

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**, **18 NOVEMBER 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 21st October 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) Chesterton - 24/01323/FUL (Pages 9 - 28)

Proposed change of use of land to residential curtilage and erection of a detached self-build residential annexe - Land North of Abbots House, Priory Gardens, Chesterton.

(b) Chesterton - 24/00694/FUL (Pages 29 - 48)

Proposed change of use of land to residential curtilage and erection of a greenhouse dome (retrospective)- Land, North of Abbots House, Priory Gardens, Chesterton.

(c) Huntingdon - 24/00021/FUL (Pages 49 - 70)

Retrospective conversion of existing warehouse into an ancillary meat packing facility and associated works - 16 Latham Road, Huntingdon, PE29 6YE.

4. APPEAL DECISIONS (Pages 71 - 72)

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

LATE REPRESENTATIONS

7 day of November 2024

Michelle Sacks

Chief Executive and Head of Paid Service

Disclosable Pecuniary Interests and other Registrable and Non-Registrable Interests

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

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 <u>guidelines</u> 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

Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held in THE CIVIC SUITE (LANCASTER/STIRLING ROOMS), PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN on Monday, 21st October 2024

PRESENT: Councillor D L Mickelburgh – Chair.

Councillors R J Brereton, E R Butler, S J Corney, K P Gulson, P A Jordan, S Mokbul, J Neish, B M Pitt, T D Sanderson, R A Slade and C H Tevlin.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors J Clarke, D B Dew, S R McAdam and S Wakeford.

22 MINUTES

The Minutes of the meeting of the Committee held on 16th September 2024 were approved as a correct record and signed by the Chair.

23 MEMBERS' INTERESTS

Councillor J Neish declared a Non-Registrable Interest in Minute No 24 (a) by virtue of the fact that the application related to the Ward he represented.

24 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) Erection of 3-bedroom bungalow with associated parking including new fencing – 17 High Street, Bluntisham, Huntingdon - 24/00567/FUL

(Councillor P Hope, Bluntisham Parish Council, and L Bevans, agent, addressed the Committee on the application).

See Minute No 24 for Members' interests.

that the application be refused for the following reasons:

a) The proposal would result in a development that by virtue of its design and location, would result in the introduction of a tandem form of development that is

out of keeping with the prevailing pattern and grain of development along this part of the High Street and does not respect the character, appearance and form of the Bluntisham Conservation Area. Whilst the identified harm is considered to be less than substantial there would be no public benefits derived from the provision of a single market dwelling to outweigh this harm. As such, the proposal is considered to be contrary to Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies LP9 part (c), LP11, LP12 and LP34 of the adopted Huntingdonshire Local Plan to 2036 and Section 16 of the National Planning Policy Framework in this regard. The proposal would therefore have an unacceptable effect on the character of the immediate locality and the settlement as a whole, contrary to criterion (c) of Policy LP9 Huntingdonshire Local Plan. Subsequently, the principle of development is not supported.

b) The application is not supported by a legal agreement to secure offsite biodiversity net gain contrary to the objectives of Policy LP30 of Huntingdonshire's Local Plan and Section 15 of the National Planning Policy Framework and Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) in this regard.

b) Change of use of agricultural land (Use Class B) to garden land (Use Class C3) and erection of side shelter (part retrospective) – Spillers Yard, Raunds Road, Keyston - 24/00686/FUL

(Councillor A Ford, Bythorn and Keyston Parish Council, Councillor J Gray, Ward Member, and R Keeling, applicant addressed the Committee on the application).

that, contrary to the recommendation, the application be approved subject to conditions to be determined by the Planning Services Manager (Development Management) to include conditions relating to time, drawings, removal of all Permitted Development Rights, Arboricultural and Tree Protection Plan, hard and soft landscaping and biodiversity enhancements.

At 8.30 pm the meeting was adjourned.

At 8.34 pm the meeting resumed.

c) Erection of a new single family dwelling with associated landscaping – 2 Blacksmiths Lane, Abbotsley, St Neots - 24/00742/FUL

(C Burd, agent, addressed the Committee on the application).

that the application be refused for the following reasons:

a) The proposed scale and massing of the dwelling would have an urbanising influence on the setting of the Listed Building and would result in a significant presence within the street scene. The development would considerably alter this semi-rural and verdant historic space within Abbotsley Conservation Area as the proposed dwelling would create a strident element within the original historic curtilage of the Grade II Listed Blacksmiths Cottage and Barn which would detract from its setting and would cause harm to its significance within the historic core of the village. The harm identified to the designated heritage assets is significant but would be defined as less than substantial in accordance with Paragraph 208 of the NPPF (2023) which requires this level of harm to be

weighed against the public benefits of the proposal, where appropriate, securing its optimum viable use. The level of harm caused to the designated heritage assets would not be outweighed by the public benefits of this minor development of one dwelling in this rural small settlement with limited sustainability benefits and the proposal is therefore contrary to Policies LP2, LP9, LP11, LP12 parts a, b & c, and LP34 of the Huntingdonshire Local Plan to 2036, and paragraph 208 of the NPPF 2023.

b) The application is not accompanied by a completed Unilateral Undertaking for the provision of wheeled bins and therefore fails to comply with part H of the Developer Contributions Supplementary Planning Document (2011) and Policy LP4 of the Huntingdonshire Local Plan to 2036.

25 APPEAL DECISIONS

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

RESOLVED

that the contents of the report be noted.

Chair

This page is intentionally left blank

Agenda Item 3a

DEVELOPMENT MANAGEMENT COMMITTEE 18th November 2024

Case No: 24/01323/FUL

- Proposal: Proposed change of use of land to residential curtilage and erection of a detached self-build residential annexe.
- Location: Land North of Abbots House, Priory Gardens, Chesterton.
- Applicant: Mr J Watt

Grid Ref: (E) 512799 (N) 295519

Date of Registration: 9th August 2024

Parish: Chesterton

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 Parish Council recommendation for refusal.

1. DESCRIPTION OF SITE AND APPLICATION

The application site is located to the northeast of Chesterton and is surrounded by residential development to the south and east. To the west of the application site are agricultural fields and to the north and within the applicant's ownership is an area of woodland.

