent will use an existing chimney flue. The acoustic enclosure will be located beneath the existing external stairs to the side of the building and will not be visible from the street.

The primary significance of this Listed Building lies in its external appearance and in its contribution to the character and appearance of the Conservation Area. The internal works which removed a lot of the evolution history of the building were undertaken prior to listing in 1983. Many of the works are contained within the 1920s extension which is of lesser significance. The proposed scheme would help secure the long-term preservation of the Listed Building by keeping it occupied and in a viable use. There would be no harm to the character and appearance of the Ramsey Conservation Area.”

- 7.17 Therefore, given the earlier assessment, limited external works and the favourable comments from specialists (as above) it is concluded that the development would not harm the designated heritage assets (the Listed Building and the Conservation Area) and that the works would promote the longer term preservation of the Listed Building in accordance with paragraphs 195 and 203 of the NPPF (2023), the Planning, Listed Buildings and Conservation Areas Act (1990) and Policy LP34 of Huntingdonshire’s Local Plan to 2036.

Residential Amenity

- 7.18 Policy LP14 of the Local Plan to 2036 states that “a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.” In this case, given that there will be no increased footprint or additional windows, there are no concerns with regard to overbearing impacts, overshadowing, loss of light, loss of privacy or overlooking.
- 7.19 Given the addition of external plant equipment, ventilation and the proposed use and hours of use, careful consideration has been given to the potential for impacts on residential units above (including above the application site) in terms of matters such as noise and odour. As such, HDC’s Environmental Health Team have been consulted and have reviewed the submitted documents. Having done so they raise no objections providing that conditions to secure the details provided within the submitted noise assessment and ventilation systems documents are appended to the permission.
- 7.20 A concern has been raised with regard to the potential for an increase in anti-social behaviour and noise/disturbance during the late evening as a result of this addition. Ramsey (in the immediate vicinity of the application site) has a number of businesses which are open into the evening including restaurants, drinking establishments and other hot food takeaways. It would therefore be considered unreasonable to suggest that an additional business of this nature would result in increased risk of such issues given the existing established

character of 'evening operation.' Environmental Health have raised no objections in terms of hours of operation and it is recommended that these shall be secured by condition should Members choose to support the application. Whilst not intended to disregard these concerns, these are characteristic of being located within a town centre location, and whilst there may be some degree of intensification as a result of the change of use of this building, it is not considered this would be to a significant or unacceptably harmful degree, when considered against existing activity in the vicinity. Matters relating to building works are acknowledged but again, some disturbance is to be expected during any period of construction. In this case, the majority of works are internal and, were it not a Listed Building no consent would be required for these works.

- 7.21 Overall therefore, taking the above matters into consideration the development is considered to be acceptable in terms of residential amenity and accords with Policy LP14 of the Huntingdonshire Local Plan to 2036 in this regard.

Parking Provision and Highway Safety

- 7.22 The site is located in the town centre, and, as with many other businesses in the vicinity does not benefit from on-site parking. Ramsey does however benefit from dedicated parking bays in the town centre which are within walking distance of the building. Further, there is the HDC operated Mews Close car park offering free parking within 90 metres of the site. There is also further on street parking along the Great Whyte and High Street. It is acknowledged that parking is a concern, and whilst it is true that the main access to Mews Close car park is secured in the evenings the car park itself is not locked and benefits from 24 hour access. The location is considered to be sustainable and can easily be accessed on foot or by bicycle. Whilst it cannot be guaranteed that users of the building would park responsibly this is not a matter from the LPA to address through the planning process. It remains that the premises has historically been operated as a commercial premises with staff and uncontrolled numbers of customers and so it cannot reasonably be considered that this use would result in a degree of intensification which would render it hazardous in this regard.
- 7.23 Notwithstanding the above, Cambridgeshire County Council's Highways Team have been consulted, and, having reviewed the submitted documents raise no objections stating that whilst there are some restrictions as to on street parking in the vicinity (double yellow lines from Little Whyte to the High Street junction) and that the LPA should consider adequacy of parking for all users (as above) they conclude that there will be no adverse impact on highway safety in the event that the development is permitted.

7.24 Overall, therefore, having regard to the above assessment and the favourable comments from CCC as specialists, the proposed development is considered to be acceptable with regard to highway safety and parking provision and therefore accords with Policy LP17 of the Huntingdonshire Local Plan to 2036 in this regard.

Biodiversity

7.25 Policy LP30 of the Local Plan to 2036 states that “a proposal will ensure no net loss in biodiversity and achieve a net gain where possible.” The submission of this application also pre-dates the changes of the legislation in relation to biodiversity net gain.

7.26 In this case the biodiversity value of the site is considered to be low. It is a building located within a busy town centre and appears to be in good repair. Aside from the installation of the previously referred to plant equipment there are no external works or works which would likely impact on important or protected species. Given the level of works proposed and the location it is considered that opportunities for achieving a net gain are low. Therefore, whilst no enhancement measures have been provided there is also no net loss.

7.27 Having regard to the above the proposal is considered to be acceptable in terms of biodiversity impacts and broadly accords with Policy LP30 of the Huntingdonshire Local Plan to 2036.

Flood risk

7.28 The application site is within Flood Zone 1 and is therefore not subject to the Sequential or Exception Tests required by the NPPF (2023). Nor (given its scale) does it require the submission of a Flood Risk Assessment (FRA). The development does not increase the footprint of the building nor introduce any additional hard surfacing or a use classed as ‘more vulnerable’ as per the NPPF (2023)

7.29 The development is therefore considered to be acceptable with regard to its approach to flood risk and therefore accords with Policy LP5 of the Huntingdonshire Local Plan to 2036.

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

- Time limit
- Development in accordance with approved plans
- Materials

- Hours of operation
- Compliance with noise assessment report measures
- Compliance with and retention of ventilation system document

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: Kevin Simpson

Enquiries kevin.simpson@huntingdonshire.gov.uk

DEVELOPMENT MANAGEMENT COMMITTEE 15th July 2024

Case No: 24/00137/LBC

Proposal: Change of use from a vacant bank/indoor market (Class E) to a hot food takeaway (sui generis) to include the installation of extract and ventilation equipment and minor external alterations.

Location: 11a Great Whyte, Ramsey, PE26 1HG

Applicant: DPSK Ltd

Grid Ref: (E) 528793 (N) 285103

Date of Registration: 1st February 2024

Parish: Ramsey

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) in accordance with the Scheme of Delegation as the recommendation of approval is contrary to that of the Town Council.

1. DESCRIPTION OF SITE AND APPLICATION

1.1 11a Great Whyte is a large Grade II Listed Building located within Ramsey Town Centre and within the Ramsey Conservation Area. The site lies within Flood Zone 1 as per the most recent Environment Agency Flood Risk Maps and Data.

1.2 The property is located on a corner plot to the south of the junction with Great Whyte and Little Whyte, and is a substantial, historic building situated in an area classed as Primary Shopping Frontage under Policy LP21 of the Local Plan to 2036 within the Ramsey Spatial Planning Area. As can be seen in the planning history detailed in part 4 of this report, the site has a historic use as a bank and most recently a mixed community use (including indoor market) though it has been vacant (at ground floor level) for a couple of years.

1.3 This application seeks Listed Building consent to use of the ground floor of the building as a hot food takeaway (Sui Generis Use), to make some minor external and internal alterations and to install extraction and ventilation systems.

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 National Planning Policy Framework (December 2023) (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)
- LP2: Strategy for Development
 - LP34: Heritage Assets and their Settings
- 3.2 Supplementary Planning Documents (SPD) and Guidance:
- Ramsey Conservation Area Character Assessment (December 2005)
 - The National Design Guide (2021)

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

4. RELEVANT PLANNING HISTORY

- 4.1 21/02821/FUL – Change of use from Bank to Commercial Facility (Class E(g) and Class F2(b) (including offices and meeting rooms), a single storey rear flat roof extension for storage, replacement UPVC windows and doors, solar panels and air source heating installed. (Permission)

- 4.2 23/00278/FUL – Proposed replacement/repair of existing decayed sliding sash windows/doors/frames to match existing. Conversion of first floor offices to residential flat (Permission)
- 4.3 23/00280/LBC - Proposed replacement/repair of existing decayed sliding sash windows/doors/frames to match existing. Conversion of first floor offices to residential flat (Consent)
- 4.4 24/00136/FUL - Change of use from a vacant bank/indoor market (Class E) to a hot food takeaway (sui generis) to include the installation of extract and ventilation equipment and minor external alterations. (Pending consideration – associated with this application).

5. CONSULTATIONS

- 5.1 Ramsey Town Council recommend refusal giving reasons as:

Council voted unanimously for refusal. Councillors felt that the highways issues with the increase in traffic, the lack of parking at peak times (5-8pm) are reasons for the refusal.

- 5.2 It should be noted that in terms of the Listed Building Consent application the LPA is only permitted to consider matters relating to the impact on heritage assets.

6. REPRESENTATIONS

- 6.1 Eleven comments have been received, five of these are in support of the scheme and six raise objections. These are available to view in full on HDC's Public Access Site but are summarised below:

- 6.2 Object:

*Town no longer vibrant and has declined. Another fast food outlet not needed or wanted.

*Concerns about parking, potential illegal parking and abuse of disabled spaces. Access to Mews Place car park is closed off after 5:30pm. This will exacerbate existing problems.

*Requirement for town to have affordable shops to entice people into the town centre rather than pushing them further afield.

*A new big chain is not required.

*Lack of diversity in the town.

*Concerns about anti-social behaviour as a result of change of use.

*Impact on Conservation Area.

*Access to bank required for elderly people.

*Government allowing low value businesses into a community which doesn't need or want them.

*Should ask people of the town what they want.

*Noise and odour as a result of the ventilation system and increased activity later in the evening.

*Noise and disruption from building works.

6.3 Support:

*Will increase footfall and benefit all businesses from spending in town.

*Challenging to get people to High Street, this will help.

*Support increased competition and help to rejuvenate the town.

*Business rates and jobs provided with outweigh negative points.

*Lack of parking does not relate to only one business.

*Preference to see building used rather than being empty.

*More variety allowing healthy competition with existing vendors.

*Parking about enforcement.

6.4 Again, whilst these are included for completeness only matters relating to the impact on the designated heritage assets shall be considered in this report.

7. ASSESMENT

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

- Impact on heritage assets

Impact on Hertiage Assets

7.2 As detailed in the preceding section of this report, the building Grade II Listed and within the Ramsey Conservation Area.

Section 66(2) of the Planning (LBCA) Act 1990 (as amended) requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (LBCA) Act 1990 (as amended) states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Para. 205 of the NPPF sets 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'

Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.

7.3 Very few changes to the exterior are proposed with these limited to the repair and repainting of the existing windows and entrance doors. Some 'filming' is also proposed to the windows. To the courtyard elevation (and so not visible from the streetscene) air conditioning and compressor units shall be installed but these shall be concealed by louvre panels (an acoustic enclosure). It is noted that signage is proposed (as is shown on the elevations), however this is not for consideration under this scheme and (as stated in the submitted Design and Access Statement) will be the subject of a future advertising consent application.

7.4 The application is accompanied by a Heritage Statement and matters relating to the external works to the building are considered under the associated FUL application. HDC's Conservation Team have also been consulted and, having reviewed the submitted detail raise no objections stating that:

"works to facilitate the proposed use include removal of two short lengths of existing wall, construction of partition walls and installation of a full system of air ventilation and extraction. A modern bank vault door will also be removed.

The removal of two small lengths of existing wall would have a modest impact as the removal of the majority of the ground floor walls has obscured the original plan of the building. The wall to the side of the proposed lobby is unlikely to be original and the

works to the proposed Cold Room would impact relatively modern fabric. The remainder of the works would involve adding lightweight partitions, mechanical plant and flues/vents in an area stripped of historic and architectural significance. Aside from the construction of an acoustic enclosure and installation of air conditioning plant no works other than repairs are proposed to the outside of the building; the main extractor vent will use an existing chimney flue. The acoustic enclosure will be located beneath the existing external stairs to the side of the building and will not be visible from the street.

The primary significance of this Listed Building lies in its external appearance and in its contribution to the character and appearance of the Conservation Area. The internal works which removed a lot of the evolution history of the building were undertaken prior to listing in 1983. Many of the works are contained within the 1920s extension which is of lesser significance. The proposed scheme would help secure the long-term preservation of the Listed Building by keeping it occupied and in a viable use. There would be no harm to the character and appearance of the Ramsey Conservation Area.”

- 7.5 Therefore, given the above assessment, limited external works and the favourable comments from specialists (as above) it is concluded that the development would not harm the designated heritage assets (the Listed Building and the Conservation Area) and that the works would promote the longer term preservation of the Listed Building in accordance with paragraphs 195 and 203 of the NPPF (2023), the Planning, Listed Buildings and Conservation Areas Act (1990) and Policy LP34 of Huntingdonshire’s Local Plan to 2036.

8. RECOMMENDATION – CONSENT subject to conditions to include the following

- Time limit
- Development in accordance with approved plans
- Materials

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: Kevin Simpson
Enquiries kevin.simpson@huntingdonshire.gov.uk

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 09/02/2024 3:20 PM from Mrs Lisa Renfree.

Application Summary

Address: 11A Great Whyte Ramsey Huntingdon PE26 1HG

Proposal: Change of use from a vacant bank/indoor market (Class E) to a hot food takeaway (suitable for all types of food) to include the installation of extract and ventilation equipment and minor external alterations.

Case Officer: Kevin Simpson

[Click for further information](#)

Customer Details

Name: [REDACTED]

Email: [REDACTED]

Address: 11 Great Whyte, Ramsey, Huntingdon PE26 1HG

Comments Details

Commenter Type: Town or Parish Council

Stance: Customer objects to the Planning Application

Reasons for comment:

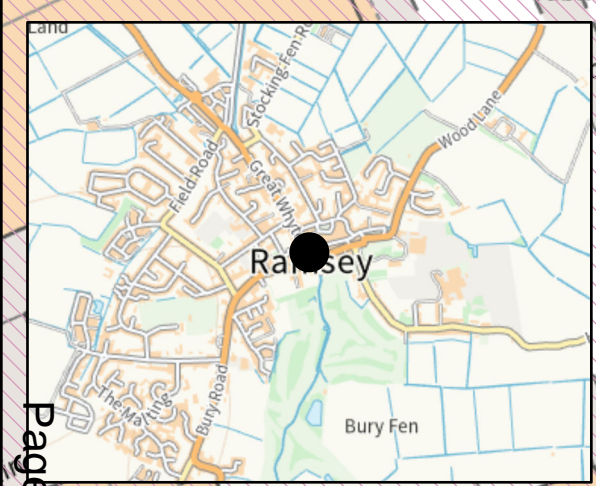
Comments: Council voted UNANIMOUSLY For REFUSAL. Councillors felt that the highways issues with the increase in traffic, the lack of parking at peak times (5-8pm) are reasons for the refusal.

Kind regards

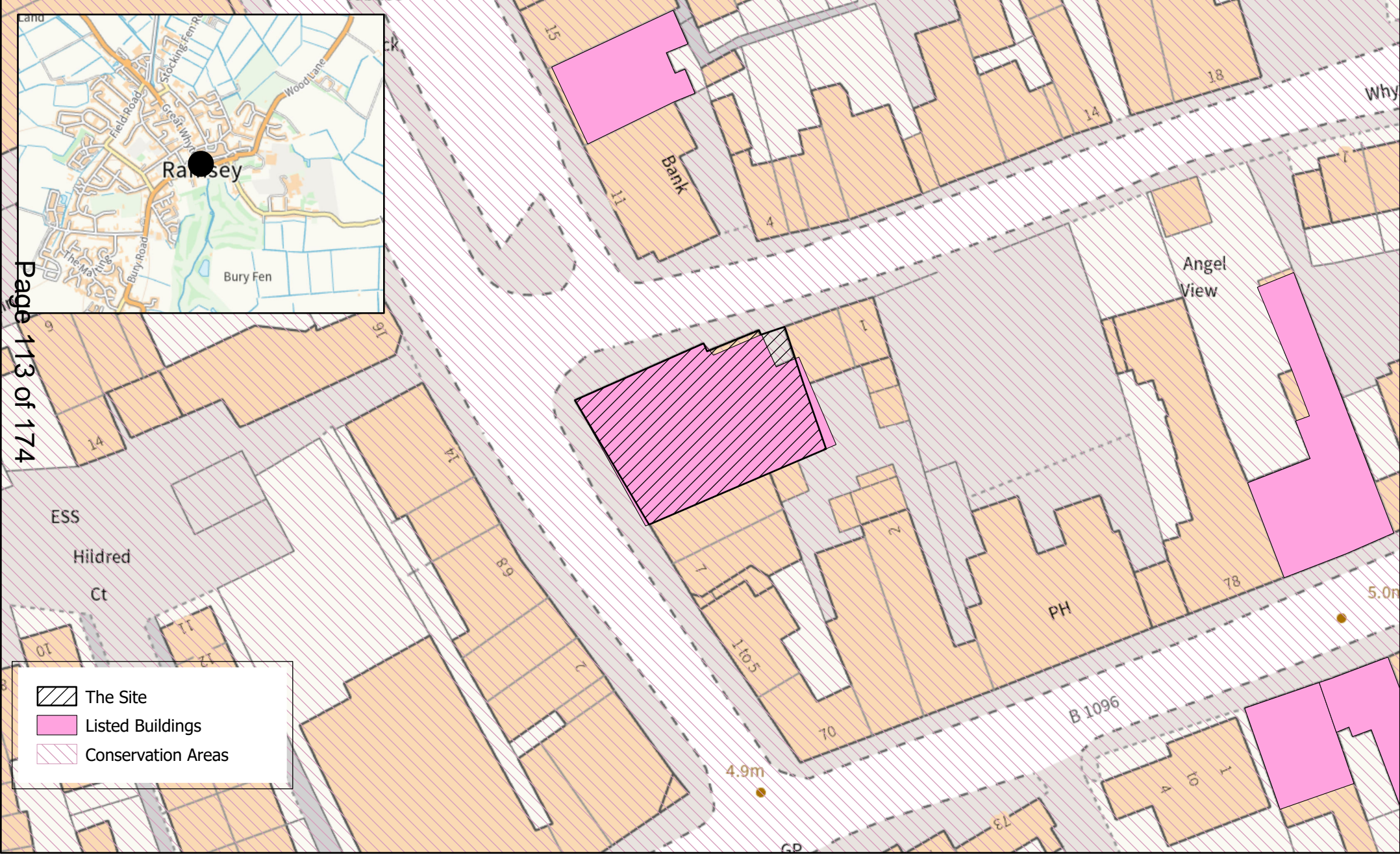
Development Management Committee

Application Ref: 24/00136/FUL and 24/00137/LBC

Scale = 1:500
Date Created: 03/07/2024



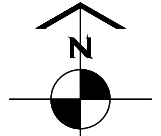
Page 113 of 174



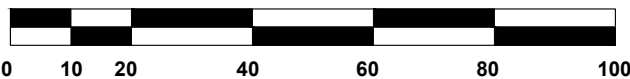
	The Site
	Listed Buildings
	Conservation Areas

REVISION	AMENDMENTS	DATE	CHKD

APPLICATION SITE
11 Great Whyte,
Ramsay
Huntingdon
PE26 1HG
 Site Area 302m² (0.03Ha)



Ordnance Survey, (c) Crown Copyright 2023. All rights reserved. Licence number 100022432



Location Plan

HATTRELL LLP

Suite E, Kings Court, Railway Street, ALTRINCHAM, CHESHIRE, WA14 2RD
 TELEPHONE 0161 820 4207
 e-mail: design@hattrell.co.uk / www.hattrell.co.uk

Little Whyte

Great Whyte

Proposed Hot Food Takeaway

A/C and Cold Room compressors.

Fresh Air Intake.

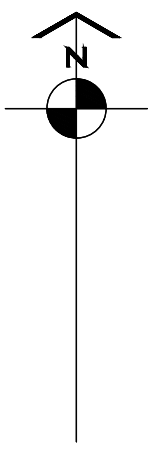
Fire Exit.

Oven Extract Outlet.