- 1.1 The site is not within a Conservation Area but there are some Listed Buildings in the vicinity (discussed in more detail in the proceeding sections of this report). There are no Tree Preservation Orders within or adjacent to the site which is also within Flood Zone 1 as per the most recent Environment Agency Flood Risk Maps and Data.
- 1.2 This application seeks permission to change the use of a section of land which falls outside of the residential garden/curtilage of the house approved under application reference 18/01689/FUL (the erection of the dwelling) and to erect a single storey residential annexe which would be ancillary to (and recommended to be conditioned as such, in the event that permission be granted) to the host dwelling.

- 1.3 The original permission (ref 18/01689/FUL) removed Permitted Development (PD) rights detailed within the Town and Country Planning (General Permitted Development) (England) Order 2015 for Classes A (extensions), B (roof additions), C (other roof alterations) and E (Buildings within the curtilage) for the dwelling presently under construction.
- 1.4 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 (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 <u>National Guidance</u>

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
 - LP1: Amount of Development
 - LP2: Strategy for Development
 - LP4: Contributing to Infrastructure Delivery
 - LP5: Flood Risk
 - LP9: Small Settlements
 - LP10: The Countryside
 - LP11: Design Context
 - LP12: Design Implementation
 - LP14: Amenity
 - LP15: Surface Water

- LP17: Parking Provision and Vehicle Movement
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows
- 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)
- Annual Monitoring Review regarding housing land supply (2020)
- Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

Local For full details visit the government website Local policies

4. RELEVANT PLANNING HISTORY

- 4.1 18/01689/FUL The erection of a new family dwelling with garaging and access (Permission)
- 4.2 21/80309/COND- Conditional Information for 18/01689/FUL: C1 (Time Limit), C3 (Materials), C6 (Tree Protection), C8 (Levels), C12 (Ecology) (Details Discharged)
- 4.3 22/00990/S73- Variation of condition 2 of permission 18/01689/FUL Design Improvements (Refused)
- 4.4 22/02547/FUL- Erection of a detached single storey residential annexe (Withdrawn)
- 4.5 23/01407/S73- Variation of condition 2 (plans) to 18/01689/FUL to amend the design and materials of the approved dwelling and garage (Permission)
- 4.6 24/00694/FUL Proposed change of use of land to residential curtilage and erection of a greenhouse dome (retrospective) (Pending Consideration)

5. CONSULTATIONS

5.1 Chesterton Parish Council recommend refusal. Their comments are available to view in full on HDC's Public Access Site but broadly relate to the following matters:

*Concerns regarding access to the site. *Separation distance to the main house. *Concerns that this will be developed into a separate dwelling.
*Plain appearance of the building.
*Concern that material details given were unclear.
*Impact on trees.
*Wheeled bin storage.
*Dwelling permitted under tilted balance.
*Site outside built-up area of village.

It should be noted that the above comments are a combination of those submitted in relation to withdrawn application reference 22/02547/FUL, however, those received on the 06.09.24 (for this application) detailed that the original objections remained valid and that the Parish wished to combine the two.

- 5.2 Cambridgeshire County Council Highways Team –No objections – further details in the proceeding sections of this report.
- 5.3 Tree Officer No objection subject to a condition regarding a tree protection plan.

6. **REPRESENTATIONS**

6.1 None received at the time of determination.

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 Chesterton. 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 (including impact upon the countryside)
 - Design and visual amenity
 - Impact on heritage assets
 - Residential amenity
 - Flood risk
 - Highway safety and parking provision
 - Biodiversity
 - Impact on Trees

The principle of the development including impact on the countryside

- 7.6 The application site is located to the northeast of Chesterton. The application seeks to extend the residential garden/curtilage permitted with application ref 18/01689/FUL by changing the use of the agricultural land and erecting an ancillary one-bedroom annexe to the north-east of the approved dwelling. A site visit reveals the greenhouse dome (subject to the separate application ref 24/00694/FUL) to already be in place with the annexe to be located in a linear alignment to the west of the dome. Whilst not defined by boundary treatments (at the time of the visit) the land appears to have been cleared and it is not characteristic of its previous agricultural land use. There was paraphernalia associated with the ongoing construction (of the approved dwelling) and signs of domesticity.
- 7.7 Chesterton is defined as a Small Settlement under Policy LP9 of the Local Plan to 2036 and this is therefore the starting point for assessment.
- 7.8 Policy LP9 states that a proposal that is located within a built-up area of a Small Settlement will be supported where the amount and location of development proposed is sustainable in relation to the:

a. level of service and infrastructure provision within the settlement;

b. opportunities for users of the proposed development to access everyday services and facilities by sustainable modes of travel including walking, cycling and public transport;

c. effect on the character of the immediate locality and the settlement as a whole.

The built-up area is defined in the Local Plan as a distinct group of buildings that includes 30 or more homes. Land which relates more to the group of buildings rather than to the surrounding countryside is also considered to form part of the built-up area.

- 7.9 In this case, the site was formerly associated with the residential curtilage of Abbotts House and hosted a tennis court with fencing and ancillary buildings prior to the erection of the dwelling. Guidance within Local Plan paragraph 4.8 (built-up areas definition) states the grounds that relate closely to the buildings, for instance formal gardens, ancillary parking and hard tennis courts would be considered within the built-up area. However, in this instance north of the permitted dwelling and its residential curtilage, the application site comprises an area of rough grass, trees, some domesticity and the dome greenhouse. Guidance in paragraph 4.85 states that agricultural land, woodland, meadow where the character of the land primarily relates to the countryside is excluded from the built-up area. Subsequently the application site is not considered to be within or well related to the settlement of Chesterton and therefore located in the countryside. As such, Policy LP10 of the Local Plan (The Countryside) is considered relevant in establishing the principle.
- 7.10 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.