Entrance.

NOTES:
 CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK OR PREPARING MANUFACTURING DRAWINGS
 DO NOT SCALE FROM THIS DRAWING
 ANY DISCREPANCIES ON THIS DRAWING ARE TO BE NOTIFIED TO THE ARCHITECT IMMEDIATELY.
 HATTRELL LLP COPYRIGHT

REV	AMENDMENT	DATE	CHKD



Page 115 of 174

HATTRELL LLP

Suite E KINGS COURT RAILWAY STREET ALTRINCHAM WA14 2RD
 TELEPHONE 0161 820 4207
 e-mail: design@hattrell.co.uk / www.hattrell.co.uk

CLIENT

PROJECT
 11 Great Whyte,
 Ramsay,
 Huntingdon.
 PE26 1HF

DRAWING TITLE
 Block Site Plan

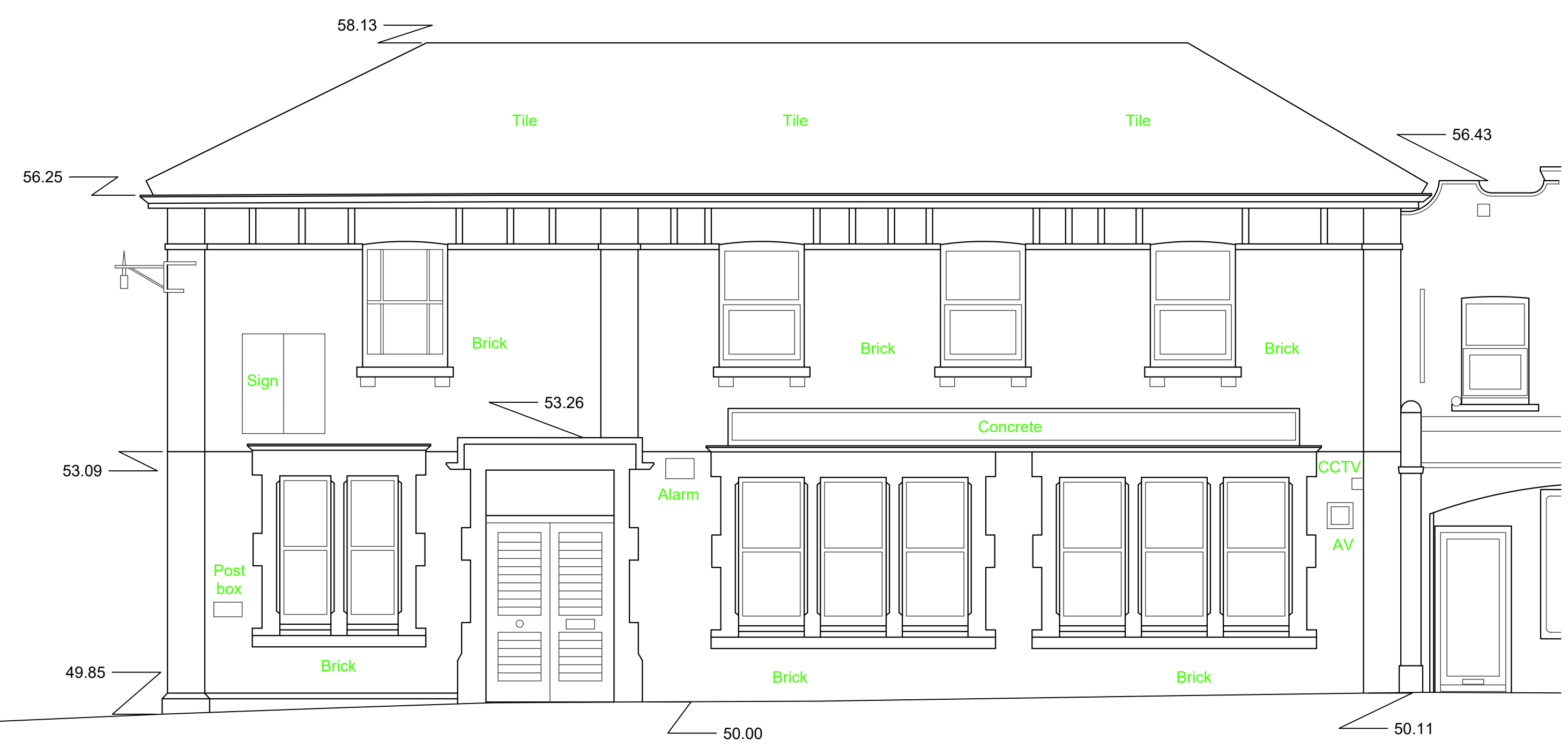
SCALE 1:200 @A3	DRAWN BY IS/ST	CHECKED -	DATE Oct23
--------------------	-------------------	--------------	---------------

DRAWING No C5369-BP09	REVISION -
--------------------------	---------------

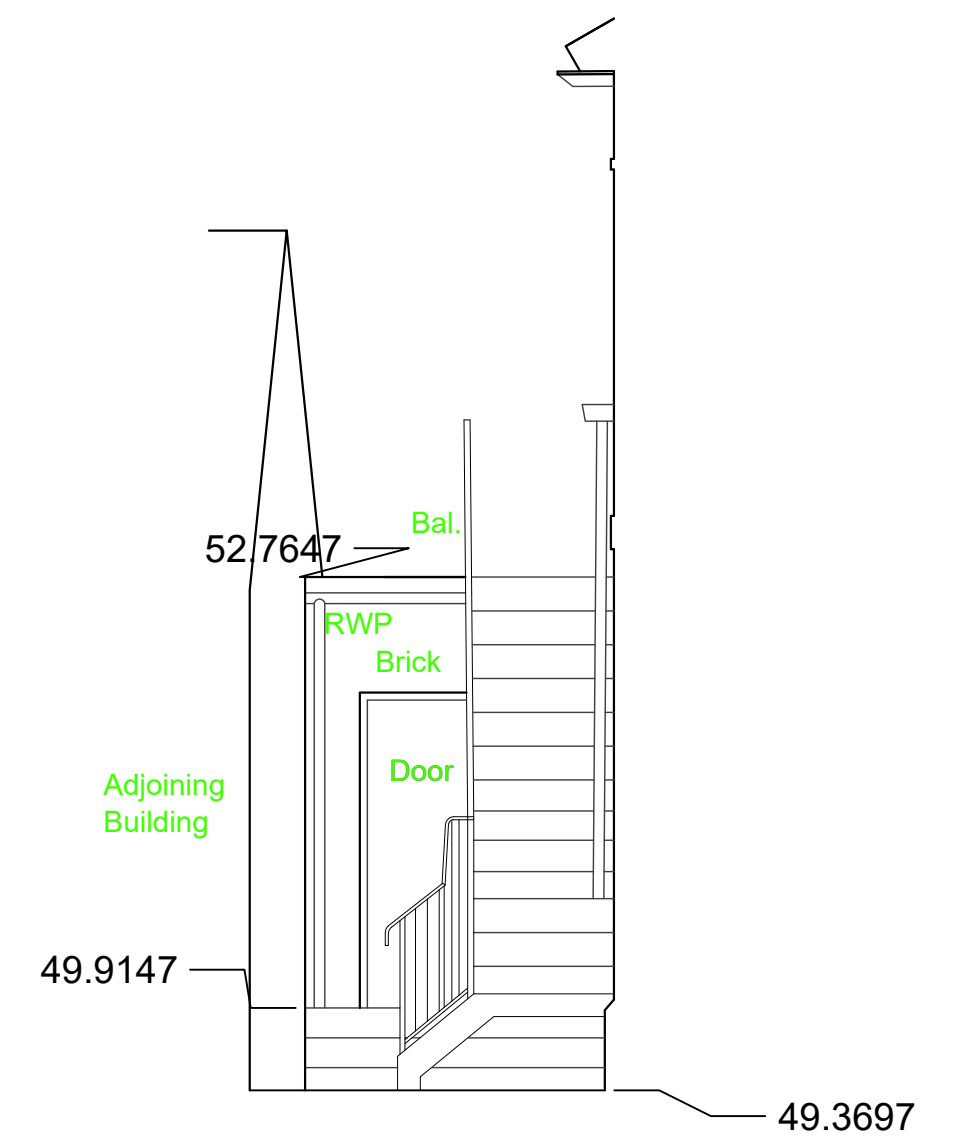
PLANNING

NOTES:
 CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK OR PREPARING MANUFACTURING DRAWINGS
 Use of scale bar for scaling purposes to be used for securing planning purposes only.
 ANY DISCREPANCIES ON THIS DRAWING ARE TO BE NOTIFIED TO THE ARCHITECT IMMEDIATELY.
 HATTRELL LLP COPYRIGHT

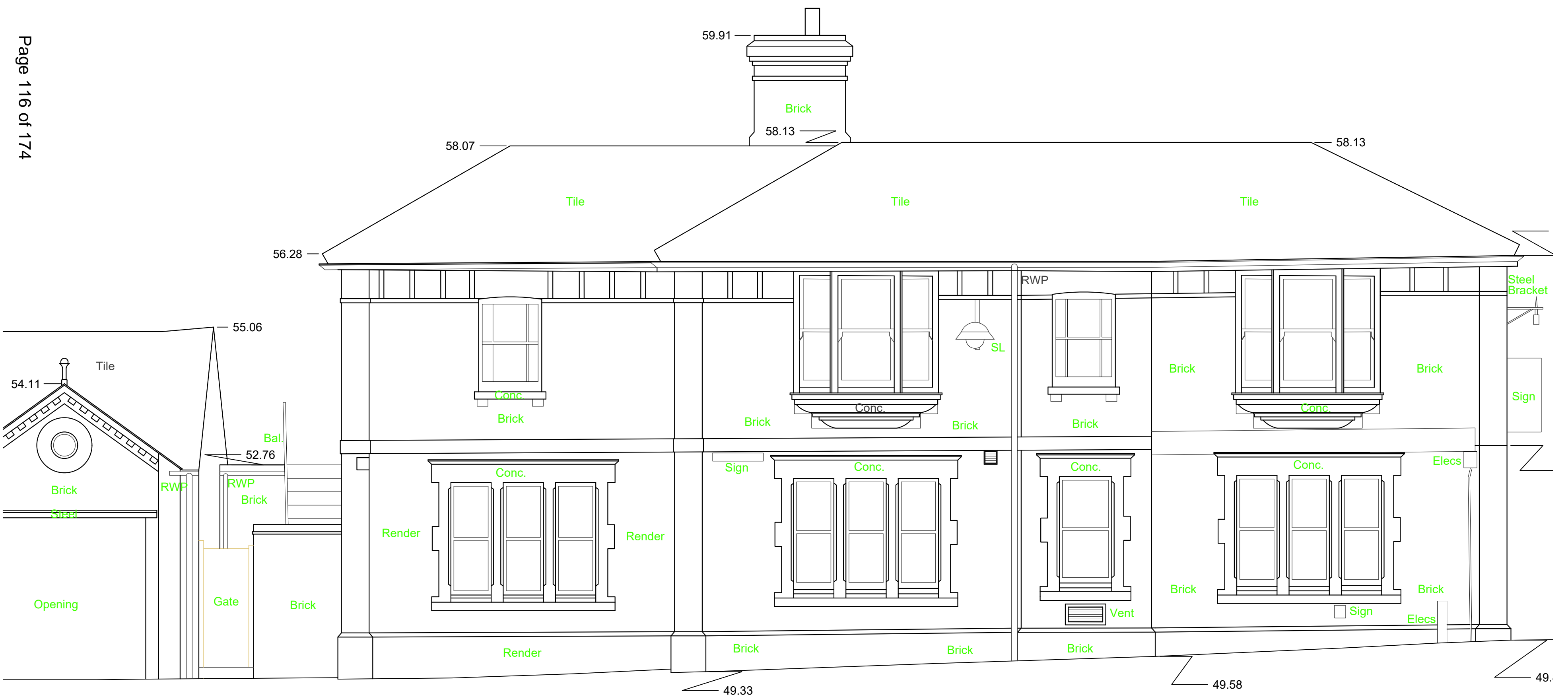
REV	AMENDMENT	DATE	CHKD



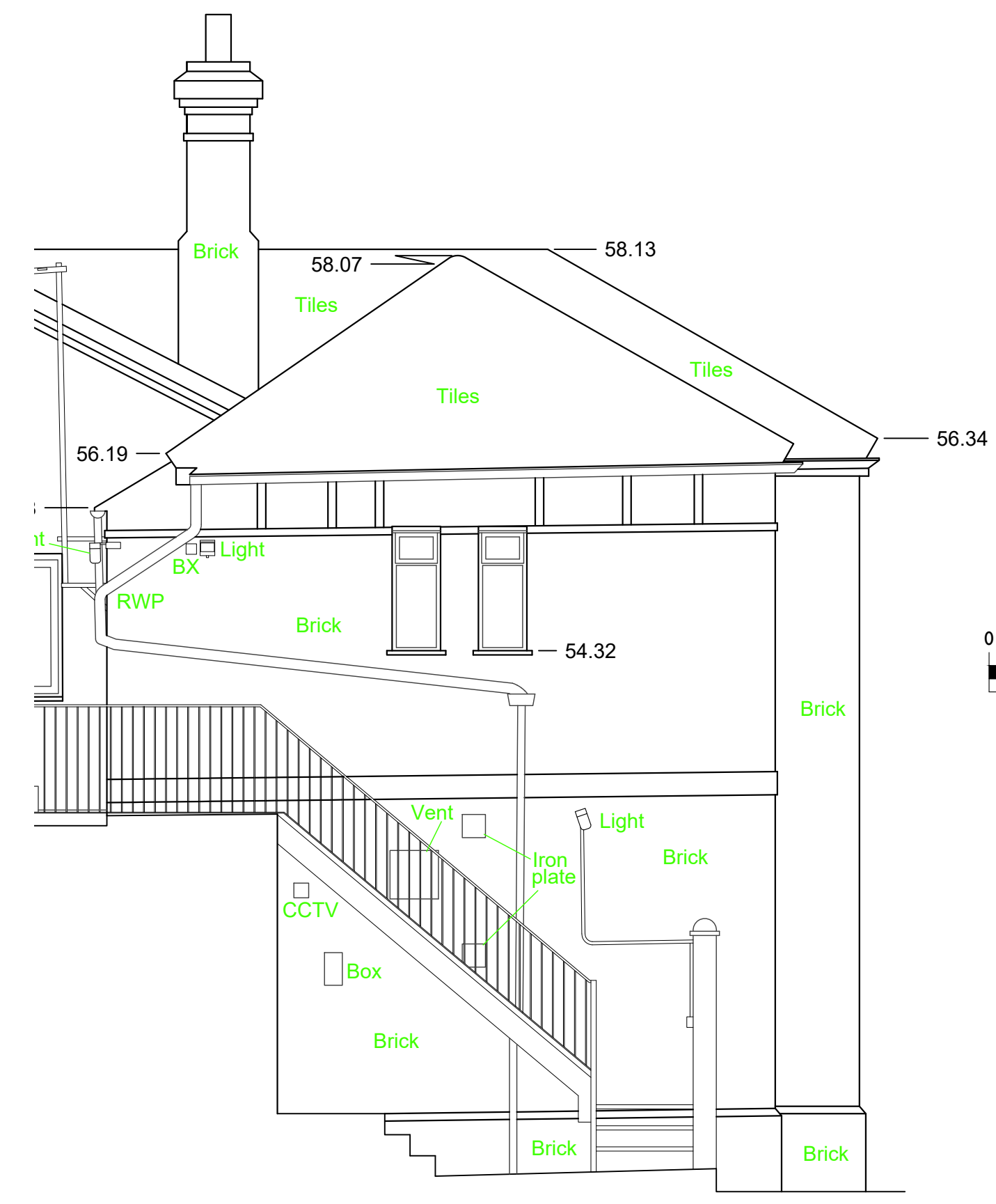
FRONT ELEVATION - Great Whyte



COURTYARD ELEVATION

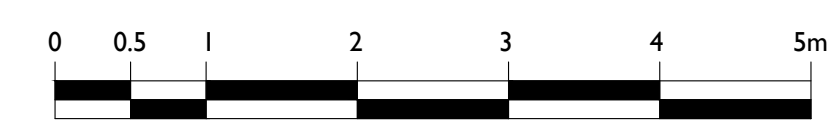


SIDE ELEVATION - Little Whyte



COURTYARD ELEVATION

Page 116 of 174



HATTRELL LLP
 Suite E KINGS COURT RAILWAY STREET ALTRINCHAM CHESHIRE WA14 2RD
 TELEPHONE 0161 820 4207
 e-mail: design@hattrell.co.uk / www.hattrell.co.uk

CLIENT

PROJECT
 11 Great Whyte,
 Ramsey,
 Huntingdon.
 PE26 1HF

DRAWING TITLE
 Existing Elevations

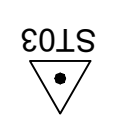
SCALE @A1 DRAWN BY CHECKED DATE
 1:50 ST -- Oct'23

DRAWING No C5369-A5-02 REVISION -

Existing

Ground

Page 117 of 174
Little Whyte



GROSS INTERNAL GROUND FLOOR
AREA = 265.4m² (2856sqft)

Great Whyte

NOTES:

CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK OR PREPARING MANUFACTURING DRAWINGS
Use of scale bar for scaling purposes to be used for securing planning purposes only.
ANY DISCREPANCIES ON THIS DRAWING ARE TO BE NOTIFIED TO THE ARCHITECT IMMEDIATELY.
HATTRELL LLP COPYRIGHT

REV	AMENDMENT	DATE	CHKD



HATTRELL LLP

Suite E KINGS COURT RAILWAY STREET ALTRINCHAM CHESHIRE WA14 2RD
TELEPHONE 0161 820 4207
e-mail: design@hattrell.co.uk / www.hattrell.co.uk

CLIENT

PROJECT
11 Great Whyte,
Ramsey,
Huntingdon.
PE26 1HF

DRAWING TITLE
Existing Floor Plan

SCALE @A1 DRAWN BY CHECKED DATE
1:50 ST -- Oct'23

DRAWING No REVISION
C5369-A5-01 -

Existing



WINDOW FRAMES TO BE REPAIRED AS NECESSARY AND PAINTED TO MATCH RAL7043. PARTIALLY "FILM-OUT"

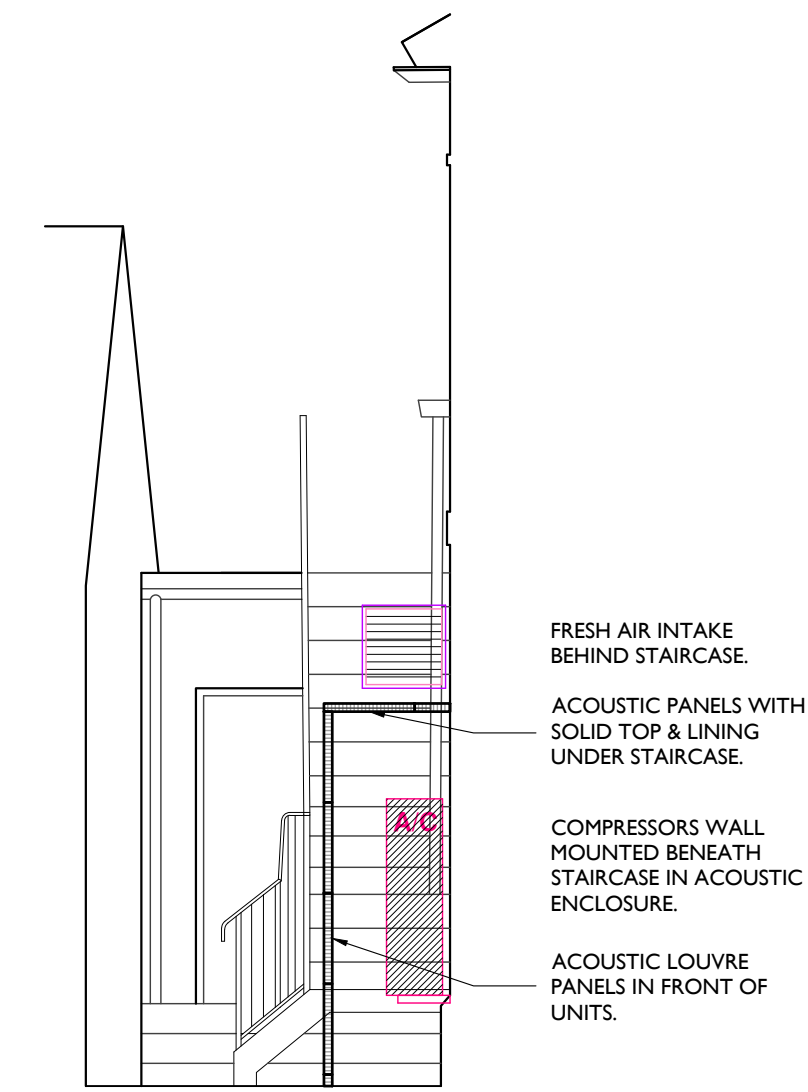
EXISTING DOORS TO BE REPAIRED AS NECESSARY AND PAINTED TO MATCH RAL7043. TO BE FASTENED OPEN DURING TRADING HOURS.