- 7.11 In terms of part a of LP10, the land in question is classed as Grade 3 agricultural land (as is the majority of the surrounding land on which the residential development forming this section of Chesterton is located) and this proposal would involve bringing it into the residential garden/curtilage. Whilst this would result in the loss of the land, aside from the land occupied by the annexe it cannot reasonably be considered to be an irreversible loss. Further, should Members choose to support the application, a condition limiting permitted development rights (in relation to additional structures) is recommended to be added to the permission. The condition and current status of the land (as described in the preceding sections of this report) should also be considered. Overall, it is not considered that the proposal would result in a level of harm which would justify a refusal based upon part a) of LP10.
- 7.12 In regard to part b of LP10, the site is located within the Northern Wolds character area as identified in the Huntingdonshire Landscape and Townscape SPD (2022). Development in the Northern Wolds should protect and enhance the distinctive characters of the valley and plateau landscapes through maintenance of field patterns and long-distance views from the upland areas and protection of ancient hedgerows and oak trees within the valleys. In this respect, it must be acknowledged that extremely limited views of the site are afforded from any publicly accessible land. There are no rights of way for example and boundary treatments formed of trees/hedgerow to the north of the site. The proposed building would be small in scale, (being single storey only), is of a scale proportionate to the main dwelling and surroundings and would be read within the setting of the surrounding buildings and appear subservient to them. As detailed in the preceding sections of this report, the land in question already has a domestic character and does not appear openly characteristic of the surrounding countryside. Should Members choose to support the proposal, a condition is recommended to be attached to the permission to secure the building as ancillary to the host dwelling in order to prevent improper independent use which could prove contrary to part b.
- 7.13 In terms of part c), it is not considered that the change of use of the land which is relatively minor in relation to the extent of the wider plot or the provision of a one-bedroom ancillary annexe to the main dwelling would give rise to any of the factors detailed in part c of LP10.
- 7.14 Overall, having regard to the above assessment, subject to Conditions, the development is not considered to be harmful to the character or appearance of the area. It therefore accords with Policy LP10 of the Local Plan to 2036 and is therefore acceptable in principle subject to compliance with other material

planning considerations and conditions.

Design and visual amenity

- 7.15 Whilst the change of use of the land has the potential to impact the character of the area, as discussed above, the overall impacts of this are considered to be minimal and can be controlled by condition. Therefore, an assessment of the built development (the annexe) is the main focus in this respect.
- 7.16 The annexe is a single storey 'L-shaped' building providing one bedroom, bathroom and combined living/dining and kitchen area and the applicant has confirmed that it is intended for use by his mother. It is located approx. 20 metres north-east of the man dwelling and has a footprint of approx. 41m². It has a dual pitched roof with overall height of approx. 3.3 metres. The concerns of the Parish Council (in relation to the separation from the main dwelling) are noted, however, whilst it is approx. 21 metres away it is linked by a path and, given the scale of the land under the applicant's ownership this is not considered wholly irregular. Further, the protection via the ancillary use condition should help prevent any improper use. It should also be noted that these comments related to the original application but the revised comments fail to acknowledge this change.
- 7.17 In terms of material finish, the Parish Council raise concerns regarding the use of render and a 'white building'. However, the render proposed 'Traffic White' is in fact cream in colour as opposed to brilliant white and would contrast well with the other external materials and glazing. Similar materials were approved for the dwelling (21/80309/COND) and so these are not out of character with the site and surroundings. Further, given the scale and location of the building the impact on the wider surroundings would be neutral.
- 7.18 In terms of use, it is acknowledged that there are concerns regarding this and opportunities for the annexe to be used as a separate unit. It is accepted that this would be a completely different assessment and would have the potential to negatively impact the character of the area. As discussed previously, in the event that Members choose to support the application a condition is recommended to be imposed to secure the annexe as ancillary accommodation meaning that it should always remain linked to the residential use of the dwelling and cannot be separately let or disposed of or used for any commercial enterprise. A condition limiting permitted development rights (in terms of further outbuildings on the land) would also afford further protection. A condition regarding boundary treatment is also recommended.
- 7.19 Overall, subject to conditions the development is considered to be acceptable in terms of design and visual amenity and

therefore accords with Policies LP11 and LP12 of the Local Plan to 2036 in this regard.

Impact upon heritage assets

7.20 As detailed in the preceding sections of this report, whilst the site is not within a Conservation Area it is within the setting of some Listed Buildings namely the Grade II Listed Stable House and The Priory and Grade I Listed St Michaels Church.

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.

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.

7.21 In this case, the Grade II Listed Buildings are in excess of 80 metres away and the Grade I Listed 150 metres. Therefore, given the scale of the proposed building, the secluded nature of the site and this separation, there is considered to be no impact on the setting or significance of nearby designated heritage assets and the development therefore accords with Policy LP34 of the Local Plan to 2036 in this regard.

Residential Amenity

7.22 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 the scale and location of the annexe and the separation to adjacent dwellings and land there are considered to be no concerns with regard to overbearing impacts, overshadowing, loss of light, overlooking or loss of privacy.

- 7.23 In terms of the future occupants of the annexe, there is natural light to all habitable rooms and good connectivity with the main house. Officers note that the Parish Council has raised concerns with the storage of wheeled bins. However, whilst storage for bins is suggested in the submitted Design and Access Statement, as an annexe this is parasitical to the main dwelling and therefore will not be expected to have separate provision for such matters.
- 7.24 Overall, the development is (subject to conditions) considered to be compliant with Policy LP14 of the Local Plan to 2036.

Flood risk

7.25 The site is located within Flood Zone 1 and classed as minor development as per the NPPF (2023). Development of this nature is acceptable in Flood Zone 1 and no further justification in terms of flood risk is required. In terms of surface water, it is not considered that a development at the scale proposed on land to which there is currently no control would result in significant harm (particularly given the permeability of the surrounding land). Overall, the development is acceptable in terms of its approach to flood risk and surface water and therefore accords with Policies LP5 and LP15 of the Local Plan to 2036.

Highway safety

- 7.26 There is no change to the way that vehicles enter or leave the site and it is not considered that the increased scale of the site and provision of an ancillary annexe would result in a level of intensification which would render it harmful. The Parish Council have raised concerns about the suitability of the access for one dwelling (dating back to the earlier approval) thus resulting in harmful intensification. Officers rely on specialists for advice on such matters and, in this case, Cambridgeshire County Council as the Local Highways Authority have been consulted. Having reviewed the submitted detail they raise no objections observing that whilst no details of the dimensions or visibility of the access have been provided the access has previously been deemed acceptable for a single dwelling (and any use above that would not be supported), in this case the annexe is ancillary to the host dwelling (and can be secured by condition) and on this basis they raise no objections.
- 7.27 Overall, on the basis of the above assessment alongside the advice of specialists, the development is considered to be acceptable in terms of its impact on highway safety and therefore accords with Policy LP17 of the Local Plan to 2036 in this regard.