MAINTAIN LEVEL THRESHOLD

WINDOW FRAMES TO BE REPAIRED AS NECESSARY AND PAINTED TO MATCH RAL7043.

PARTIALLY "FILM-OUT" WINDOWS

FRONT ELEVATION - Great Whyte



COURTYARD ELEVATION

Page 118 of 174



WINDOW FRAMES TO BE REPAIRED AS NECESSARY AND PAINTED TO MATCH RAL7043.

WINDOW FRAMES TO BE REPAIRED AS NECESSARY AND PAINTED TO MATCH RAL7043.

WINDOW FRAMES TO BE REPAIRED AS NECESSARY AND PAINTED TO MATCH RAL7043.

WINDOW FRAMES TO BE REPAIRED AS NECESSARY AND PAINTED TO MATCH RAL7043.

SIDE ELEVATION - Little Whyte



COURTYARD ELEVATION

NOTES:
 CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK OR PREPARING MANUFACTURING DRAWINGS
 Use of scale bar for scaling purposes to be used for securing planning purposes only.
 ANY DISCREPANCIES ON THIS DRAWING ARE TO BE NOTIFIED TO THE ARCHITECT IMMEDIATELY.
 HATTRELL LLP COPYRIGHT

REV	AMENDMENT	DATE	CHKD
A	Acoustic enclosure added to compressors.	16/11/23	



HATTRELL LLP

Suite E KINGS COURT RAILWAY STREET ALTRINCHAM CHESHIRE WA14 2RD
 TELEPHONE 0161 820 4207
 e-mail: design@hattrell.co.uk / www.hattrell.co.uk

CLIENT

PROJECT
 11 Great Whyte,
 Ramsey,
 Huntingdon.
 PE26 1HF

DRAWING TITLE
 Proposed Elevations

SCALE @A1 DRAWN BY CHECKED DATE
 1:50 ST -- Oct'23

DRAWING No C5369-A5-06 REVISION A

Change Of Use to Hot Food Takeaway

COU NOTES:

SHELL WORKS (BY LANDLORD):
Former garage to be altered, and subdivided to create one Hot Food Takeaway, maintaining a separate access to the upper floor.

EXTERNAL DOORS & WINDOWS:
Front and side elevation windows and principal entrance door to be retained, and painted to match RAL7043 Traffic Grey. Rear door to be replaced with pcc aluminium Driver / Fire Exit door, colour to be RAL7043 Traffic Grey. All manually operated customer shopfront doors to have an opening force at the leading edge of not more than 30N from 0° (closed) to 20° open, and not more than 22.5N from 30° to 60° of the opening cycle. All shopfront glazing to comply with BS 952, BS 4262 (Code of Practice for Glazing in Buildings), CP152, Approved Document N and BS4206:1981 and subsequent revisions. Glazing to critical locations to be LAMINATED (NOT toughened) safety glass (all panes within 600mm of FFLGL & all panes within 1000mm of FFLGL on a door or a side panel within 300mm of a door), minimum Class B rated to BS4206:1981 in doors or door side panels over 600mm wide, Class C elsewhere, impact resistant from both sides. Manifestation - where required, manifestation to glazed windows and doors to be in accordance with Approved Documents N2 & N3. Manifestation to be in the form of 50mm diameter self adhesive P1805 light silver frosted vinyl 'jazz' reverse applied to glazing @ 100mm centres. Install one set at 1500mm high from floor level, second set fixed at 1000mm from floor level. NB, manifestation not required to windows where internal leaner bars are installed, due to integral modesty panel, or where there are internal window poster frames.

EXISTING EXTERNAL WALLS:
All existing external walls which are being dry-lined are to be insulated by the addition of internal insulation to upgrade to max. U value of 0.3W/m²C unless existing U-value proves to be 0.7W/m²C or better. Existing external walls are believed to be a mixture of single skin and brick/block cavity construction but it is not known whether cavity is insulated (TBC on site). Additional insulation, where required, is to be incorporated within the new dry lining to the wall - 25x50mm timber battens fixed to wall at 600mm centres, with 75.5mm thick Colson K4060 insulated plasterboard (60mm PK insulation bonded to 12.5mm tapered edge plasterboard face) fixed in accordance with manufacturer's instructions, overall thickness = 97.5mm. Reveal to window openings to be lined with foil backed plasterboard on shallow battens with void packed with quilt or rigid insulation, or lined with insulation backed plasterboard eg Gyproc ThermalLine Basic 23mm thick.

STRUCTURAL ALTERATIONS:
Existing walls, columns and beams to be removed where shown on plan and replaced with new beams to Structural Engineer's details.

FLOOR/CEILING ABOVE HOT FOOD TAKEAWAY UNIT:
NEW ACOUSTIC INSULATION AND FIRE PROTECTION TO EXISTING FLOOR BETWEEN NEW HOT FOOD TAKEAWAY USE AT GROUND FLOOR AND FLATS AT FIRST FLOOR. Floor/ceiling to be upgraded (if necessary) to give improved sound insulation, 60min. Fire Resistance and Class O Surface Spread of Flame. Compartmentation between floors to comply with A0B Table A2. Existing ceiling/floor construction is unknown but is presumed to be timber - TBC on site. All work to be carried out strictly in accordance with British Gypsum approved standard details.

- AIRBORNE SOUND INSULATION FROM BELOW
- Provide Gyproc Universal ceiling suspended with Gyproframe GL1 Lining Channels at 450mm maximum centres to give a preferred minimum cavity of 50mm (maximum of 145mm).
- 50mm lower AFR 1200 insulation in the cavity (no ductwork within void). If there is no existing ceiling in place (i.e. joints exposed), then the new construction should be upgraded to include 100mm thick lower AFR 1200 insulation or the eng. joints should be underlaid with a single layer of plasterboard prior to installing the new construction.
- Ceiling lining to be 2 layers of 12.5mm Gyproc Finesline with staggered taped and filled joints.

OR
New rubberfoam proprietary insulating layer to be laid on existing floor boards and floor joints (repaired/replaced as necessary). 100mm thick 40kg/m³ Rockwool RW3 acoustic insulation between joists. Existing ceiling removed and replaced with 2x15mm yellow SoundBlock plasterboard with staggered joints, skim finish, fixed to Gyproframe R81 resilient bars to u/s joists. Rubberfoam to be overlaid with 15mm plywood in floor sited areas.

Floor/ceiling construction will need to meet with the approval of both the Tenant's and the Landlord's Building Inspectors.

HEATING, COOLING AND VENTILATION (CONTRACTOR/SPECIALIST DESIGN):

LAYOUT SHOWN IS INDICATIVE ONLY. DETAILED DESIGN BY SPECIALIST SUB-CONTRACTORS AND AS IN ACCORDANCE WITH SUPPLEMENTARY ANNEX B DOCUMENT. All work to be designed & carried out in full compliance with current Building Regulations (particularly ADRB 3.46-5.3), Gas Safety Regulations, CIBSE Codes and DEFRA "Guidance on the control of odour and noise from commercial kitchen exhaust systems" & Local Authority and EHO requirements. Efficiency and controls of heating, cooling and ventilation systems to be in accordance with the "Passive Domestic Heating, Cooling and Ventilation Compliance Guide" 2004, BRCS to be provided with copies of commissioning certificates for all installed services including air leakage test of ductwork on completion. Log book to be provided in accordance with Section 4 of ADRB/2010 including full details of building and fixed building services including commissioning certificates, operating manuals and maintenance/overriding requirements. All plant, ductwork, conduits etc to be protected against damage and corrosion, have a minimum number of joints and be designed to prevent the ingress of rodents and insects.

AIR CONDITIONING (CONTRACTOR DESIGN): Split ceiling mounted cassette unit in Bake and Serve area, with external compressor unit and linking pipework and cables. Cold Room compressor to be located adjacent. Compressor to be wall mounted at low level on anti-vibration mounts, in the rear courtyard in acoustic enclosure.

MECHANICAL VENTILATION TO TOILETS (CONTRACTOR/SPECIALIST DESIGN): Mechanical extract from toilets to give 15 l/s air change controlled by light switch with 20 minute overrun. Lobbies to have fresh air supply. Door between toilet and lobby underside or provided with ventilation grille.

MECHANICAL EXTRACTION FROM OVEN (CONTRACTOR/SPECIALIST DESIGN): System to be designed in accordance with DEFRA "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" Jan. 2005. Oven to be wired so that operation only possible if mechanical extraction to oven hood is operating. New galvanneal steel extract duct from oven hood, with internally mounted fan (capable of at least 30-40 air changes per hour in accordance with CIBSE Guide 02/2001, section 3.6). All fittings to have anti-vibration mountings. Extract duct to run at high level within ground floor then rise up existing chimney stack to discharge 1.5m above the ridge. The extract duct to be fitted with an Odour Suppression system.

SUPPLY AIR (CONTRACTOR/SPECIALIST DESIGN): All internal rooms to be provided with forced ventilation via external supply air fan and ductwork at the rate of 10l/s/occupant, or by independent local wall mounted fans if necessary. Where applicable the rate of air change within the work up area should satisfy its size and occupancy. Fresh air system to be designed to replace 80% of extract air volume with fresh air with a maximum velocity of 2.5l/s, accessible fresh air filter to minimum E14 standard, internal ductwork with ceiling mounted diffusers, axial flow fan, dampers in external walls, and external wall intake louvre with minimum free area of 50% and bird/rodent guard. Extraction is to be via the main ventilation system (min. 30-40 air changes/hour).

LPWH heater battery to be provided in fresh air intake duct (connection from gas-fired combi boiler if provided, otherwise electric, in which case 3 phase supply will be required - obtain guidance from Client).

New aperture formed through wall into rear courtyard side wall for intake grille. External wall intake grille, size TBC but typically 500x500mm, powder coated, colour RAL7043 Traffic Grey.

ANTI-VIBRATION: Compressors, fans and AHU to be mounted on proprietary rubber or neoprene turret type vibration isolators, each having a static deflection not less than 3mm under the load of the unit. 4 isolators are required for each unit of plant, one at each corner. All fans and AHUs must have flexible connections to the ductwork - the connections should be "tooth" (not cast) when installed and should typically be formed using rubber or neoprene sheet material, NOT canvas type.

EQUIPMENT WEIGHTS (APPROXIMATE FOR GUIDANCE ONLY): Oven (based on larger PHS/BEV) = 750kg per deck allow for double or triple. Coldroom = allow 500kg for unloaded. Mikeline 10L = 320kg AHU on intake duct = 35kg. Oven extract fan = 35kg. Suspended ceiling = 8.5kg/m². A/C Unit = 35kg. Oven canopy = 150kg. External Cold Room Compressor = 81kg. External A/C Compressor = 105kg. Floor loadings and wall fixings to contractor design. AHU to be supported above Cold Room and Extract Fan/Carbon Filters to be suspended below 1st floor construction, and the Structural Engineer to advise any floor strengthening works required.

SANITARY PROVISION:
Customer toilet not required as there will be a maximum of 12 seats. New staff toilet cubicles and lobby to be provided for hot food takeaway. Position/installation of sanitary fittings are to be in accordance with ADMP2015 (ambulant disabled). Toilet and lobby doors to open out. Numbers of staff toilets to be in line with Table 1 of Regulation 21 of the Workplace (Health, Safety and Welfare) Regulations 1992. 1-6 persons = 1 WC & 1 WMB. 6-25 persons = 2 WC & 2 WMB.

REFUSE:
Standard 1100 litre Eurobins in the new ventilated Refuse room to the front of the premises. Separate bins for general waste and recyclables.

PARKING:
On street parking on Great Whyte and Little Whyte - refer to Block Plan for location.

EQUALITY ACT (2010):
Client to give due consideration as to how the requirements of the Equality Act (2010) are to be met in respect of means of access for employees and customers, and the provision of accessible sanitary facilities as specific requirements arise.

WALL KEY

- Existing solid wall to be retained (external walls probably a mix of single skin and cavity construction).
- Existing solid wall to be retained, as above but assumed where panelled over or boxed out.
- Existing external wall insulated internally to achieve U value max. 0.3W/m²C.
- Existing stud partition to be retained (fire resistance upgraded where shown on plan).
- Existing wall or partition to be removed.
- New external cavity wall comprising outer leaf of facing brick to match existing, 75mm partially filled cavity and inner leaf of insulating blockwork. U value max. 0.3W/m²C (replaced); max. 0.28W/m²C (new).
- New blockwork wall.
- New lightweight compartment walls.
- Demountable acoustic enclosure.
- Area of replacement ceiling.

NOTES:

CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK OR PREPARING MANUFACTURING DRAWINGS. Use of scale bar for scaling purposes to be used for securing planning purposes only. ANY DISCREPANCIES ON THIS DRAWING ARE TO BE NOTIFIED TO THE ARCHITECT IMMEDIATELY. HATTRELL LLP COPYRIGHT

REV	AMENDMENT	DATE	CHKD
A	Acoustic enclosure added to compressors.	16/11/23	
B	Apartment Bin Store added.	22/11/23	
C	Bin Store area increased.	22/11/23	
D	Walls to be demolished highlighted.	01/02/24	



GROSS INTERNAL GROUND FLOOR AREA = 265.2m² (2854sqft)

Great Whyte



HATTRELL LLP

Suite E KINGS COURT RAILWAY STREET ALTRINCHAM CHESHIRE WA14 2RD
TELEPHONE 0161 820 4207
e-mail: design@hattrell.co.uk / www.hattrell.co.uk

CLIENT

PROJECT
11 Great Whyte,
Ramsey,
Huntingdon.
PE26 1HF

DRAWING TITLE
Proposed Floor Plan

SCALE @A1 DRAWN BY CHECKED DATE
1:50 ST -- Oct23

DRAWING No REVISION
C5369-A5-05 D

Change Of Use to Hot Food Takeaway

This page is intentionally left blank

DEVELOPMENT MANAGEMENT COMMITTEE 15th JULY 2024

Case No: 23/02183/S73

Proposal: VARIATION OF CONDITIONS 2 (EXTENSION TO DURATION OF PLANNING CONSENT) AND 5 (BIODIVERSITY MANAGEMENT/PLANTING) OF 1401623FUL.

Location: LAND SOUTH WEST OF CALDECOTE MANOR FARM,
ST NEOTS ROAD, ABBOTSLEY

Applicant: MR BEN RIDER

Grid Ref: 521561 257695

Date of Registration: 14th November 2023

Parish: ABBOTSLEY

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) in accordance with the Scheme of Delegation as the Officer recommendation of approval is contrary to that of the Parish Council.

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

- 1.1 The site comprises two arable fields to the north of St Neots Road, which links the village of Abbotsley to St Neots. The surrounding area is predominantly rural and agricultural in character and appearance and there are a few residential properties in the immediate vicinity of the site; the nearest being the cottages at Lansbury Farm to the west of the site. The nearest settlements are the village of Abbotsley, approximately 0.5km east of the site and St Neots, approximately 2.3km to the east. There is a bridleway that separates the two fields that make up the site, which runs from St Neots Road, northwards to Cambridge Road.

Approved Development

- 1.2 Planning permission was granted under reference 14/01623FUL for a Solar Farm comprising arrays of photovoltaic panels, plant equipment housing, security measures, landscaping, fencing and underground cable.

- 1.3 To expand on the approval, it was for a solar photovoltaic (PV) park on a site approximately 1.5 miles south-east of St Neots. The site area is approximately 62.9 hectares. However, the actual equipment to be installed will cover significantly less land (47ha) as the fencing is, in the main, offset several metres from the field boundaries, and the arrays are set a minimum of 4m inside the fence line. There are also aisles of between 3 and 7 metres between the arrays (depending on topography) to ensure that there is no overshadowing. The remaining 15 hectares to the north of the panels will revert to agricultural use. The site will be accessed via St. Neots Road.
- 1.4 The development includes arrays of PV panels, ancillary equipment, including inverters, a connection point and building, security fence and proposed landscape and ecological enhancements. A 5 metre by 5 metre substation is on the edge of the site where it is accessible by the District Network Operator. The panels would be mounted at around 0.8 metres from the ground at the lowest point (the southern edge) rising to a maximum of 2.40 metres at the highest point (the northern edge). Between each row of panels there would be approximately 3-7 metres to avoid any shadowing effect from one panel to another. The panels would be tilted at around 20 degrees from the horizontal and are orientated to face south towards the sun.

Proposal

- 1.5 This Section 73 application seeks to vary conditions 2 & 5 attached to planning permission 1401623FUL and the approved plan list.
- 1.6 A covering letter has been submitted with the application which outlines the following:
- Planning permission for solar farm on this site was granted in 2015 (planning reference 1401623FUL) and a first phase of development subsequently constructed, which has been operational since February 2016. The applicant intends to build out a second phase of development of the consented project.
 - The second phase of development comprises further solar PV array in the eastern field within the consented project area, and in the eastern part of the field to west of the operational portion of the site. The westernmost section within the approved planning boundary (west of Round Spinney) will remain undeveloped.
 - It is noted that the proposed phase 2 development layout within the fields either side of the existing operational section of the solar farm, constitutes a reduced overall footprint compared to the already consented layout within these fields.

- 1.7 This application has been accompanied by the following drawings and documents:
- Preliminary Ecological Appraisal (dated 14 November 2023)
 - Biodiversity Management Plan (dated 14 November 2023)
 - Landscape and Visual Impact Assessment (LVIA) Addendum (dated 14 November 2023)
 - A3 Figures Volume (latest update 31 Oct. 2023)
 - Landscape Planting Plan 1358-01 RevD (10 October 2023)
 - Badger Report (dated 14 November 2023)
 - Reptile Survey Report (dated 14 November 2023)
 - General Layout Plan EDG-103 GA LA-01 Rev9 (dated 28 February 2023)
 - Section 73 application cover document [this document] (dated 14 November 2023)
- 1.8 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (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 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.
- 2.4 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
 - LP5: Flood Risk
 - LP10: The Countryside

- LP11: Design Context
- LP12: Design Implementation
- LP14: Amenity
- LP15: Surface Water
- LP16: Sustainable Travel
- LP17: Parking Provision and Vehicle Movement
- LP29: Health Impact Assessment
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows
- LP34: Heritage Assets and their Settings
- LP35: Renewable and Low Carbon Energy
- LP36: Air Quality

3.2 Supplementary Planning Documents (SPD) and Guidance:

- Huntingdonshire Design Guide Supplementary Planning Document (2017)
- Developer Contributions SPD (2011)
- Huntingdonshire Landscape and Townscape SPD (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2017)
- Cambridgeshire Flood and Water SPD (2017)
- LDF Developer Contributions SPD (2011)
- Annual Monitoring Review regarding housing land supply (2020)
- Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

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

3.3 The National Design Guide (2021):

- C1 - Understand and relate well to the site, its local and wider context
- I1 - Respond to existing local character and identity
- I2 - Well-designed, high quality and attractive
- B2 - Appropriate building types and forms
- M3 - Well-considered parking, servicing and utilities infrastructure for all users
- N3 - Support rich and varied biodiversity
- H1 - Healthy, comfortable and safe internal and external environment
- H2 - Well-related to external amenity and public spaces
- H3 - Attention to detail: storage, waste, servicing and utilities.

For full details visit the government website

4. PLANNING HISTORY

- 4.1 1401623FUL - Solar farm comprising arrays of photovoltaic panels, plant equipment housing, security measures, landscaping, fencing and underground cable (approved)

5. CONSULTATIONS

5.1 Abbotsley Parish Council – Recommend refusal.

The Parish Council does not agree with the extension of time being extended as set out within condition 2 of 1401623FUL. The Parish Council has concerns regarding existing conditions not being implemented.

5.2 Councillor Richard West – I have read the attached comments made by the Parish Council, will the planning officer please give consideration to the comments made by the council.

5.3 Cambridgeshire County Council's Highway Authority – No Objection. Recommends a condition that The access should be constructed with a width of 7.5m and radii of 15m in accordance with Drawing No. 2199-PL-04-A Rev. 02 Proposed Site Access Plan included within application 1401623FUL.

5.4 HDC Environmental Health Officer – No Objection.

5.5 Designing Out Crime Officer - No Objection.

5.6 Environment Agency – No objection.

5.7 HDC Conservation Officer – No objection.

5.8 Cambridgeshire County Council's Historic Environment Team (Archaeology) – No objection. Happy with the proposal to reduce the size of the planted trees along the side of the south eastern archaeological preservation area to 150cm feathered whips.

5.9 Cambridgeshire County Council's Definitive Map team – No objection. Recommend a condition that no planting shall be erected on or within 2m of the public rights of way.

5.10 County Access & Bridleways Officer (Cambridgeshire British Horse Society) – Object.

Object to this application on the grounds of the proximity of the proposed access to the site to the entrance to Byway 17 Abbotsley. This application contains very little detail of this access so it is difficult to tell exactly what is proposed nor the number of vehicles which will be regularly entering and egressing the application site, particularly during the construction period. Rightful users of this byway year round include ridden horses and horse drawn carriages. Has a risk assessment been carried out to ensure the safety of horses, their riders and their carriages / drivers? Even a WCHAR? If not, this should be undertaken and the access reviewed if necessary, in the light of the findings. It should be noted that ridden horses could well be crossing the B1046 St. Neots Road at this point to access the bridleway south

of the application site. Carriage drivers would be accessing the highway both east and west. Ridden horses would also have the right to use the B1046. I note that permission for this development was granted some time ago, however, it is essential that the most recent good practice is applied in terms of protecting the safety of all vulnerable highway (including rights of way) users. It is also essential to protect the amenity of our rights of way network for all users.

5.11 HDC Senior Landscape & Biodiversity Officer – No objection.

Having reviewed the Landscape and Biodiversity Management Plan version 6 (2014) and changes applied to the landscaping proposals (1358-01 Rev D) and revised Biodiversity Management Plan (14th November 2023), We can confirm the amendments align with the findings and other biodiversity surveys. We therefore accept the amended wording for Condition 5 to be varied to read: “The development of the plans for second phase of development shall be carried out in accordance with details included in the Biodiversity Management Plan dated 14 November 2023 unless otherwise first agreed in writing with the local planning authority”.

6. REPRESENTATIONS

6.1 No comments received from neighbouring properties.

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 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 (relevant to this applications) 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 Section 73 of the Town and Country Planning Act 1990 relates to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.
- 7.6 Part 2 of Section 73 states that on such an application, the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and —
- (a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
- (b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.
- 7.7 The PPG advises that "Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission unless they have already been discharged".
- 7.8 The main issues to consider in the determination of this application are:
- The Principle of Development
 - Condition 2 (Extension to duration of planning consent)
Biodiversity
 - Condition 5 (Biodiversity Management / Planting)
 - Impact on the public right of way
 - Other conditions

The Principle of Development

- 7.9 Members should be aware that there are two pending applications for solar farms within the local vicinity:
- Application at Land South Of Abbotsley Country Homes, Drewels Lane, Abbotsley 23/01507/FUL

- Cross boundary application with South Cambridgeshire District Council (majority being with Huntingdonshire District Council) at Land North East Of Weald Farm, Cambridge Road, Eynesbury 24/00295/FUL

7.10 However, the principle of the development (including landscape etc) for this solar farm has been established and agreed under planning permission 1401623FUL which have been implemented through the construction of a first phase of the development which has been operational since February 2016.

Condition 2 (Extension to duration of planning consent)

7.11 Condition 2 of 1401623FUL states:

“The permission hereby granted shall expire no later than 30 years from the date when electrical power is first exported from any of the solar panels to the electricity grid network, excluding electricity exported during initial testing and commissioning (First Export Date). Written confirmation of the First Export Date shall be provided to the Local Planning Authority no later than 1 calendar month after the event.

If any of the panels hereby permitted fail to produce electricity for supply to the grid for a continuous period of 6 months, a scheme shall be submitted to the Local Planning Authority for its written approval within 3 months of the end of that 6 month period for the repair or removal of the relevant panels. Where repairs or replacements are required the scheme shall include a proposed programme of remedial works. Where removal of the relevant panels is required the scheme shall include a timetable for the dismantling and removal of the relevant panels and associated above ground works and timetable for any necessary restoration works following removal of the panels. The relevant scheme shall thereafter be implemented in accordance with the approved details and timetable.

Reason: It would not be appropriate to grant a permanent planning permission as: the solar panels have a limited life; in order to mitigate the loss of agricultural land; and given possible shading from future development nearby.”

7.12 The submitted covering letter states in order to ensure the economic viability of the project, it is necessary to vary the condition limiting the lifetime of the project in order to extend the permission to 45 years from first electrical export from the proposed phase 2 of the approved development.

7.13 The application proposes the variation of condition 2 to:

“Planning permission for the Caldecote solar farm shall expire no later than 45 years from the date when electrical power is first

exported to the electricity grid network from any of the solar panels within the second phase of development subject to section 73 application”

- 7.14 On review of the file for 1401623FUL, an email from Solarplicity stated that Phase 1 of solar farm started to export electricity to the grid on 24th February 2016. Therefore, the current permission expires on the 24th February of 2046 given the 30 year duration of the consent.
- 7.15 Policy LP35 of the Local Plan states: ‘A proposal for an extension of time to the permitted period for time limited planning permissions for a renewable or low carbon energy generation installation will be required to demonstrate that the measures to address adverse planning impacts remain effective and adhere to prevailing standards.’
- 7.16 Officers note the objection from the Parish Council in relation to the extension of the duration of the planning consent.
- 7.17 It is now normal for solar farm permissions to span 40 years which reflect the operational lifespan of the components within a solar farm and the advance in technology. It is also standard practice for that duration of the consent to begin when electrical power is from exported from any of the solar panels to the electricity grid network (basically the first export date).
- 7.18 Given how solar farms are given a temporary planning permission, it is unusual for solar farms to be phased developments. It was also not envisaged that the development would be split into a phased development. The original conditions did not reflect such a situation.
- 7.19 Officers have a number of concerns with the proposed variation of condition 2.
- 7.20 The first concern with the proposed wording is that phase 1 in theory would then have an open-ended planning permission. This is because it refers to the 45 years starting when electrical power is first exported to the electricity grid network from any of the solar panels within the second phase of development.
- 7.21 It would be open-ended because it would be unreasonable for officers to apply a time consent for the competition of phase 2. Therefore, officers cannot be certain when phase 2 will be completed.
- 7.22 Because it is unclear and uncertain when phase 2 will be completed, the second concern is around the proposed duration of 45 years.

- 7.23 Officers also note that phase 1 and in particular phase 2 is situated on grade 2 land agricultural land. The reason for condition 2 being a temporary consent clearly refers to agricultural land. The officer report for 1401623FUL also outlined how the loss of some grade 2 agricultural land was a negative impact of the development and the proposed 30 year temporary consent was a control for this.
- 7.24 For these reasons, it is considered that the proposed variation to condition 2 is unacceptable.
- 7.25 However, officers feel that an extension of the approved duration from 30 years to 40 years from the date when electrical power is first exported from any of the solar panels to the electricity grid network is reasonable and acceptable. Given that solar farm started to export electricity to the grid on 24th February 2016, this would mean the consent would expire on the 24th February of 2056.
- 7.26 The recommended variation of the wording of condition 2 would be:

The permission hereby granted shall expire no later than 40 years from 24th February 2016.

If any of the panels hereby permitted fail to produce electricity for supply to the grid for a continuous period of 6 months, a scheme shall be submitted to the Local Planning Authority for its written approval within 3 months of the end of that 6 month period for the repair or removal of the relevant panels. Where repairs or replacements are required the scheme shall include a proposed programme of remedial works. Where removal of the relevant panels is required the scheme shall include a timetable for the dismantling and removal of the relevant panels and associated above ground works and timetable for any necessary restoration works following removal of the panels. The relevant scheme shall thereafter be implemented in accordance with the approved details and timetable.

Reason: It would not be appropriate to grant a permanent planning permission as: the solar panels have a limited life; in order to mitigate the loss of agricultural land; and given possible shading from future development nearby.”

Condition 5 (Biodiversity Management / Planting)

- 7.27 Condition 5 of 1401623FUL states:

“The development hereby approved shall be carried out in accordance with the Landscape and Biodiversity Management Plan version 6 submitted on the 19th November 2014 unless otherwise first agreed in writing with the local planning authority.

Reason: To minimise any potential impacts on habitats and protected species and enhance biodiversity in accordance with policy CS1 of the Adopted Core Strategy (2009), paragraph 109 of the National Planning Policy Framework (2012) and paragraph 27 of the Planning practice guidance for renewable and low carbon energy (2013)."

7.28 The application proposes the variation of condition 5 to:

"The development of the plans for second phase of development shall be carried out in accordance with details included in the Biodiversity Management Plan dated 14 November 2023 unless otherwise first agreed in writing with the local planning authority."

7.29 As outlined above, it is noted that the proposed phase 2 development layout within the fields either side of the existing operational section of the solar farm, constitutes a reduced overall footprint compared to the already consented layout within these fields.

7.30 Additional information has been submitted in support of this application:

- Preliminary Ecological Appraisal (dated 14 November 2023)
- Biodiversity Management Plan (dated 14 November 2023)
- Landscape and Visual Impact Assessment (LVIA) Addendum (dated 14 November 2023)
- A3 Figures Volume (latest update 31 Oct. 2023)
- Landscape Planting Plan 1358-01 RevD (10 October 2023)
- Badger Report (dated 14 November 2023)
- Reptile Survey Report (dated 14 November 2023)
- General Layout Plan EDG-103 GA LA-01 Rev9 (dated 28 February 2023)
- Section 73 application cover document [this document] (dated 14 November 2023)

7.31 The updated proposals include mitigation and enhancement measures in relation to local biodiversity and landscaping. It is noted that the landscaping proposals will provide further screening of the first phase of the project already installed as well as the new second phase. These measures include the following:

- A native tree line planted along the eastern field boundary alongside existing hedgerow
- A new hedgerow planted along the western boundary
- Native climbers planted along the northern fence line of each field
- Precautionary installation of 20 skylark plots in neighbouring agricultural fields to avoid impacts on nesting birds
- Buffer zone included in PV installation design to avoid impacts on badger setts along field perimeter

- Installation of bat and bird boxes and hibernacula for reptiles and amphibia to enhance habitats
- 7.32 Since the submission of the application and following comments received from Cambridgeshire County Council's Historic Environment Team (Archaeology), the applicant has reduced the size of the planted trees along the side of the south eastern archaeological preservation area to 150cm feathered whips.
- 7.33 The Council's Senior Landscape & Biodiversity Officer has reviewed the submitted information and has advised that the amendments align with the findings and other biodiversity surveys. The proposed variation of condition 5 is acceptable.
- 7.34 The recommended variation of the wording of condition 5 would be:
- "The development of the plans for second phase of development shall be carried out in accordance with details included in the Biodiversity Management Plan dated 14 November 2023 unless otherwise first agreed in writing with the local planning authority."*

Impact on the public right of way

- 7.35 Public Byway 1/7 divides the site in a north-south direction. It is a continuation of a track to the south of St. Neots Road that allows walkers to walk cross country from Eynesbury Hardwicke to the A428. Where it divides the proposed solar farm, it is noted that there is mature landscaping that minimise the impact on the public right of way.
- 7.36 Cambridgeshire County Council's Definitive Map Team have raised no objection subject to a condition that no planting shall be erected on or within 2m of the public rights of way.
- 7.37 Officers note that the Cambridgeshire County Council's Definitive Map team did not recommend this condition on 1401623FUL but also note the guidance that is referred to by the Definitive Map Team is dated 2020. The landscaping scheme agreed as part of 1401623FUL and also this application included strengthening the boundaries to the public right of way. Officers therefore think this recommended condition would conflict with the already agreed landscaping strategy. For that reason, the condition is not recommended to be included.
- 7.38 County Access & Bridleways Officer (Cambridgeshire British Horse Society) have objected on grounds of access and potential conflict with users of the byway.
- 7.39 Officer notes that British Horse Society was consulted on 1401623FUL but did not provide comment on the application.

- 7.40 The access arrangements have been agreed under 1401623FUL. Neither Cambridgeshire County Council's Definitive Map team or Cambridgeshire County Council's Highway Authority have objected to the application.
- 7.41 Whilst officers appreciate the concerns raised by the County Access & Bridleways Officer (Cambridgeshire British Horse Society), matters of access and the users of the public right of way has been adequately assessed under 1401623FUL and the proposed changes under this application do not warrant a refusal of the application.

Other conditions

- 7.42 All conditions from 1401623FUL shall be reapplied to this decision.
- 7.43 The Highway Authority has recommended the following condition:
- The access should be constructed with a width of 7.5m and radii of 15m in accordance with Drawing No. 2199-PL-04-A Rev. 02 Proposed Site Access Plan included within application 1401623FUL.
- 7.44 Officers consider these works need to be carried prior to the construction of any more development on the site and the condition is therefore recommended.

Conclusion

- 7.45 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.46 As outlined in this report, officers do not find the proposed variation of condition 2 (Extension to duration of planning consent) acceptable. However, officers proposed to vary condition 2 to extend the duration of the permission from 30 years to 40 years, extending the lifetime of the consent to 24th February 2056.
- 7.47 The proposed variation of condition 5 is acceptable.
- 7.48 It is therefore considered that the proposal has demonstrated that the measures to address adverse planning impacts remain effective and adhere to prevailing standards in compliance with Policy LP35 of the Local Plan.
- 7.49 Having regard for all relevant material considerations, it is concluded that the proposal would accord with local and national planning policy. Therefore, it is recommended that planning permission be granted.

8. RECOMMENDATION - APPROVAL subject to the following conditions:

- Approved Plans
- Temp 40 year permission from first exportation of electricity from the solar farm
- No more than 100,000 panels
- Compliance with updated Landscape and Biodiversity Management Plan
- Pre-commencement - Colour of gates, security fencing and security measures.
- Compliance with Flood Risk Assessment
- No floodlight or sound emitting burglar alarms to be installed.
- Any temporary compounds shall cease and be removed within 3 months of the first export of electricity from the solar panels on phase 2.
- Site access should be constructed in accordance with the Drawing No. 2199-PL-04-A Rev. 02 Proposed Site Access Plan included within application 1401623FUL

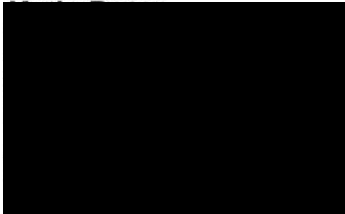
If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:

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

Pathfinder House, St Mary's Street 01480 388424 Huntingdon. PE29 3TN
www.huntingdonshire.gov.uk
Developmentcontrol@huntingdonshire.gov.uk

Abbotsley Parish Council



Our Ref : 23/02183/S73

24th November 2023

Dear Clerk

**PARISH COUNCIL CONSULTATION – APPLICATION REF. 23/02183/S73
Variation of Conditions 2 (Extension to duration of planning consent) and 5
(Biodiversity Management/Planting) of 1401623FUL.
Land South West Of Caldecote Manor Farm St Neots Road Abbotsley**

Enclosed is the form relating to the above application.

I would be grateful to receive any views your Council would wish to make in respect of the proposed development. Any representations made should be representations of the Parish Council as such and not of individuals and should include material planning reasons for any recommendation of approval or refusal.

Residential neighbours abutting the site will be notified of its submission and invited to make comments. I will suggest to them that they may wish to let you have a copy of their comments but would remind you that it is inappropriate to delay your recommendation for this.

I should be pleased to receive your Council's views as soon as possible or in any case by 15th December 2023.

Cont.....

The application including documents and plans, is also available to view from Huntingdonshire District Council's Web site at <http://publicaccess.huntingdonshire.gov.uk/online-applications/> It is also possible to submit any comments you care to make direct from this site to this office. Alternatively, you may submit comments by post, email or fax. The quickest way to submit comments is by e-mail to developmentcontrol@huntingdonshire.gov.uk.

If you wish to discuss this matter further, please contact the team via email to [**developmentcontrol@huntingdonshire.gov.uk**](mailto:developmentcontrol@huntingdonshire.gov.uk).

Yours faithfully
Clara Kerr
Chief Planning Officer

Pathfinder House, St Mary's Street 01480 388424 Huntingdon. PE29 3TN
www.huntingdonshire.gov.uk
Developmentcontrol@huntingdonshire.gov.uk

Head of Planning Services
Pathfinder House
St. Mary's Street
Huntingdon
Cambridgeshire PE 29 3TN

Application Number: 23/02183/S73 Case Officer Lewis Tomlinson

Proposal: Variation of Conditions 2 (Extension to duration of planning consent) and 5 (Biodiversity Management/Planting) of 1401623FUL.

**Location: Land South West Of Caldecote Manor Farm St Neots Road Abbotsley
Observations of Abbotsley Town/Parish Council.**

Please box as appropriate

Recommend **approval** because... (please give relevant planning reasons in space below)

Recommend **refusal** because... (please give relevant planning reasons in space below)

Abbotsley Parish Council met yesterday and unanimously objected to this planning application for the following reason:

- The Parish Council does not agree with the extension of time being extended as set out within condition 2 of 1401623FUL.
- The Parish Council has concerns regarding existing conditions not being fully implemented.