Biodiversity

- 7.28 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." As a domestic annexe building it is also exempt from biodiversity net gain regulations. It is not considered that the change of use of the land (given its current condition) would prove harmful in terms of biodiversity and this can reasonably be off-set by enhancements such as bat and bird boxes etc and these are indicated on the submitted plans and shall be secured by condition. Given the location of the site, a further condition to prevent external lighting is also considered prudent in the event that Members choose to support the proposal.
- 7.29 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.

Impact on trees

- 7.30 There are some trees within and surrounding the vicinity of the application site and some of these are identified on the submitted proposed plan. The proposed annexe would not encroach into the root protection areas or canopies or any nearby trees. No details of tree protection measures have been provided. The Tree Officer has been consulted and raises no objection subject to a condition regarding a tree protection plan. Therefore, it is recommended if Members are minded to approve the application that tree protection details are secured by condition.
- 7.31 Therefore the proposal is considered to be acceptable in terms of impact on trees and in accordance with Policy LP31 of the Local Plan.

Other Matters

7.32 The applicant has confirmed that the annexe is for his mother and that a functional link would exist between the annexe and the existing house. The annexe would share amenity space with the existing dwelling. No separate vehicular access or parking is proposed for the annexe. Officers note the positioning of the annexe within the proposed extended garden contributes to the ancillary nature of the proposal. As mentioned above, the ancillary nature of the annexe can be secured by condition.

Conclusion

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

- 7.34 The principle of development is considered acceptable against the aims and objectives of Policies LP10, LP11 and LP12 of the Huntingdonshire Local Plan to 2036.
- 7.35 The siting, size and relationship of the land to the adjacent dwelling and wider countryside would not result in unacceptable harm, due to the loss of agricultural land or to the intrinsic character and beauty of the wider countryside.
- 7.36 The siting, scale and design, of the annexe does not cause visual harm in the proposed extended residential garden/curtilage and would not result in visual harm to the wider countryside setting.
- 7.37 The proposal would be acceptable in regard to impacts on designated heritage assets, flood risk, surrounding residential amenity and biodiversity.
- 7.38 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 approved.

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

- Time limit
- Plans
- Materials
- Ancillary use
- Removal of PD rights
- Boundary treatment
- Lighting scheme
- Tree Protection details

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

Dear Sirs:

As requested, I am pleased to submit the observations of Chesterton Parish Meeting ('CPM') on Planning Application 24/01323/FUL which is more or less a re-submission of 22/02547/FUL. Thus our observations on that Application remain valid for this one, as do our observations on the allied Application 24/00694/FUL, relating as they do to the same location. They should therefore be read in their entirety, but we summarise our comments below.

We take the Application to cover:

- change of land use from agricultural to ^{residential}
- the construction of an annexe (colloquially a 'granny annexe') to the north of the "main residence" currently under construction at the south end of Field No7916

The entire proposed development area (Field No7916 in the early 1970's OS map) is an overgrown orchard originally established sometime before 1886. It is now largely deforested at the southern end, but most of the remaining 4acres is planted with mature trees.

At some time in the past – probably in an earlier Local Plan, or in one of its supplementary documents – HDC published a plan which set a boundary for the curtiledge of the village's built up area, and this ran along the watercourse behind the houses in the first part of Oundle Road and thus it excluded Field No 7916 altogether. Other than the accepted planning variation⁽¹⁾ of this at the very southern end of the site, we still hold to this boundary as a guiding principle. So to us the greater part of Field 7916 is excluded from any development.

^{[(1)} The main dwelling itself was only approved during the temporary application of the 'tilted balance' [a relaxing of planning regulations], otherwise its building would have contravened the Local Plan].

Consequently, as positive Planning Applications relating to this site are of such recent date, it remains a 'controversial' site, and any additional proposals are 'sensitive' to neighbouring householders.

Material Planning Considerations

The problems of access and egress to the site of the main residence (down the narrow and tortuous track from Oundle Road) were a major part of the objections to the Application for the building of that residence, to the extent that the consent limited access and egress to just this house and proscribed any from The Abbots House or Priory Gardens. By describing the new building as an "annexe", it might permit the applicants to treat both buildings as one household, whereas access onto the Oundle Road has only so far been permitted for the vehicles of one house.

The newly proposed annexe has all the same deficiencies of access, which are exacerbated by it having no direct vehicle access itself; certainly not beyond the

main house, some 60m away; a somewhat inhumane situation if our hypothetical 'granny' is also disabled. In reality the tortuous access to the entire site does not, in our opinion, support safe vehicle movements from more than one elite residence here (the one already with consent).

The OED defines the word "annexe" to suggest a relationship between things which are contiguous or in extremely close proximity. The distance between the two buildings at the heart of this Application leads us to query if "annexe" is really appropriate in this case.

Furthermore, the extreme northern location begs the question, "why, considering the large size of the building plot does the proposed annexe have to be build so far away from the main residence", and to which it seems only tenuously connected by 60m of footpath ? There seems to be no obvious reason why 'urbanisation' should be pushed this far north, especially as the distance will become more tiresome as 'granny' gets older. One might posit the view that the proposed annexe looks suspiciously like the core of another prospective main residence, and only needs to be doubled in size in order to create another such residence.

The proposed annexe appears to be devoid of any architectural ornamentation, making it extremely plain and utilitarian (indeed, if the windows were smaller it might easily be mistaken for an ablution block on a camp site). We appreciate that it's in a very isolated position, but surely a brilliant white external finish is rather garish in a predominantly green orchard/mature tree setting. Perhaps some more natural and sustainable materials, such as timber cladding would find a more appropriate use here.

Isolated it might be, but there are still neighbours, and the proposed annexe would seem to be a prime candidate in the debate over perceptions of, or degrees of, overlooking and the perceived intrusion of privacy. As with other planning applications in this immediate area we have to admit that there is bound to be a degree of what one might call 'mutual overlooking' between the elite residences. However, the degree of overlooking, loss of privacy etc is something which can only be assessed on the ground, preferably by the Case Officer whilst making the official site visit.