No observations either in favour or against the proposal

Abbotsley Parish Council Clerk to Abbotsley Town/Parish Council. (For GDPR purposes please do not sign) Date :15th December 2023

Failure to return this form within the time 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 response to email address below:-

Development.control@huntingdonshire.gov.uk

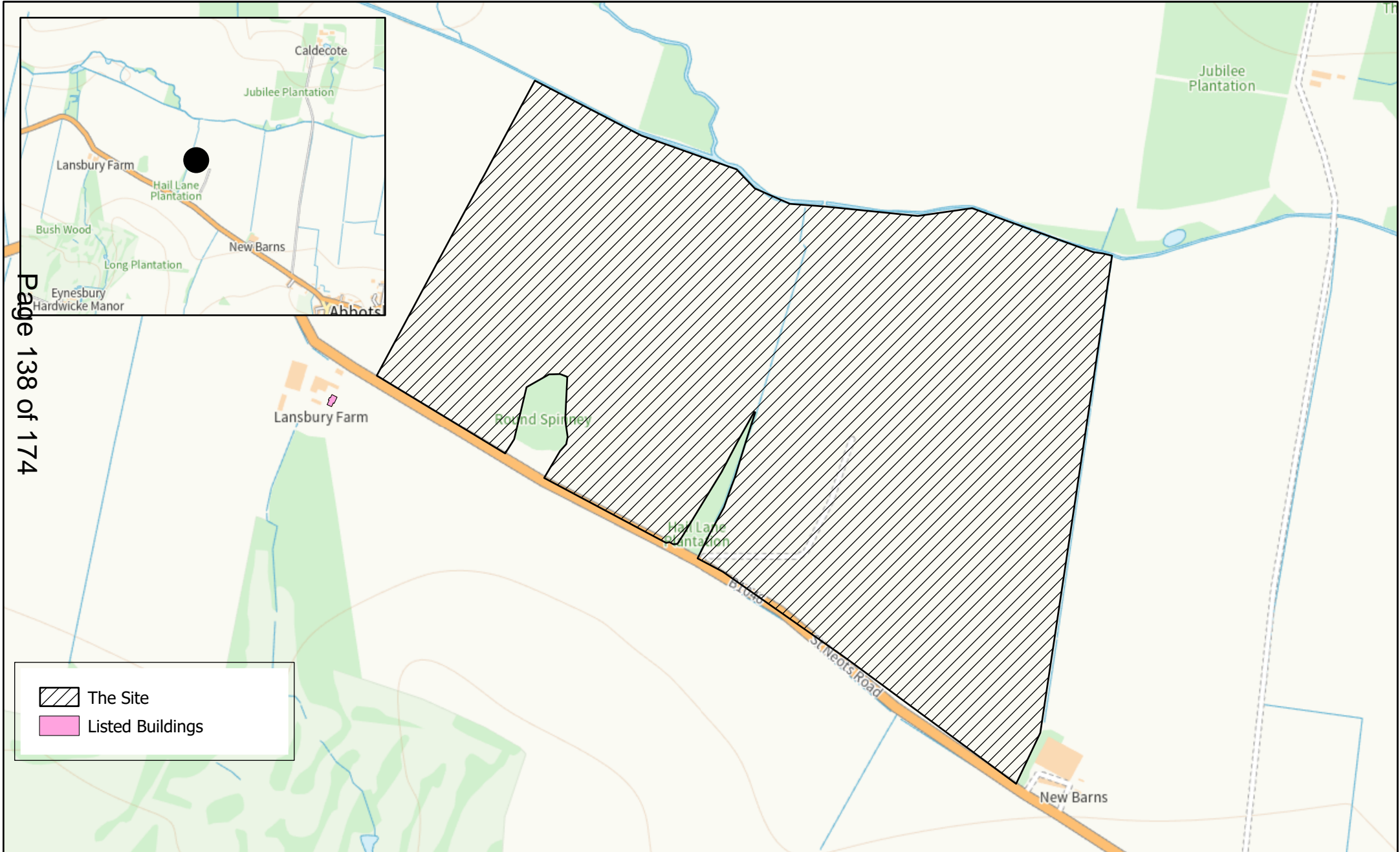
(Development Management)

Development Management Committee



Application Ref: 23/02183/S73

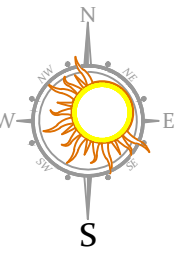
Scale = 1:7,500

Date Created: 03/07/2024

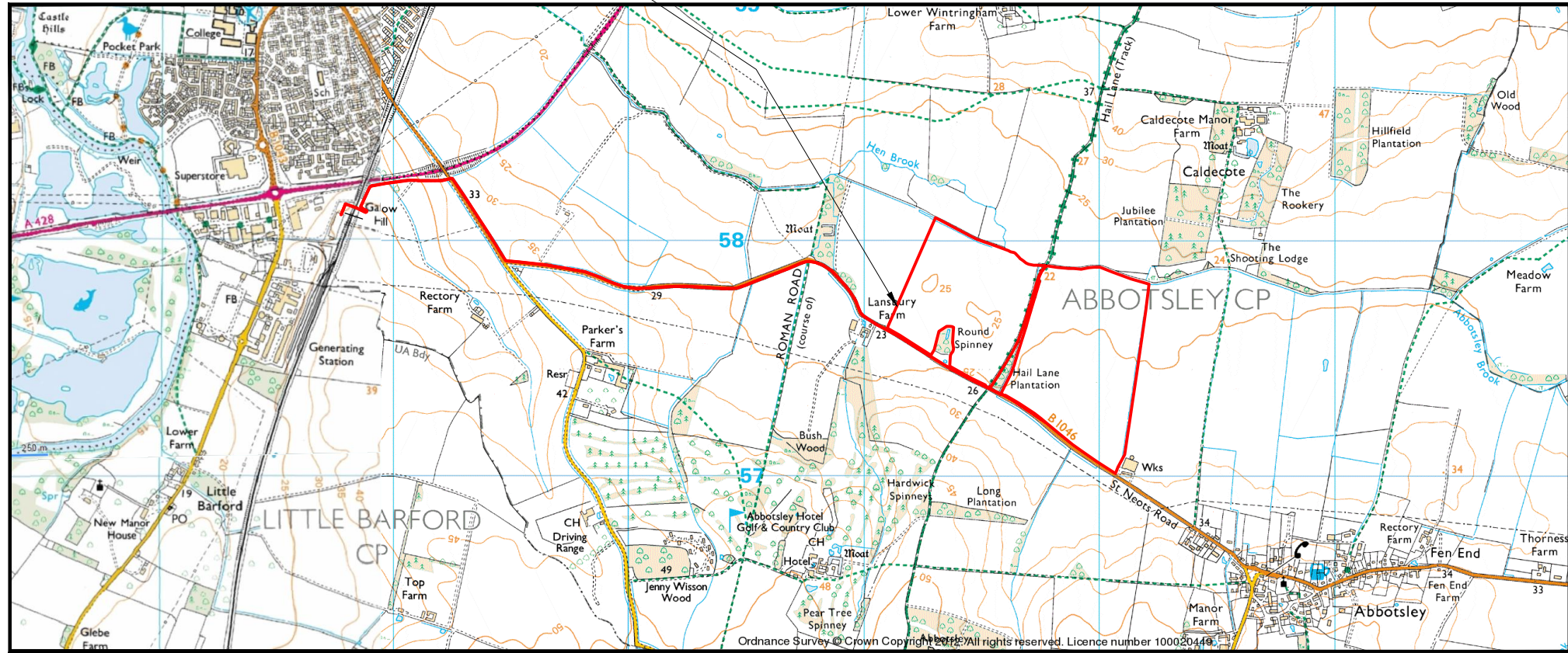


Page 138 of 174

	The Site
	Listed Buildings



PROPOSED SITE BOUNDARY



SITE LOCATION PLAN
 SCALE 1:25000 @ A3
 SCALE 1:12500 @ A1

03	REVISED CABLE ROUTE		13.05.14
02	REVISED CABLE ROUTE		24.07.13
01	FIRST ISSUE	? ?	04.06.13
REV	DESCRIPTION	DRN/RQD	DATE



PLANNING PACK

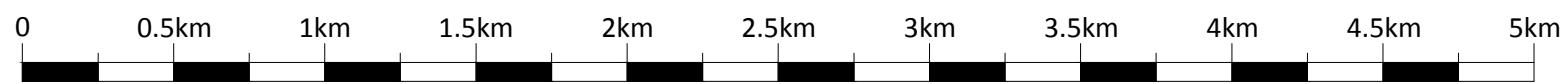
PROJECT :
CALDECOTE MANOR FARM

ADDRESS:
**ABBOTSLEY
 ST NEOTS
 CAMBRIDGESHIRE
 PE19 6XQ**

DRAWING TITLE:
SITE LOCATION PLAN

SCALE: 1:25000 @ A3 DATE: 13.05.14

DRAWING No. 2199-PL-01 REV 03



SCALE 1:25000

This page is intentionally left blank

DEVELOPMENT MANAGEMENT COMMITTEE 15th JULY 2024

Case No: 23/00814/FUL

Proposal: To divide existing ground floor shop unit into two small shop units fronting the high street, together with an executive car showroom within the existing building to the rear. Provision of 31 short stay hotel rooms to first floor with new windows set into existing side and rear elevations behind street frontage building, together with a first-floor infill extension over existing flat roof between existing buildings

Location: 111 High Street, Huntingdon

Applicant: Ms Loretta Budai

Grid Ref: 523853 271850

Date of Registration: 05.05.2023

Parish: Huntingdon

RECOMMENDATION - REFUSE

This application is referred to the Development Management Committee (DMC) as Officers recommendation goes against that of Huntingdon Town Council.

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

- 1.1 No. 111 High Street is a Grade II Listed Building and is located within the Huntingdon Conservation Area. The property is also in close proximity to a number of other Grade II Listed Buildings as well as the Grade I Listed Building of All Saints Church and the Grade II* Listed Building of the Town Hall. The site is located within the town centre and primary shopping area of Huntingdon.

Proposal

- 1.2 This application seeks approval to subdivide the existing ground floor retail unit into two alongside the provision of a car showroom to the rear and 31 short-stay hotel rooms at first-floor level alongside various internal and external alterations at No. 111 High Street, Huntingdon.

- 1.3 The Local Planning Authority is also considering a Listed Building Consent application for the same development proposal (23/00815/LBC) which is reported to this Committee.
- 1.4 Officers contacted the Agent advising of the concerns regarding the application, but they considered that the information supplied with the application was acceptable/sufficient given the works proposed.
- 1.5 The application is supported by the following documents:
 - Heritage, Design and Access Statement
- 1.6 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (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 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website [National Guidance](#)

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
 - LP1: Amount of Development
 - LP2: Strategy for Development
 - LP4: Contributing to Infrastructure Delivery
 - LP5: Flood Risk
 - LP6: Waste Water Management
 - LP7: Spatial Planning Areas

- LP11: Design Context
- LP12: Design Implementation
- LP13: Placemaking
- LP14: Amenity
- LP15: Surface Water
- LP16: Sustainable Travel
- LP17: Parking Provision and Vehicle Movement
- LP21: Town Centre Vitality and Viability
- LP25: Housing Mix
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows
- LP34: Heritage Assets and their Settings
- LP36: Air Quality

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

3.2 Huntingdon Neighbourhood Plan 2018-2026 (Adopted September 2019)

- E1: Opportunities for Employment
- E2: Business Investment
- TC1: Retail Development
- TL1: Tourism Development
- BE1: Design and Landscaping
- BE2: Local Distinctiveness and Aesthetics
- BE3: Heritage Assets
- TT1: Sustainable Travel

3.3 Supplementary Planning Documents (SPD) and Guidance:

- Huntingdonshire Design Guide Supplementary Planning Document 2017
- Developer Contributions SPD 2011
- Huntingdonshire Landscape and Townscape SPD (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2017)
- Cambridgeshire Flood and Water SPD 2017
- LDF Developer Contributions SPD (2011)
- Annual Monitoring Review regarding housing land supply (2020)
- Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

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
- N3 - Support rich and varied biodiversity
- H1 - Healthy, comfortable and safe internal and external environment
- H2 - Well-related to external amenity and public spaces
- H3 - Attention to detail: storage, waste, servicing and utilities.

For full details visit the government website

4. PLANNING HISTORY

- 4.1 Given the heritage and use of the property there is a wide planning history associated with it. The history from November 1974 onwards is available to view on HDC's Public Access Site. The most recent, relevant history is detailed below:
- 4.2 23/00815/LBC - To divide existing ground floor shop unit into two small shop units fronting the high street, together with an executive car showroom within the existing building to the rear. Provision of 31 short stay hotel rooms to first floor with new windows set into existing side and rear elevations behind street frontage building, together with a first-floor infill extension over existing flat roof between existing buildings – Pending consideration.
- 4.3 1000334LBC – Internal walls removed, new stud partitioning added and new signage to shop front – Consent
- 4.4 1000335ADV – Display of fascia and projecting sign to shopfront – Consent

5. CONSULTATIONS

- 5.1 Huntingdon Town Council – Recommends approval. Although members did raise concerns on the following:
- Fire safety of the hotel rooms, including the width of doorways, the single exit for guests and the car showroom located on the ground floor.
 - Accessibility of the hotel rooms for disabled users.
 - Would there be any parking concerns especially to the rear of the building where the loading dock was located?
 - Lastly concerns were raised about in keeping with the heritage of the High Street and whether there was a market for an executive car showroom in Huntingdon.
- 5.2 Cambridgeshire County Council's Highway Authority – No objections to the proposal. No significant adverse effect upon the Public Highway should result from the proposal. However, makes the following comments:

The building will have three areas:-

1– Two shop fronts fronting the High Street. Deliveries can be made via High Street within the hours permitted by the Pedestrian Zone, or St Germain Street at other times.

2– 31 Short Stay hotel rooms – there is no parking associated with the building, however, there are public car parks nearby and on-street parking in the non-pedestrian section of High Street.

3- Executive Car Showroom – no details have been provided to indicate where the cars will be driven into the showroom. There is an existing loading bay which is elevated from ground level and an existing entrance on the north western elevation which presumably could be widened if needed. Both of these are in an acceptable location.

Also no detail have been provided to indicate how the cars will be delivered to the showroom. If they are going to be delivered on a multi-vehicle transported then the applicant should ensure that it is able to manoeuvre and turn within the available area.

5.3 Huntingdonshire District Council’s Conservation Officer – Objects. The proposal contains insufficient, accurate information to make an assessment and the drawings are incorrect.

5.4 Huntingdonshire District Council’s Environmental Protection Team – Concerns regarding the potential sound levels within the hotel bedrooms. Looking at images of the area there appears to be a number of items of plant located in the immediate vicinity. I would therefore advise that a Noise Impact Assessment is required to demonstrate that internal sound levels within the hotel rooms will be acceptable and what mitigation (for example the glazing specification / provision of alternative ventilation etc) is required.

The location falls just within a designated Air Quality Management Area and therefore an Air Quality Assessment is required to be submitted in accordance with LP36.

6. REPRESENTATIONS

6.1 No third party representations were received during the course of the application.

7. ASSESSMENT

7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan’s policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990

(Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as “the development plan documents (taken as a whole) that have been adopted or approved in that area”.

- 7.3 In Huntingdonshire the Development Plan (relevant to this applications) consists of:
- Huntingdonshire’s Local Plan to 2036 (2019)
 - Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
 - Huntingdon Neighbourhood Plan 2018-2026 (2019)
- 7.4 The statutory term ‘material considerations’ has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: *Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor* [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.
- 7.5 The main issues to consider in the determination of this application are:
- The Principle of Development
 - Design, Visual Amenity and Impact on Heritage Assets
 - Residential Amenity
 - Parking Provision and Highway Safety
 - Flood Risk and Drainage

The Principle of Development

- 7.6 The site is located within the town centre and primary shopping area of Huntingdon, which the adopted Huntingdonshire Local Plan to 2036 identifies as a Spatial Planning Area (Policy LP7).
- 7.7 Policy LP7 states that a main town centre use development, which is additional to those allocated in the Local Plan, will be supported where it is appropriately located within a built-up area of an identified Spatial Planning Area settlement. Furthermore, a proposal which includes a mix of uses will be supported where each use accords with the applicable requirements detailed within Policy LP7.
- 7.8 Policy LP21 (Town Centre Vitality and Viability) of the adopted Local Plan to 2036 states a proposal for a shop will be supported within a primary shopping frontage to encourage uses which

support the vitality and viability of the location whilst maintaining its essential retail nature.

- 7.9 Policy TC1 of the Huntingdonshire Neighbourhood Plan states that *'Additional retail provision, including the sub-division of existing shop units or the creation of larger shop units involving two or more existing units will be favourably considered at ground floor level in the primary shopping area (as defined in the Huntingdonshire Local Plan), provided that development, without clear and convincing justification, avoids harm to, or loss of, the significance of the Huntingdon Conservation Area and any nearby listed buildings.'*
- 7.10 This application seeks approval to subdivide the ground floor retail unit into two retail units, the provision of a car showroom in the rear section of the ground floor and the creation of 31 short stay hotel rooms at first floor level.
- 7.11 The proposed subdivision of the ground floor retail unit and the provision of 31 short stay hotel rooms at first floor level are considered to be acceptable in principle as they are main town centre uses with the retail development addressing the primary shopping frontage.
- 7.12 It is worth noting that in line with Policy LP23 of the adopted Local Plan (Tourism and Recreation) a condition would be imposed on any planning permission granted to prevent occupation of the short stay hotel rooms as a person's permanent sole or main residential use.
- 7.13 With regard to the proposed car showroom (Sui Generis), the use is not considered to fall within the category of 'main town centre use' as defined by the National Planning Policy Framework. As such, the proposed use is considered to be inappropriate within the Primary Shopping Area of Huntingdon with no support in the adopted Local Plan nor the Huntingdon Neighbourhood Plan. It is also worth noting, as discussed in the following section of this report, that the Local Planning Authority consider that bringing the building back into use (last in use September 2021) would not outweigh the potential harm of the proposal and the provision of a car showroom would offer a limited contribution to the overall vitality and viability of the Huntingdon Town Centre.
- 7.14 Overall, the proposed car showroom would represent an inappropriate use within the Primary Shopping Area and Town Centre of Huntingdon and therefore would be contrary to Policy LP21 of the adopted Huntingdonshire Local Plan to 2036, Policy TC1 of the Huntingdon Neighbourhood Plan and Section 7 of the National Planning Policy Framework. As such, the principle of development is unacceptable and planning permission should be refused in this instance.

Design, Visual Amenity and Impact on Heritage Assets

- 7.15 No. 111 High Street is a Grade II Listed Building and is located within the Huntingdon Conservation Area. The property is also in close proximity to a number of other Grade II Listed Buildings as well as the Grade I Listed Building of All Saints Church and the Grade II* Listed Building of the Town Hall.
- 7.16 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 7.17 Section 66 of the Planning (Listed Buildings and Conservation Areas) 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.
- 7.18 Para 205 of the NPPF sets 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...'* The NPPF goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use.
- 7.19 Para 212 states that 'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 7.20 Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.21 Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context. Policy LP12 states that new development will be expected to be well designed and that a proposal will be supported

where it can be demonstrated that it contributes positively to the area's character and identity and successfully integrates with adjoining buildings, topography and landscape.

- 7.22 Section 12 of the NPPF (2023) seeks to achieve well designed places, noting that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.
- 7.23 The National Design Guide (2020) sets out the characteristics of well-designed places and demonstrates what good design means in practice. It covers the following: context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan. Of particular note to the current proposals is guidance relating to design and how this understands and relates well to the site within its local and wider context, how the history of the place has evolved and that local sense of place and identity are shaped by local history, culture and heritage, how a proposal responds to existing local character and identity, whether proposals are well designed, high quality and attractive and whether they are of an appropriate building type and form.
- 7.24 This application seeks to subdivide the existing ground floor retail until into two, the provision of a car showroom on the ground floor within the existing building, and the provision of 31 short-stay hotel rooms at first floor. To facilitate the proposed short-stay hotel, the proposal also involves the erection of a first-floor infill extension and the installation of new windows on the side and rear elevations.
- 7.25 The proposed first-floor extension would in-fill the main two-storey element fronting the highway of High Street and the two-storey element to the rear, fronting the highway of St Germain Street. The proposed extension is considered to be a subservient addition to the property and would not be visually prominent from public vantage points along High Street. While the proposal would be visible from St Germain Street, it is considered to be of an acceptable design and appearance and would not result in harm to the character of appearance of the streetscene of surrounding area. Furthermore, the proposed windows are considered to be of an acceptable scale and design.
- 7.26 However, the Council's Conservation Officer has been unable to determine whether the proposed works would result in harm to the setting and significance of the Listed Building of No. 111 High Street due to inaccuracies and errors within the submitted drawings.
- 7.27 The façade and front range of the building date to the Mid 18th Century and formed the higher status elements of the Fountain Inn, a famous posting house. The Inn had an assembly room at

the first floor which the public could use to hold meetings and sales, records of which are mentioned in the National Archives. This large space sat over a coaching arch in the middle of the building and was lit by a pair of 'Venetian' windows of which only the front one now survives.

- 7.28 The removal of the rear ranges and blocking up of the coaching arch to create a large shop floor for Woolworths in the latter half of the 20th Century has taken away much of the historic context for the listed building. However, the front part of the building retains significance, particularly in its relationship with the listed Town Hall and its positive contribution to the character and appearance of the market square.
- 7.29 The plan of the first floor 'as existing' in this submission is largely a reissue of the 2010 application drawing; the second floor 'as existing' is an extract of the first floor plan. There are errors on both plans, notably missing windows, incorrect siting of windows and the line of the rear wall. In particular, the façade of the building is not flat as shown, the masonry projects forward to highlight the venetian window and a decorative architectural pediment. The internal arrangement of the second floor is not known as the submission shows the female toilets and staircase arrangement of the first floor. There are also no plans of the attic. The existing and proposed drawings are therefore incorrect.
- 7.30 The Conservation Officer requested a site visit to enable assessment of the listed building, but this has not been forthcoming. Given the inaccuracies of the submitted drawings and lack of additional information regarding potential works to enable use of the building (which is currently in a poor state of repair) it is not possible to gauge the impact of the proposals on the significance of the listed building.
- 7.31 The applicant states that the works will have no impact on the listed building as there will be no alterations to the existing rooms at the historic front of the property. The drawings show the removal of ladies toilet facilities on the first floor which may not affect the special interest of the listed building but without further details it is not possible to assess. The proposed works will also impact the modern rear extension of the building but as this area has no architectural or historic interest these works may not require listed building consent.
- 7.32 As such, it is considered that the plans have not been drawn correctly and therefore it can be argued that there is insufficient accurate information to ensure that the Local Planning Authority is able to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area.

- 7.33 While there are some matters and discrepancies that can be addressed by the implementation of suitably worded conditions, the errors in the drawings are considered to be fundamental and undermine the proposal.
- 7.34 The proposal change of use would secure a long-term viable use for the listed building and this is considered a benefit of the scheme. However, it is not possible to assess the potential impact of the development upon the heritage asset. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must therefore determine that the proposal would result in harm to the heritage asset. Such harm would not be outweighed by the benefits.
- 7.35 As such, the proposal is deemed to be contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of Huntingdonshire's Local Plan to 2036, Policies BE1, BE2 and BE3 of the Huntingdon Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2023).

Residential Amenity

- 7.36 Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

Amenity of neighbouring properties

- 7.37 Given the town centre location, proposed uses and the siting and scale of the proposed extension and external alterations, the proposal is not considered to result in any detrimental impacts on any neighbouring residential property.

Amenity for future occupiers

- 7.38 Policy LP14 states that a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development.
- 7.39 The site is located within the town centre and the surrounding area includes a number of items of plant in the immediate vicinity. Accordingly, the Council's Environmental Protection Team have concerns regarding the potential sound levels within the hotel bedrooms. They have therefore advised that a Noise Impact Assessment is required to be submitted to ensure that internal sound levels within the proposed hotel rooms would be acceptable, including any proposed mitigation measures (for example glazing specification / provision of alternative ventilation

etc). Without this it is not possible to ensure that the proposal would be acceptable in terms of the amenity of hotel users.

- 7.40 The site also falls just within a designated Air Quality Management Area. The proposal will therefore need to be accompanied by an Air Quality Assessment. Policy LP36 of the Local Plan states:

An Air Quality Assessment should be proportionate to the nature and scale of the proposal and the level of concern about air quality, but should assess:

- f. the existing state of air quality surrounding the site;*
- g. how the proposal could affect air quality during construction and operational phases;*
- h. the extent to which people could be exposed to poor air quality;*
- and*
- i. how biodiversity could be affected by changes in air quality as a result of the proposal.*

No Air Quality Assessment has been submitted and therefore the proposal is contrary to LP36.

- 7.41 As such, the Local Planning Authority are not able to satisfy themselves that the proposal would be acceptable in terms of amenity and therefore the proposal is considered to be contrary to Policy LP14 and LP36 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework in this regard.

Parking Provision and Highway Safety

- 7.42 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.
- 7.43 The submitted application has provided limited information regarding access for deliveries for the proposed retail units as well as the movement of vehicles for the proposed car showroom. The existing property includes a loading bay to the rear, which is elevated from ground level and an existing entrance on the north-western elevation from St Germain Street.
- 7.44 Cambridgeshire County Council's Highway Authority have raised no objections to the proposal subject to alterations to widen the existing access on the north western elevation. Given the Local Highway Authority have no objections to the proposal in principle, the Local Planning Authority would impose conditions on any

planning permission granted to secure suitable access for the executive car showroom.

- 7.45 While no off-street car parking provision would be made for the users of the proposed 31 short stay hotel rooms, the Local Planning Authority are satisfied that there is appropriate public and on-street car parking in the area as well as adequate access to sustainable modes of transport, including Huntingdon Train Station in walking distance.
- 7.46 Therefore, subject to appropriate conditions the proposal is considered acceptable in terms of its impact on highway safety and therefore accords with Policies LP16 and LP17 of Huntingdonshire's Local Plan to 2036 and Section 9 of the National Planning Policy Framework in this regard.

Flood Risk and Drainage

- 7.47 National guidance and Policy LP5 of the Local Plan to 2036 seek to steer new developments 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)).
- 7.48 In this case, the application site is situated in Flood Zone 1 based on the Environment Agency Floods Maps and the Strategic Flood Risk Assessment (2017) and is not in an area noted as susceptible to ground water flooding (<25%).
- 7.49 Given that the site is in Flood Zone 1 and comprises less than 1 hectare of land, the sequential and exceptions tests for flooding nor the submission of a flood risk assessment are considered necessary in this instance in accordance with the NPPF and NPPG.
- 7.50 The proposal seeks to dispose of foul and surface water via the main sewer. Officers are satisfied that full details of the surface and foul water drainage can be secured as part of building regulations and other relevant legislative requirements in this instance.
- 7.51 Overall, the proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore accords with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework in this regard.

Other Matters

Community Infrastructure Levy (CIL)

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

Conclusion

- 7.53 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.54 The proposed car showroom would represent an inappropriate use within the Primary Shopping Area and Town Centre of Huntingdon and therefore the principle of development would be unacceptable in this instance.
- 7.55 The application is not supported by correct or sufficient information regarding the heritage asset. The Local Planning Authority are therefore not able to determine as to whether the proposal would result in harm to the setting and significance of the Listed Building of No. 111 High Street due to inaccuracies and errors within the submitted drawings. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm.
- 7.56 Given the lack of Noise Impact Assessment, the Local Planning Authority are not able to determine whether the proposal would result in unacceptable noise impacts on users of the proposed short-stay hotel. Furthermore, the proposal has not been accompanied by an Air Quality Assessment.
- 7.57 Taking national and local planning policies into account, and having regard to all relevant material considerations, it is concluded that the proposed development is contrary to policy and not acceptable. There are no overriding material considerations that indicate that permission should be granted in this instance. Therefore, it is recommended that the application be refused.

8. RECOMMENDATION - REFUSE for the following reasons

1. The proposed car showroom element of the proposal is not considered to fall within the category of 'main town centre uses' as defined by the National Planning Policy Framework. As such the proposal would represent an inappropriate use within the Primary Shopping Area and Town Centre of Huntingdon and would be contrary to Policy LP21 of the adopted Huntingdonshire Local Plan to 2036, Policy TC1 of the Huntingdon Neighbourhood Plan, and Section 7 of the National Planning Policy Framework.

2. 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).
3. The application has not been accompanied by a Noise Impact Assessment and therefore the Local Planning Authority are not able to determine whether the proposal would result in unacceptable noise impacts on users of the proposed short-stay hotel. As such, the proposal would be contrary to Policy LP14 of the Huntingdonshire Local Plan to 2036, guidance within the Huntingdonshire Design Guide SPD and the National Planning Policy Framework (2023).
4. The site falls within a designated Air Quality Management Area and the application has not been accompanied by an Air Quality Assessment. As such, the proposal would be contrary to Policy LP36 of the Huntingdonshire Local Plan to 2036 and the National Planning Policy Framework (2023).

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs

CONTACT OFFICER:

Enquiries about this report to Christina Riley, Development Management Team Leader (South)

DEVELOPMENT MANAGEMENT COMMITTEE 15th JULY 2024

Case No: 23/00815/LBC

Proposal: To divide existing ground floor shop unit into two small shop units fronting the high street, together with an executive car showroom within the existing building to the rear. Provision of 31 short stay hotel rooms to first floor with new windows set into existing side and rear elevations behind street frontage building, together with a first-floor infill extension over existing flat roof between existing buildings

Location: 111 High Street, Huntingdon

Applicant: Ms Loretta Budai

Grid Ref: 523853 271850

Date of Registration: 05.05.2023

Parish: Huntingdon

RECOMMENDATION - REFUSE

This application is referred to the Development Management Committee (DMC) as Officers recommendation goes against that of Huntingdon Town Council.

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

1.1 No. 111 High Street is a Grade II Listed Building and is located within the Huntingdon Conservation Area. The property is also in close proximity to a number of other Grade II Listed Buildings as well as the Grade I Listed Building of All Saints Church and the Grade II* Listed Building of the Town Hall. The site is located within the town centre and primary shopping area of Huntingdon.

Proposal

1.2 This application seeks approval to subdivide the existing ground floor retail unit into two alongside the provision of a car showroom to the rear and 31 short-stay hotel rooms at first-floor level alongside various internal and external alterations at No. 111 High Street, Huntingdon.

- 1.3 The Local Planning Authority is also considering a Planning Application for the same development proposal (23/00814/FUL) which is reported to this Committee.
- 1.4 Officers contacted the Agent advising of the concerns regarding the application, but they considered that the information supplied with the application was acceptable/sufficient given the works proposed.
- 1.5 The application is supported by the following documents:
 - Heritage, Design and Access Statement
- 1.6 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (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 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website [National Guidance](#)

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
 - LP11: Design Context
 - LP12: Design Implementation
 - LP34: Heritage Assets and their Settings
- 3.2 Huntingdon Neighbourhood Plan 2018-2026 (Adopted September 2019)

- BE1: Design and Landscaping
- BE2: Local Distinctiveness and Aesthetics
- BE3: Heritage Assets

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

4. PLANNING HISTORY

- 4.1 Given the heritage and use of the property there is a wide planning history associated with it. The history from November 1974 onwards is available to view on HDC's Public Access Site. The most recent, relevant history is detailed below:
- 4.2 23/00814/FUL - To divide existing ground floor shop unit into two small shop units fronting the high street, together with an executive car showroom within the existing building to the rear. Provision of 31 short stay hotel rooms to first floor with new windows set into existing side and rear elevations behind street frontage building, together with a first-floor infill extension over existing flat roof between existing buildings – Pending consideration.
- 4.3 1000334LBC - Internal walls removed, new stud partitioning added and new signage to shop front – Approved.
- 4.4 0901315LBC - Internal walls removed, new stud partitioning added and new signage to shopfront – Refused.

5. CONSULTATIONS

- 5.1 Huntingdon Town Council – Recommends approval.
- 5.2 Huntingdonshire District Council's Conservation Officer – The proposal contains insufficient, accurate information to make an assessment and should therefore be refused.

6. REPRESENTATIONS

- 6.1 No third party representations were received during the course of the application.

7. ASSESSMENT

- 7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.
- 7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the

development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as “the development plan documents (taken as a whole) that have been adopted or approved in that area”.

- 7.3 In Huntingdonshire the Development Plan (relevant to this applications) consists of:
- Huntingdonshire’s Local Plan to 2036 (2019)
 - Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
 - Huntingdon Neighbourhood Plan 2018-2026 (2019)
- 7.4 The statutory term ‘material considerations’ has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: *Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor* [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.
- 7.5 The main issues to consider in the determination of this application are:
- Impact on Heritage Assets

Impact on Heritage Assets

- 7.6 No. 111 High Street is a Grade II Listed Building and is located within the Huntingdon Conservation Area. The property is also in close proximity to a number of other Grade II Listed Buildings as well as the Grade I Listed Building of All Saints Church and the Grade II* Listed Building of the Town Hall.
- 7.7 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 7.8 Section 66 of the Planning (Listed Buildings and Conservation Areas) 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.
- 7.9 Para 205 of the NPPF sets 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...' The NPPF goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use.

- 7.10 Para 212 states that 'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 7.11 Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.12 Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context. Policy LP12 states that new development will be expected to be well designed and that a proposal will be supported where it can be demonstrated that it contributes positively to the area's character and identity and successfully integrates with adjoining buildings, topography and landscape.
- 7.13 Section 12 of the NPPF (2023) seeks to achieve well designed places, noting that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.
- 7.14 The National Design Guide (2020) sets out the characteristics of well-designed places and demonstrates what good design means in practice. It covers the following: context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan. Of particular note to the current proposals is guidance relating to design and how this understands and relates well to the site within its local and wider context, how the history of the place has evolved and that local sense of place and identity are shaped by local history, culture and heritage, how a proposal responds to existing local character and identity, whether proposals are well designed, high quality and attractive and whether they are of an appropriate building type and form.

- 7.15 This application seeks to subdivide the existing ground floor retail until into two, the provision of a car showroom on the ground floor within the existing building, and the provision of 31 short-stay hotel rooms at first floor. To facilitate the proposed short-stay hotel, the proposal also involves the erection of a first-floor infill extension and the installation of new windows on the side and rear elevations.
- 7.16 The Council's Conservation Officer has been consulted on the application and has been unable to determine whether the proposed works would result in harm to the setting and significance of the Listed Building of No. 111 High Street due to inaccuracies and errors within the submitted drawings.
- 7.17 The façade and front range of the building date to the Mid 18th Century and formed the higher status elements of the Fountain Inn, a famous posting house. The Inn had an assembly room at the first floor which the public could use to hold meetings and sales, records of which are mentioned in the National Archives. This large space sat over a coaching arch in the middle of the building and was lit by a pair of 'Venetian' windows of which only the front one now survives.
- 7.18 The removal of the rear ranges and blocking up of the coaching arch to create a large shop floor for Woolworths in the latter half of the 20th Century has taken away much of the historic context for the listed building. However, the front part of the building retains significance, particularly in its relationship with the listed Town Hall and its positive contribution to the character and appearance of the market square.
- 7.19 The plan of the first floor 'as existing' in this submission is largely a reissue of the 2010 application drawing; the second floor 'as existing' is an extract of the first floor plan. There are errors on both plans, notably missing windows, incorrect siting of windows and the line of the rear wall. In particular, the façade of the building is not flat as shown, the masonry projects forward to highlight the venetian window and a decorative architectural pediment. The internal arrangement of the second floor is not known as the submission shows the female toilets and staircase arrangement of the first floor. There are also no plans of the attic. The existing and proposed drawings are therefore incorrect.
- 7.20 The Conservation Officer requested a site visit to enable assessment of the listed building, but this has not been forthcoming. Given the inaccuracies of the submitted drawings and lack of additional information regarding potential works to enable use of the building (which is currently in a poor state of repair) it is not possible to gauge the impact of the proposals on the significance of the listed building.

- 7.21 The applicant states that the works will have no impact on the listed building as there will be no alterations to the existing rooms at the historic front of the property. The drawings show the removal of ladies toilet facilities on the first floor which may not affect the special interest of the listed building but without further details it is not possible to assess. The proposed works will also impact the modern rear extension of the building but as this area has no architectural or historic interest these works may not require listed building consent.
- 7.22 As such, it is considered that the plans have not been drawn correctly and therefore it can be argued that there is insufficient accurate information to ensure that the Local Planning Authority is able to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area.
- 7.23 While there are some matters and discrepancies that can be addressed by the implementation of suitably worded conditions, the errors in the drawings are considered to be fundamental and undermine the proposal.
- 7.24 The proposal change of use would secure a long-term viable use for the listed building and this is considered a benefit of the scheme. However, it is not possible to assess the potential impact of the development upon the heritage asset. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must therefore determine that the proposal would result in harm to the heritage asset. Such harm would not be outweighed by the benefits.
- 7.25 As such, the proposal is deemed to be contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of Huntingdonshire's Local Plan to 2036, Policies BE1, BE2 and BE3 of the Huntingdon Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2023).

Conclusion

- 7.26 The building in question is a Grade II Listed Building set within the Huntingdon Conservation Area. The Local Planning Authority has a statutory duty to preserve the Listed Building and its setting, and have due regard to the preservation and enhancement of the Huntingdon Conservation Area.
- 7.27 The application is not supported by correct or sufficient information regarding the heritage asset. The Local Planning Authority are therefore not able to determine as to whether the proposal would

result in harm to the setting and significance of the Listed Building of No. 111 High Street due to inaccuracies and errors within the submitted drawings. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm.

- 7.28 Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that Listed Building Consent be refused.

8. RECOMMENDATION - REFUSE for the following reason

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

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 Christina Riley, Development Team Leader (South)

HUNTINGDON TOWN COUNCIL

PLANNING COMMENTS : 24th July 2023

23/00814/FUL

[REDACTED] 111 High Street. PE29 3LD

To divide existing ground floor shop unit in to two smaller shop units fronting the high street,

together with an executive car showroom within the existing building to the rear.

Provision of

31 short stay hotel rooms to first floor with new windows set into existing side and rear elevations behind street frontage building, together with a first floor infill extension over

existing flat roof between existing buildings.

111 High Street Huntingdon PE29 3LD

Recommend Approve: Although members raised concerns on the following. Fire safety of the hotel rooms, including the width of doorways, the single exit for guests and the car showroom located on the ground floor. Concerns were also raised about the accessibility of the hotel rooms for disabled users. Also would there be any parking concerns especially to the rear of the building where the loading dock was located. Lastly concerns were raised about in keeping with the heritage of the High Street and whether there was a market for an executive car showroom in Huntingdon.

23/00815/LBC

[REDACTED], 111 High Street. PE29 3LD

To divide existing ground floor shop unit in to two smaller shop units fronting the high street,

together with an executive car showroom within the existing building to the rear also provision of 31 short stay hotel rooms to first floor with new windows set into existing side

and rear elevations behind street frontage building, together with a first floor infill extension

over existing flat roof between existing buildings.

111 High Street Huntingdon PE29 3LD

Recommend Approve as above

[REDACTED]

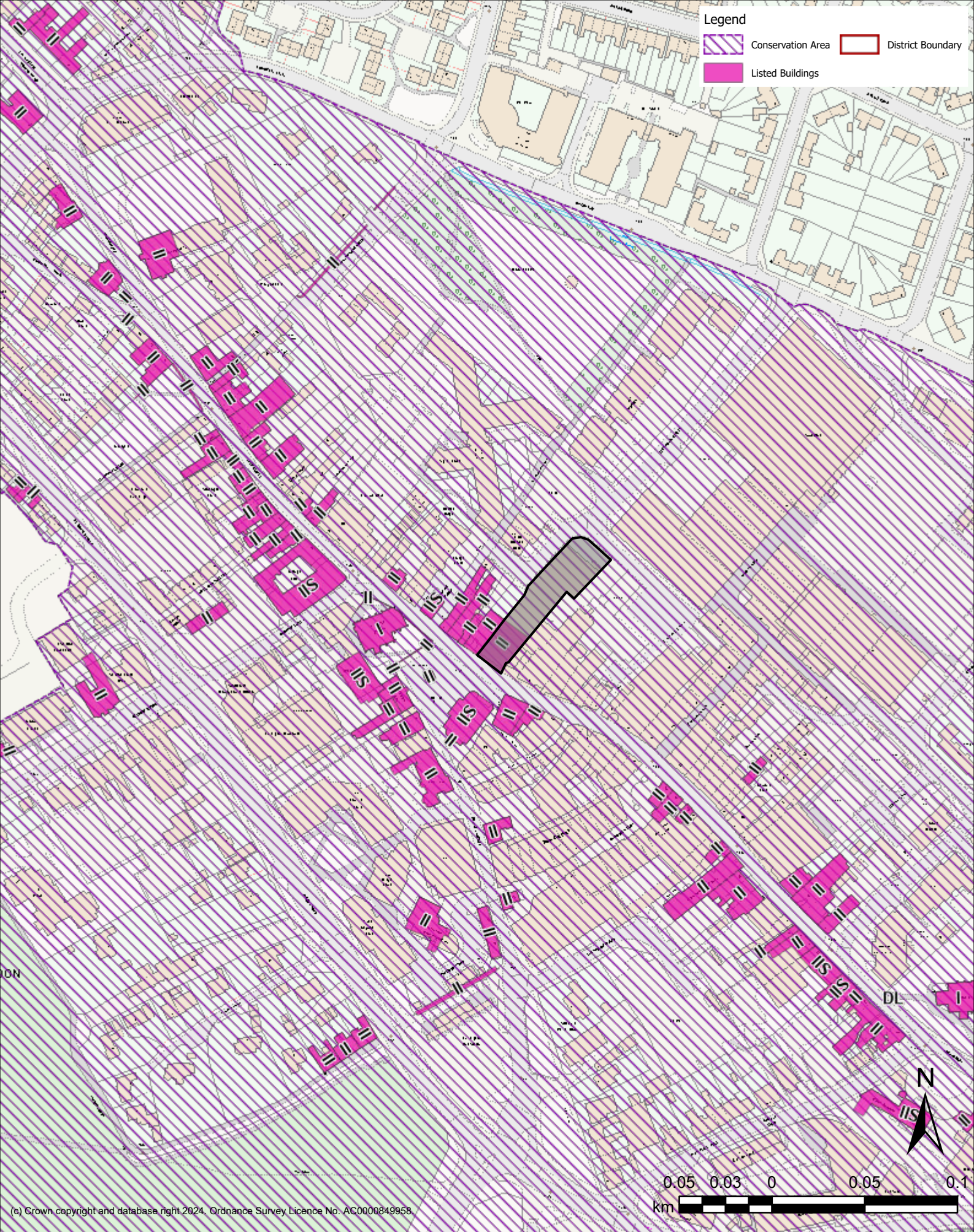
[REDACTED]

[REDACTED]

HUNTINGDON TOWN COUNCIL

PLANNING COMMENTS : 24th July 2023





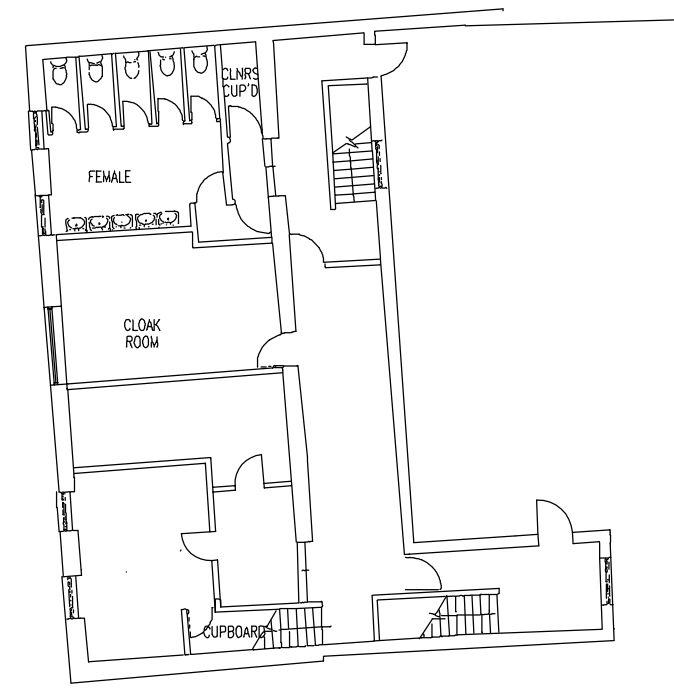
(c) Crown copyright and database right 2024. Ordnance Survey Licence No. AC0000849958.