The proposal to plant a small number of trees/shrubs in a slight arc on the eastern side of the proposed annexe may provide some screening once they are mature, and is laudable in that respect. But might not development here have a deleterious affect generally on the growing trees (considering their usually large root systems) ?

Finally, what is our hypothetical 'granny' to do with her three wheeled-bins in respect of storage and collection ?

Details of this Application have been submitted to members of our Standing Committee and their comments have been mixed. We have had representations made to us by close neighbours canvassing support for their opinions. We have merged these (as well as we can) into the foregoing observations. Nevertheless, we collectively continue to recommend 'refusal'. Clerk, Chesterton Parish Meeting

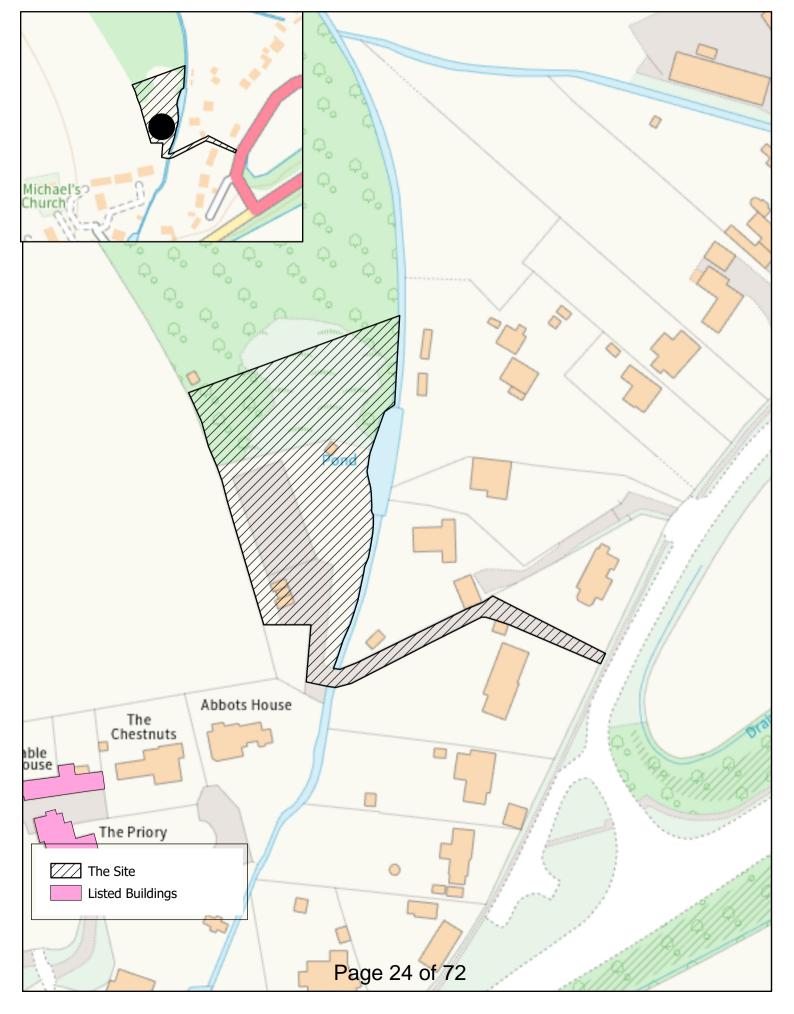
Development Management Committee

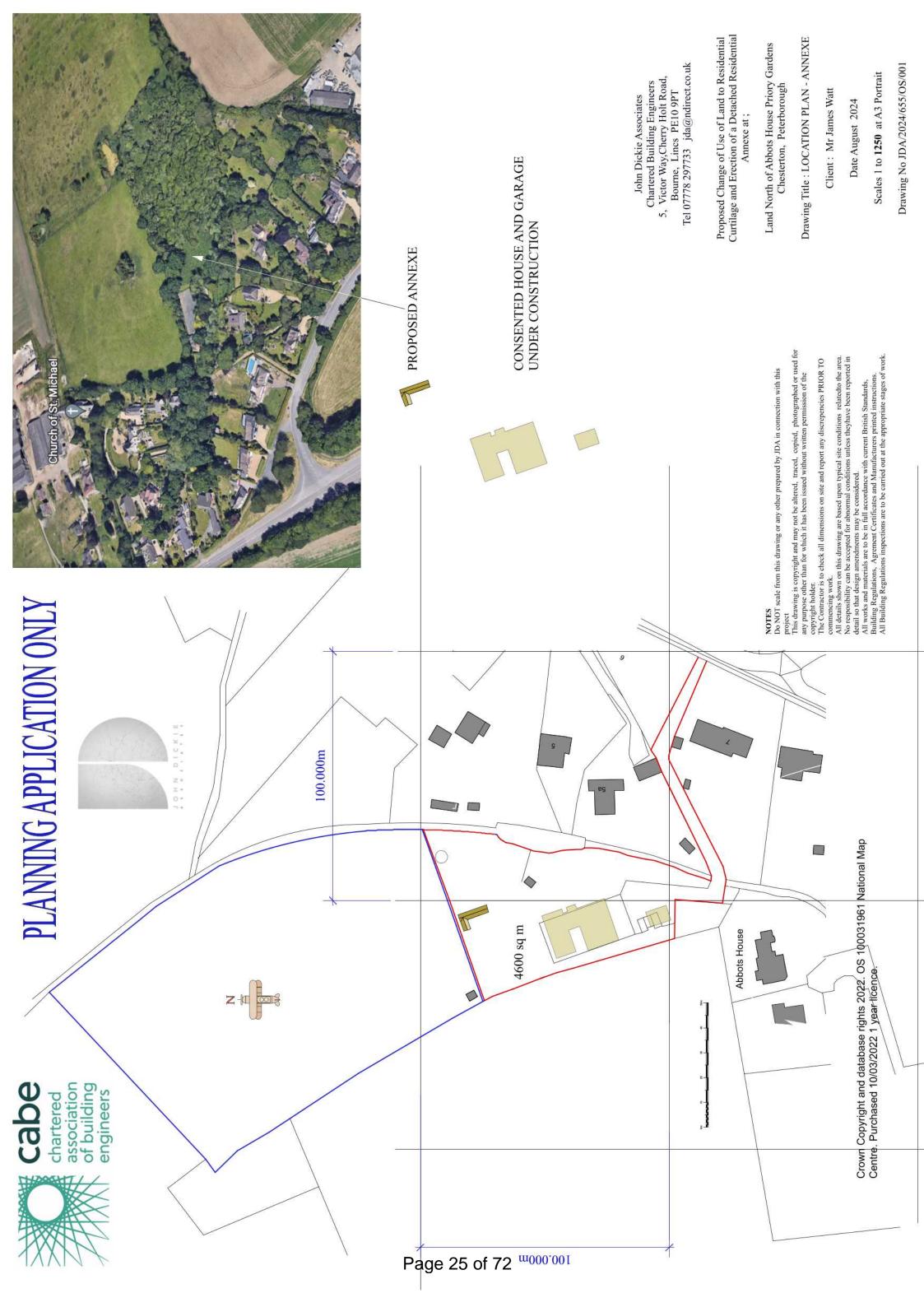
Application Ref: 24/01323/FUL



Scale = 1:1,250 Date Created: 06/11/2024







PLANNING CONSENT COMPLIANCE The soft intescaping scheme shall be carried out as approved no later than the first planting season following the occupation of the dwelling to which it relates or the completion of development, whichever is the earlier. The management plan shall be implemented in accordance with the details contained herein. Any trees, startls or hedges forming part of the approved landscaping that dic, are removed, become diseased or unfit for purpose [in the accordance with the Developers, or their implementation of the landscaping start dic, are removed, become diseased or unfit for purpose [in the season by the Developers, or their successors in the with an equivalent size, number and species, sturbs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species. Thereafter the planting scheme shall be carried out in accordance with the approved details at the first available planting season.

INSPECTION CHAMBERS

16.20

Generally, underground quality proprietary UPVC 450mm diameter inspection chambers to be provided at all changes of level, direction, connections and every 45m in straight runs. Inspection chambers to have bolt down double sealed covers in buildings and be adequate for vehicle loads i

Inspection chambers to be located as shown on drawings. Exact depth and size to be agreed on site with Building Inspector. For chambers with inverts of less than 900mm use Hepworth preformed polypropylene chambers or

16.00

equal approved. Other chambers to be formed in brickwork. Inspection chambers with inverts genater that 900mm to be purpose built as follows : 225mmt in the brick walls in semi-engineering brick laid in English Bond. Bricks with frogs to be liaid with frogs upnermost. Heavy duty covers and frames in roads and parking areas, medium dury elsewhere. Joints to be formed with waterproof mortar and to be flush and smooth. Walls to be built of minimum 150mm thick concrete base and dimensions not less than outside