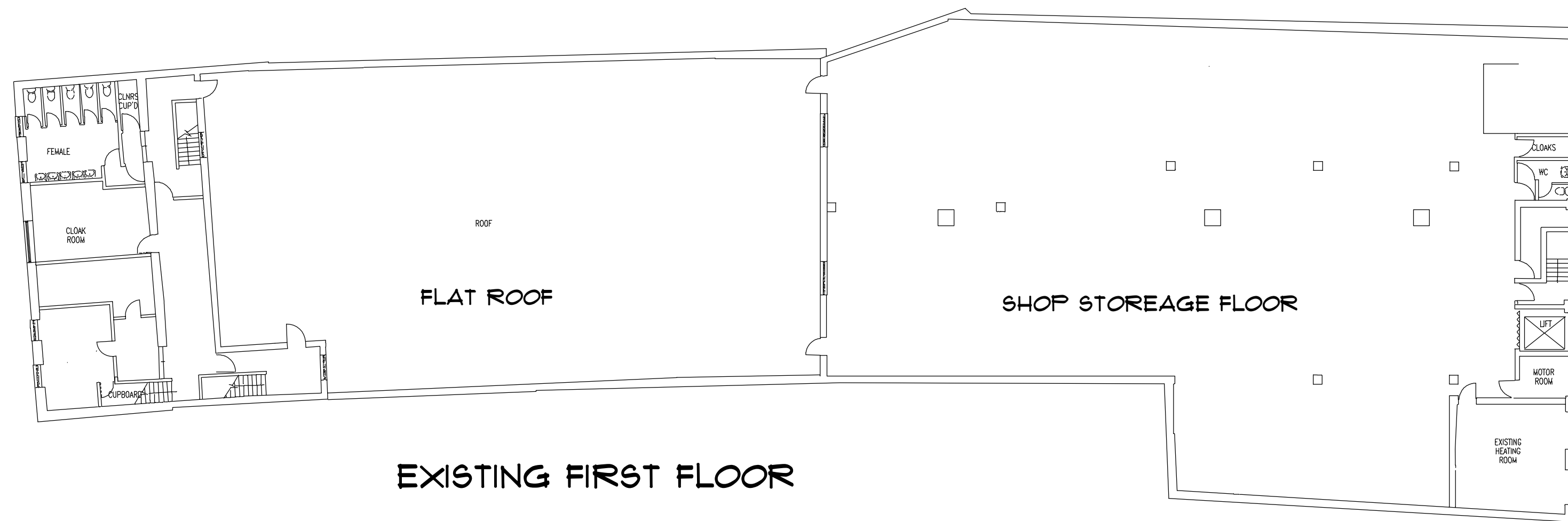
Title: Development Management Committee
 Page 23/00814/FUL & 23/00815/LBC

Date: 03 July 2024
 Location: Huntingdon
 Scale: 1:2,500 @ A4

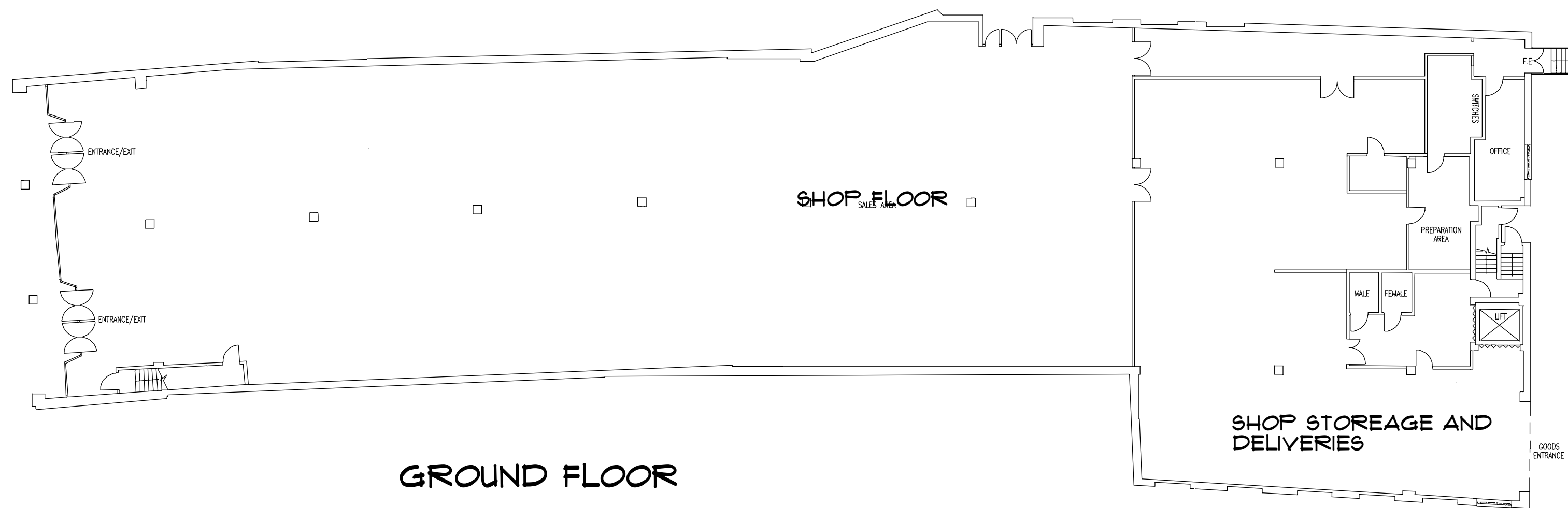
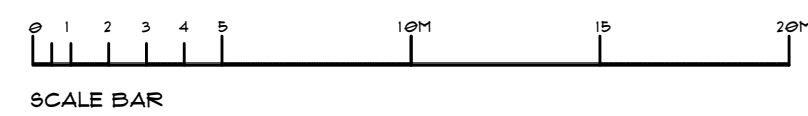
Do not scale, use figured dims, only. All dims to be checked on site by builder before work commences. If any discrepancies are found, ATK Designs to be notified for amendments. All work to be carried out to relevant British Standards, codes of practice & current B.Reqs. Where structural alterations take place great care must be taken by the builder to afford restraint to all affected areas, during & after the building work. If during excavation any basements, cellars, wells etc. are found, ATK Designs must be made aware for design amendments before continuing. Where new loads are imposed on existing lintels, they must be checked by Builder for adequacy & to L.A. approval. If found not to be adequate, lintels must be replaced. Where applicable this Dwg must be read in conjunction with Structural Calculations. If Dwgs conflict with calculations, calculations must take preference.



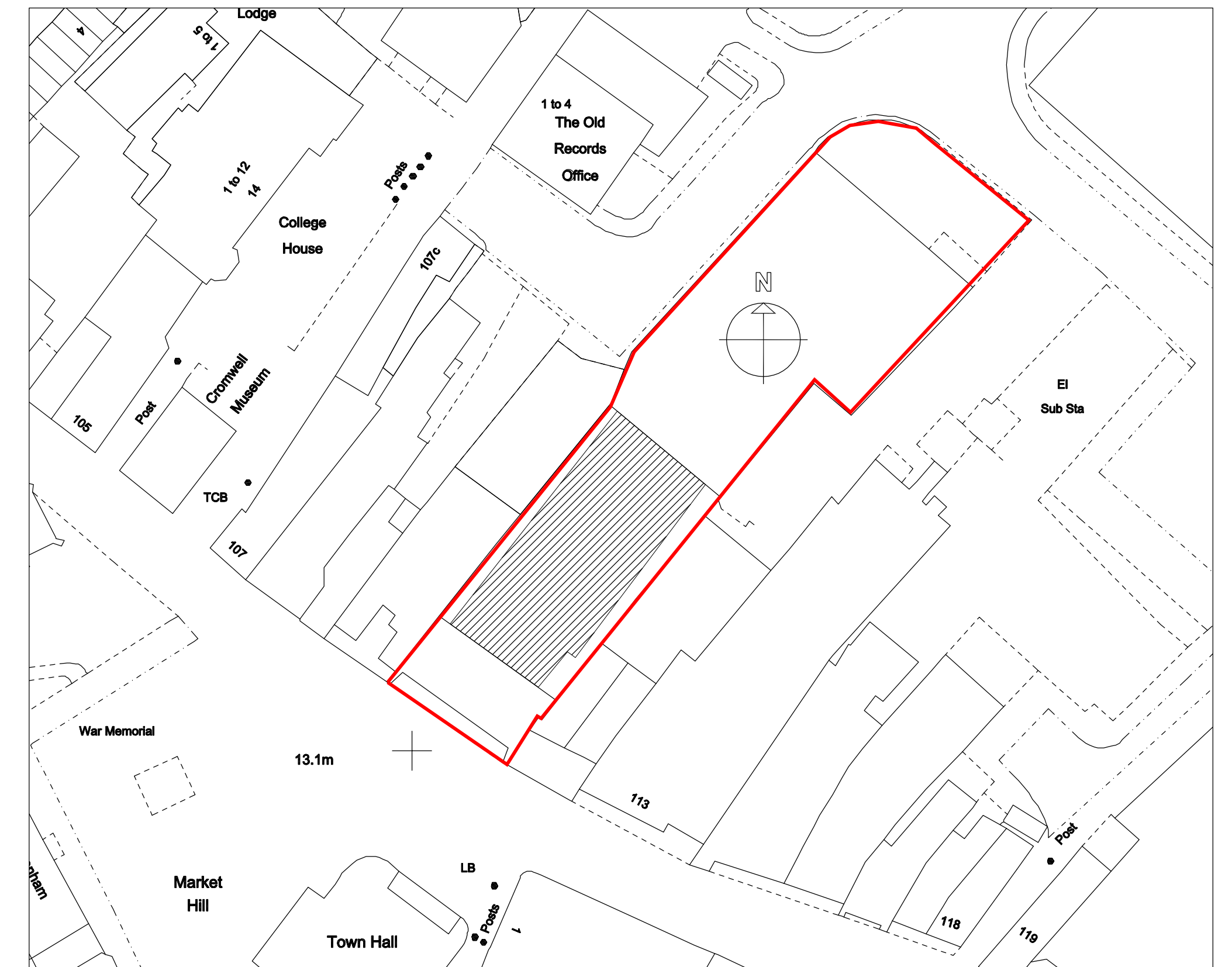
EXISTING SECOND FLOOR



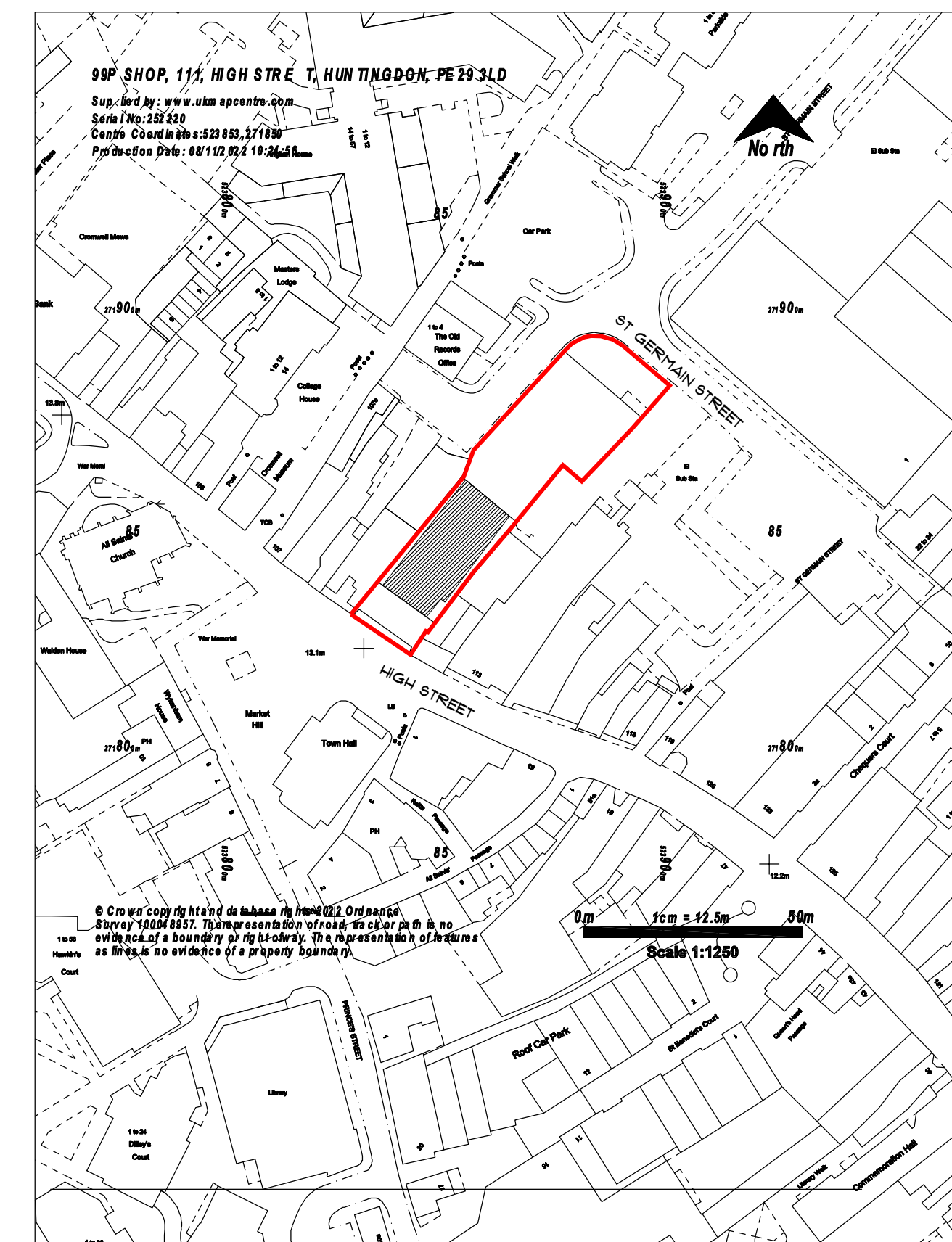
EXISTING FIRST FLOOR



GROUND FLOOR



EXISTING BLOCK PLAN 1:500



EXISTING LOCATION PLAN 1:500

No.	Revision/Issue	Date

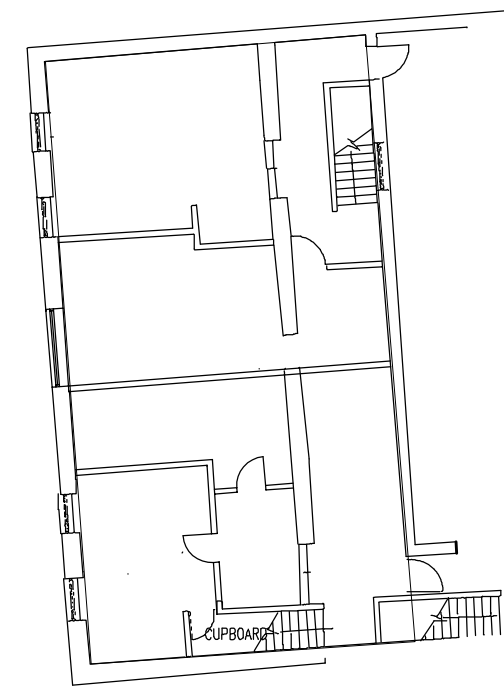
ATK Designs
 Architectural Design
 Planning Consultants
 16 School Lane, Offley, Nr Hitchin
 Hertfordshire, SG5 3AZ
 Tel 0462 769222
 Mobile 07999292628
 E-mail mail@atkdesigns.co.uk

client
L BUDAI
 T/A BUDIA SERVICES
 111 HIGH STREET
 HUNTINGDON PE29 3LD

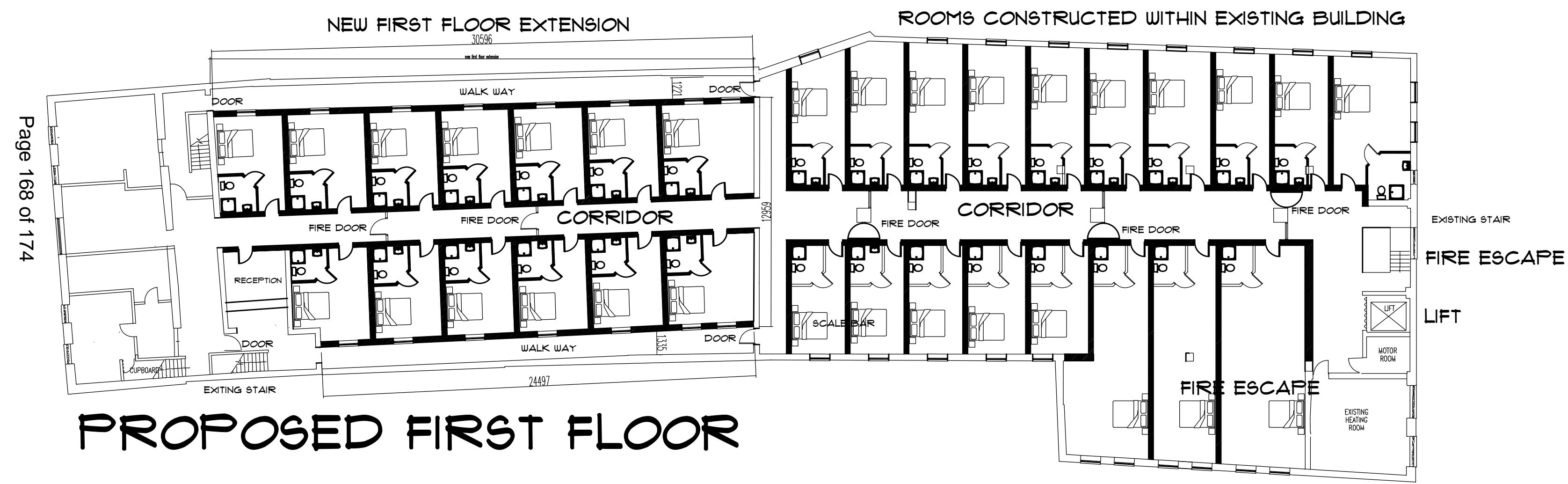
project
111 HIGH STREET
HUNTINGDON
PE29 3LD
 CHANGE OF USE OF
 FIRST FLOOR TO CI HOTEL
 CONSTRUCTION OF
 FIRST FLOOR SUB DIVISION
 GROUND FLOOR TO AI AND
 SUI GENERIS

Project ATK/22/111HS/TP1	Sheet
Date FEB 2022	AI
Scale SCALE 1:200	

Do not scale, use figured dims, only. All dims to be checked on site by builder before work commences. If any discrepancies are found, ATK Designs to be notified for amendments. All work to be carried out to relevant British Standards, codes of practice & current B.Reqs. Where structural alterations take place great care must be taken by the builder to afford restraint to all affected areas during & after the building work. If during excavation any basements, cellars, wells etc. are found, ATK Designs must be made aware for design amendments before continuing. Where new loads are imposed on existing lintels, they must be checked by Builder for adequacy & to L.A. approval. If found not to be adequate, lintels must be replaced. Where applicable this Dwg. must be read in conjunction with Structural Calculations. If Dwgs. conflict with calculations, calculations must take preference.

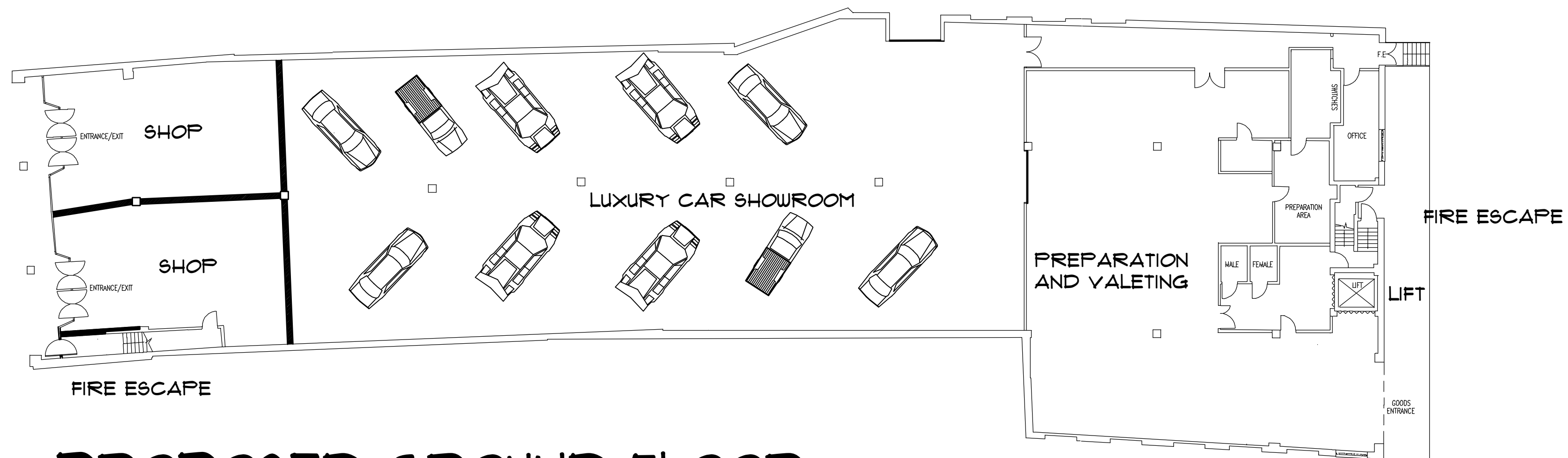


PROPOSED SECOND FLOOR

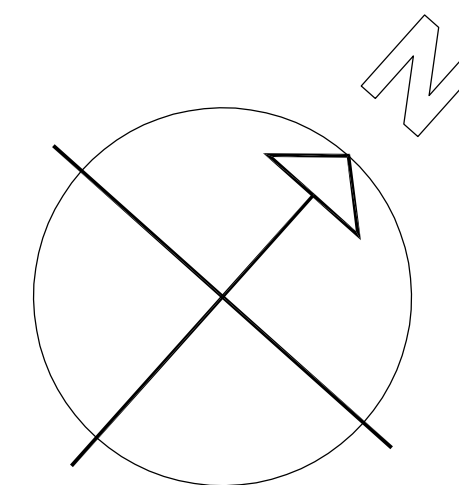


Page 168 of 174

PROPOSED FIRST FLOOR



PROPOSED GROUND FLOOR



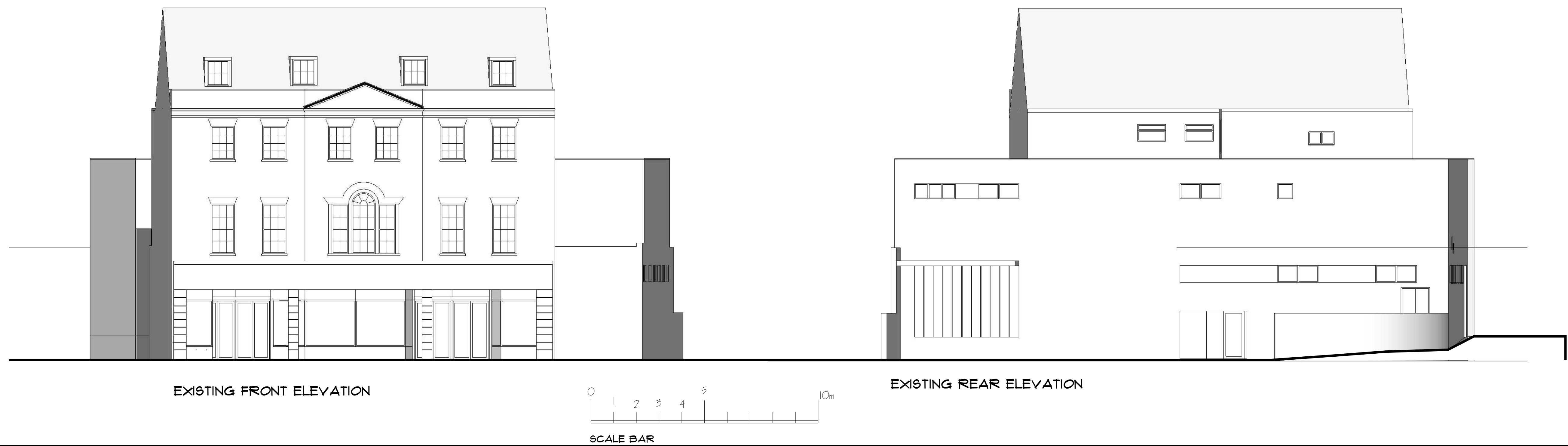
No.	Revision/Issue	Date

ATK Designs
 Architectural Design
 Planning Consultants
 16 School Lane, Offley, Nr Hitchin
 Hertfordshire, SG5 3AZ
 Tel 01462 769222
 Mobile 07995295628
 E-mail mail@atkdesigns.co.uk

client
L BUDAI
T/A BUDIA SERVICES
111 HIGH STREET
HUNTINGDON PE29 3LD

project
111 HIGH STREET
HUNTINGDON
PE29 3LD
 REFURBISHMENT OF EXISTING
 GROUND FLOOR AND CHANGE
 OF USE OF FIRST FLOOR FROM
 STORAGE TO CI

Project ATK/22/111HS/TP2A	Sheet A1
Date FEB 2022	
Scale SCALE 1:200	



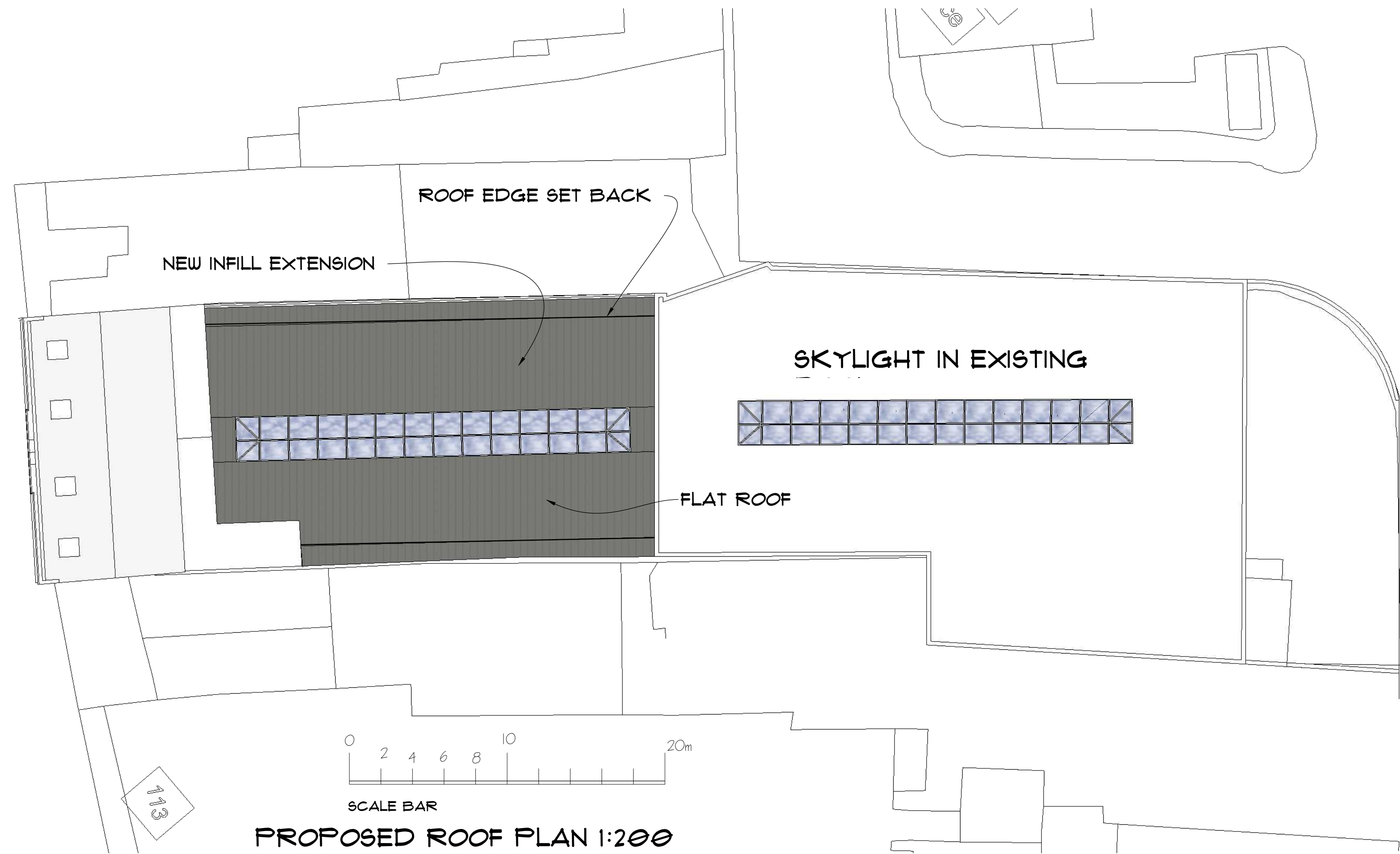
ATK DESIGNS
 ASHLEST COTTAGE
 BRIDWOOD
 STORRETT
 MALVERN
 HEREFORDSHIRE
 WR13 56LA
 E-MAIL: MAL.BATY@ATKDESIGNS.CO.UK
 TEL: 07595293528

Client
 L. BUDAI
 T/A BUDIA SERVICES
 111 HIGH STREET
 HUNTINGDON PE29 3LD

Project
 CHANGE OF USE OF
 FIRST FLOOR TO C1
 HOTEL TOGETHER WITH
 FIRST FLOOR INFILL
 EXTENSION, SUB DIVISION
 OF EXISTING GROUND
 FLOOR TO A1 AND
 BUGENERIS

Drawing no
 ATK/22/1118/TP3
 Date
 SEPT 2022
 Scale
 1:100

A3



Page 170 of 174

REAR SECTION HIDDEN BY FRONTAGE BUILDINGS

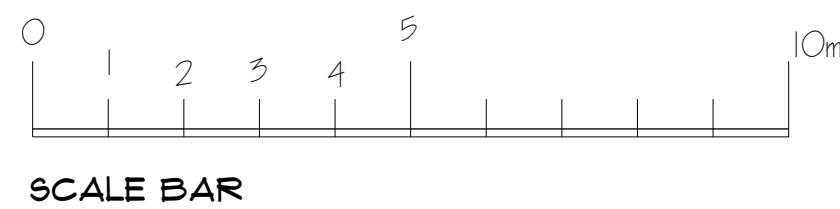
LINE OF ADJACENT BUILDINGS

REAR SECTION HIDDEN BY FRONTAGE BUILDINGS

LINE OF ADJACENT BUILDINGS

PROPOSED FRONT ELEVATION 1:100

PROPOSED REAR ELEVATION 1:100



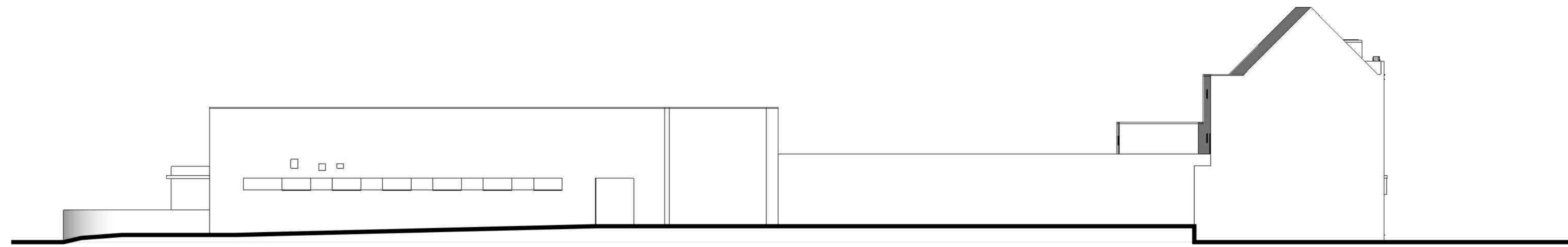
ATK DESIGNS
 ASHurst COTTAGE
 BRIDWOOD
 STORRETT
 MALVERN
 HEREFORDSHIRE
 WR13 561A
 E-MAIL: MAL@ATKDESIGNS.CO.UK
 TEL: 07595293528

Client
 L. BUDAI
 T/A BUDAI SERVICES
 111 HIGH STREET
 HUNTINGDON PE29 3LD

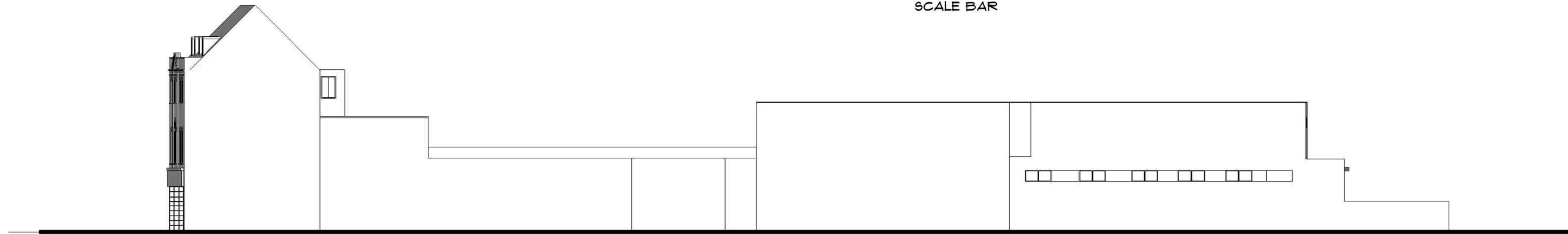
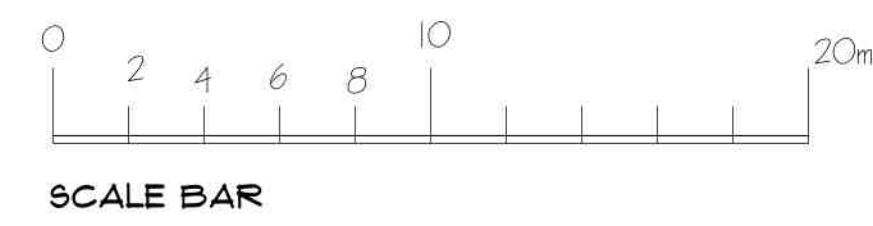
Project
 CHANGE OF USE OF
 FIRST FLOOR TO C1
 HOTEL TOGETHER WITH
 FIRST FLOOR INFILL
 EXTENSION, SUB DIVISION
 OF EXISTING GROUND
 FLOOR TO A1 AND
 BUGENERIS

Drawing no
 ATK/22/1118/TP4
 Date
 SEPT 2022
 Scale
 1:100 1:200

A3



EXISTING SIDE ELEVATION A



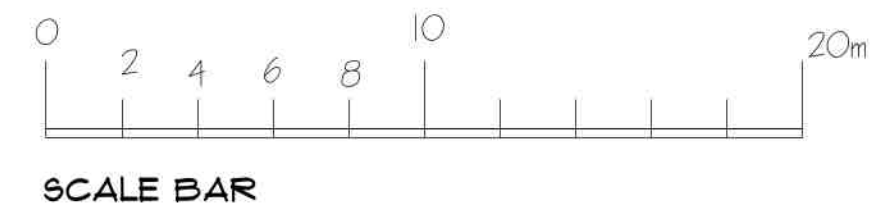
EXISTING SIDE ELEVATION B



PROPOSED SIDE ELEVATION B



PROPOSED SIDE ELEVATION A



ATK DESIGNS
ASHLEIGH COTTAGE
BRIDWOOD
STARRIDGE
MILVERDN
HEREFORDSHIRE
WR13 5SLA
E-MAIL: MAL.BATY@ATKDESIGNS.CO.UK
TEL: 07595293528

Client
L. BUDAI
T/A BUDIA SERVICES
111 HIGH STREET
HUNTINGDON PE29 3LD

Project
CHANGE OF USE OF FIRST FLOOR
TO 20 HOTEL TOGETHER WITH
FIRST FLOOR INFILL EXTENSION,
SUB DIVISION OF EXISTING
GROUND FLOOR TO A1 AND SUB-
GENERS
PROPOSED AND EXISTING SIDE
ELEVATIONS

Drawing no
ATK/22/1115/TP5 A
Date
SEPT 2022
Scale
1:200

A1

This page is intentionally left blank

Planning Appeal Decisions Since June 2024 Committee

Ref No	Appellant	Parish	Proposal	Site	Original Decision	Delegated or DMC	Appeal Determination	Costs
24/000 10/ REFU SL	Mr and Mrs J Dell	St Neots	Construction of a detached dwelling with attached garage	Top Farm Top Lane Abbostley St Neots PE19 6UH	Refused	Delegated	Appeal Allowed	Refused
24/000 20/ REFU SL	Ms McColl & Mr Ray	St Neots	Retrospective application for erection of timber fence and change of use from amenity land to domestic use.	11 Popham Close Eaton Socon St Neots PE19 8TY	Refused	Delegated	Appeal Allowed	N/A
24/000 09/ REFU SL	Mr S Lancaster	Ramsey	Proposed demolition of existing residential property and construct 2 No. detached dwellings with detached garages	294 Herne Road Ramsey St Marys Huntingdon PE26 2TD	Refused	Delegated	Appeal Dismissed	N/A

This page is intentionally left blank