dimensions of chamber. Exact dopth and size of chambers to be agreed on site with Building Inspector. Base indegualities to be bedded and surrounded in 150mm concrete. Guillies to be roddable

Connection to off site sewers to Local Authority details.

Manhole Covers and Frames ; The manhole covers and frame

15.90 15.62

The manufactors and transe for roads shall be the heavy dury cast iron non-rocking three point suppension type, constructed in tow trangatura section and linked together with mild sected bols, all in accordance with BS497 (Grade A). They shall be to BS Ref: MA60 or have a 600mm x 600mm clear opening and be ither Drainage Casings "Silent Knight" range, cast iron No. DC5037 (Broads No. 70C) or duscile iron No. DC500 or Shanton and Skueley" "Chieffain" duchle (Broads No. 70C) or duscile row No. DC500 or Shanton and Skueley" "Chieffain" duchle (Broads No. 70C) or duscile row No. DC500 or Shanton and Skueley" "Chieffain" duchle (Broads Ro. 70C) or duscile row No. DC500 or Shanton and Skueley" "Chieffain" duchle (Broads Ro. 70C) or duscile row No. DC500 or Shanton and Skueley" "Chieffain" duchle (Broads Ro. 70C) or duscile row No. DC500 or Shanton and Skueley" "Chieffain" duchle (Broads Ro. 70C) or duscile row No. DC5050 or Shanton and Skueley" Chieffain" duchle (Broads Ro. 70C) or duscile row No. 70C) or may alternatively be to weigh not less than 100kg (2 w), all in accordance with Sk.497 (Grade B). BS Ref: MB2 – 6060 with 600mm k 600mm clear opening.

1.12

10.00

NOTES Do NOT scale from this drawing or any other prepared by JDA in connection with this project. This drawing is copyright and may not be altered, traced, copied, photographed or used for any purpose other than for which it has been issued without written permission of the copyright holder. The Contractor is to check all dimensions on site and report any discrepencies PRIOR IT of commencing work. All details shown on this drawing are based upon typical site conditions related to the area. Nor seposibility can be accorded for abbrand conditions unless theytave been reported in detail so that design amendments may be considered. All works and materials are to be in full accordance with current British scientific actionations. Agrement Certificates and Manufacturers

8 M 4

little.

+ VI.AB

0

primted instructions. All Building Regulations inspections are to be carried out at the appropriat stages of work.

ng nurseries shall be registered under the HTA Nursery programmer and transported in accordance with a strangenetic and a special and the shall not be or Plant Handling as produced by CPSE. Planting shall not be round is waterlogged, frost bound or during periods of cold round is waterlogged. nal Pla lance with the Nation I under the HTA Nurs a to BS 3936 and be in acc g nurseries shall be registe stock shall for P Certification Sch the Code of Pract carried out when drying winds. All be root dipped in All plants shall Specification. S

ed polymer. All stock to be of native te the contractor should inform the contract

2H Schwegler Robin Box Tree planting should ideally be carried out between October and March. Mark out the estimated spread of roots, adding an extra 30-60cm (1-2ft). Exeavate to the depth of the root ball and fork over the base and sides. Place the plant in the hole, checking that the roots can be spread out fully. Where necessary. adjust the react planting hole. The correct planting depth will place the soil around the tree evel with the planting side. LEVEL DWELLING APPROACH Provide a level approach to the principle entrance door no steeper than 1.20 and at least 900mm wide, with cross falls no greater than 1:40. Approach surface material to be firm and non slip, ezaphie supporting the weight of a wheel chair and its user (loose material such as gravel and shingle would not be unsuitable). the planting site. and the plant carefully to eliminate air pockets as the planting hole is filled. Specimen Frim around the paint careturity to entimate attractures that potentia paint in equility of a year or two after planting until established to prevent wind rock.
L. Acter entipper Fried Mapel Accas B-Houng CG
S. Balua sylvestris Crab Apple Massy 8-Houng CG Rootstock M29
S. Prunus avium Wid Chryr Pepta 8, Houng CG Rootstock M29
S. Prunus avium Wid Chryr Pepta 8, Houng CG
Fagus sylvastris Crab Apple Massy 8-Houng CG
Fagus sylvastris Betch Faxy 8-Houng CG
S. Pytus sp. Pear Pysy 8-Houng CG
Fagus sylvastris Betch Faxy 8-Houng CG
G. Pytus sp. Pear Pysy 8-Houng CG
G. Pytus sp. Para Pysy 8-Houng CG
G. Pytus sp. Para Pysy 8-Houng CG
G. Duccuss robur Ook Quro 8-Houng CG
Ouercus robur Ook Quro 8-Houng CG
Ouercus robur Ook Quro 8-Houng CG
I. Acer ruburia Red Maple) 8-Horng CG
I. Acer ruburia Red Maple) 8-Horng CG
B. Purus avium (Widd Crab Apple) 8-Horng CG
G. Cratagus Laevigata (Paul's Scarfel 8-Horng CG
H. Purus avium (Widd Crab Apple) 8-Horng CG
B. Purus avium (Widd Crab Apple) 8-Horng CG
CG
B. Purus avium (Widd Crab Apple) 8-Horng CG
CG
Costos arisk (Fivergreen Oak) 8-Horng CG
Mutta sylvestris (Scots Pino) 8-Horng CG
Mutta sylvestris (Scots Pino) 8-Horng CG
Mutta sylvestris (Scots Pino) 8-Horng CG
Mutta sylvestris (Jostos Pino) 8-Horng CG
Mutta sylvestris Firm aro

Entrance door to have an accessible level threshold provided with a weather har (maximum height 15mm) with suitable drainage channel. Landings to have a fall of 1:40-1:60 away from the door. Principle entrance door to have a minimum 775mm clear opening between the door leaf and ACCESSIBLE LEVEL DOOR THRESHOLDS INTO THE BUILDING Entrance door to have an accessible level threshold provided with a weath

Fagus sylvatica Beech Fa.sy 8-10cmg CG

Acer campestre Field Maple Ac.ca 8-10emg CG

AJG Apple 'James Grieve' 8-10cmg CG

Tilia cordata x mongolica " Harvest Gold" 12-14cm girth containerised root stock.

Tel 07778 297733 jda@ndirect.co.uk John Dickie Associates
 Chartered Building Engineers
 Victor Way, Cherry Holt Road,
 Bourne, Lincs PE10 9PT

Proposed Detached Dwelling and Garage at

Land North of Abbots House Priory Gardens

Chesterton, Peterborough

Drawing Title : Site Layout - Annexe

Client : Mr James Watt

00

1,11

25m

0m

SE

D

Date August 2024

Scales 1 to 500 at A3 Portrait

Drawing No JDA/2024/655/SITE/ANNEXE/001

Crataegus Laevigata 'Pauls Scarlet' 8 - 10cmg CG

PWB Pear 'Worcester Black' 8-10cmg CG

1011

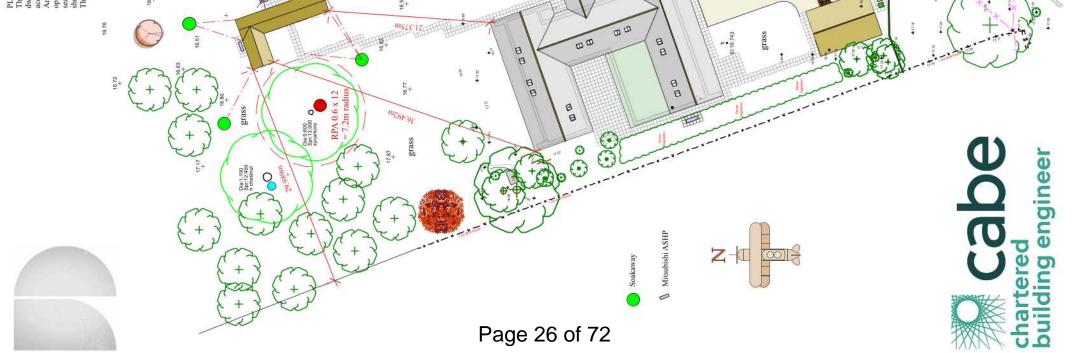
D





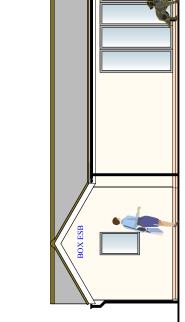


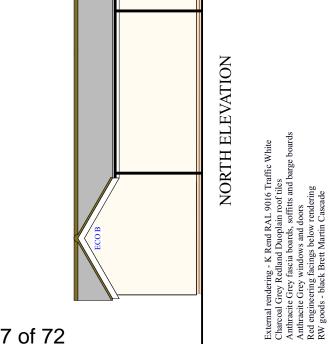


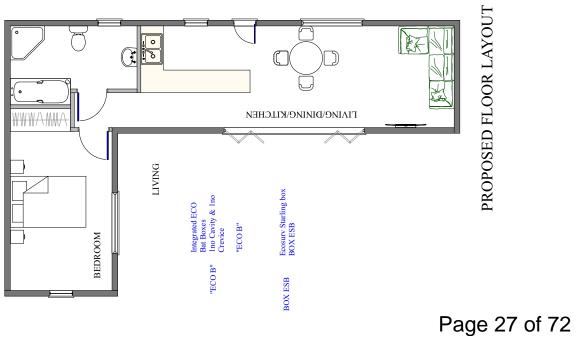


N DRAWNG	is project used for any purpose other than for which it has been issued without R TO commencing work. area. No resposibility can be accepted for abnormal conditions and Building Regulations, Agrement Certificates and Manufacturers printed f work.	JPVC downpipes. Rainwater taken to new soakaway, situated a min distance of 5.0m away e min of 1 cubic metre capacity (or to depth to Local Authorities approval) with suitable y test to determine design and depth of soakaway. all laid on 100mm granular bed conforming to BS882 1983, Table 4 and selected as-dug ives). Shallow pipes to be covered with 100mm reinforced concrete slab over compressible ge to comply with BS EN 1401-1: 2009. Drains with less than 600mm cover not under roads/parking to have concrete paving slabs		: from building less 150mm. must have vertical sides and be of a width as small as practicable but not less than external diameter of pipe plus 300mm or larger or pipes. Is and replace with consolidated bedding material.		Cabe		John Dickie Associates Chartered Building Engineers 5, Victor Way,Cherry Holt Road, Bourne, Lines PE10 9PT Tel 07778 297733 jda@ndirect.co.uk	Proposed Detached Dwelling and Garage at Land North of Abbots House Priory Gardens Chesterton, Peterborough	Drawing 1rtle : Annexe Details Client : Mr James Watt Date JUNE 2024	Scales 1 to 100 at A3 Portrait Drawing No JDA/2024/655/ANNEXE/001
PLANNING APPLICATION DRAWING	NOTES Do NOT scale from this drawing or any other prepared by JDA in connection with this project This drawing is copyright and may not be altered, traced, copied, photographed or used for any purpose other than for which it has been issued without written permission of the copyright holder. The Contractor is to check all dimensions on site and report any discrepencies PRIOR TO commencing work. All details shown on this drawing are based upon typical site conditions related to the area. No resposibility can be accepted for abnormal conditions unless they have been reported in detail so that design amendments may be considered. All works and materials are to be in full accordance with current British Standards, Building Regulations, Agrement Certificates and Manufacturers printed instructions. All Building Regulations inspections are to be carried out at the appropriate stages of work.	RAINWATER DRAINAGE Rainwater BARNAGE Rainwater and UDVC half round gutters taken and connected into 68mm dia UPVC downpipes. Rainwater taken to new soakaway, situated a min distance of 5.0m away from any building via 110mm dia UPVC pipes surrounded in 150mm granular fill. Soakaway to be min of 1 cubic metre capacity (or to depth to Local Authorities approval) with suitable granular fill with geotextile surround to prevent migration of fines. If necessary carry out a porosity test to determine design and depth of soakaway. UNDERGROUND FOUL DRAINAGE Underground drainage to consist of 110mm diameter UPVC proprietary pipe work to give a 1:40 fall laid on 100mm granular bed conforming to BS882 1983, Table 4 and selected as-dug backfill to 1 in 40 gradient to mains connection. Provide 60mm autobe over f00mm under drives). Shallow pipes to be covered with 100mm reinforced concrete slab over compressible material. Provide rodding access at all dameter UPVC proprietary pipe work to give a 1:40 fall laid on 100mm granular bed conforming to BS882 1983, Table 4 and selected as-dug backfill to 1 in 40 gradient to mains connection. Provide 60mm suitable over 00mm under drives). Shallow pipes to be covered with 100mm reinforced concrete slab over compressible material. Provide rodding access at all changes of direction and junctions. All below ground drainage to comply with BS EN 1401-1: 2009. Drains with less than 90mm cover under roads/parking to have exprise as bridging over. Drains with less than 600mm over under roads/parking to have express hore. Drains with less to have of over and are rainforced concrete holding over. Drains with less than 600mm over not under roads/parking to have concrete paving slabs as bridging over pipes with even and are reinforced concrete holding.	hopper) bedded and surrounded with 100mm concrete. The provident of the solution of the soluti	concrete up to level below foundation equal to distance from building less 150mm. Excavating / Backfilling; Lower part of trench :- From bottom to 300m above crown of pipe the trench must have vertical sides and be of a width as smal dimension if specificd. Formation for back garerally :- Excavate to formation immediately before laying beds or pipes. Remove mud, rock projection, boulders and have apoils and replace with consolidated bedding material.	ratation to car solt spore by tamping in become intertat.		M REGULATIONS 2015The client must abide by the Construction Design and Management gulations 2015. The client must appoint a contractor, if more than one contractor is to be obved, the client will need to appoint (in writing) a principal designer (to plan, manage and ordinate the planning and design work) and a principal contractor (to plan, manage and ordinate the construction and ensure there are arrangements in place for managing and	organisms ure project). Joureauc crucius in evolutions current is no appoint a principal ucspiter and a principal contractor when there is more than one contractor, if not your duties will automatically transferred to the contractor or principal contractor. The designer can take on the duties, provided there is a written agreement between you and the designer to do so. The Health and Safety Exercutive is to be notified as soon as possible before construction work starts if the works:(a) Last longer than 30 working days and has more than 20 workers working simultaneously at any point in the project. Or: (b) Exceeds 500 person days.	EOB		SOUTH ELEVATION
	approvals have been obtained by contractor prior to the he procurement of statutory	structural calculations have murol authority. mally agreed with the Local nined by reference to the gal boundaries of the site. are to be formally agreed		PROPOSED ROOF LAYOUT			EAST ELEVATION CE inv coc	Sm Sino Sino Sino Sino Sino Sino Sino Sino			SOUTH E
	GENERAL GENERAL No work to commence until all statutory approvals have been obtained All dimensions are to be checked on site by contractor prior to the commencement of work. Drawings have been prepared solely for the procurement of statutory approvals. All dimensions are in millimetres.	All levels shown are in metres. No work is to commence on site until all structural calculations have been approved on site by the Building Control authority. Any alterations to the design are to be formally agreed with the Local Authority. Exact boundary positions are to be determined by reference to the deeds to the property. Entire structure is to be built within the legal boundaries of the site. Any encroachments over any boundaries are to be formally agreed with adjoining property owners.		L		•		L no			7

WEST ELEVATION







This page is intentionally left blank

Agenda Item 3b

DEVELOPMENT MANAGEMENT COMMITTEE 18th NOVEMBER 2024

Case No: 24/00694/FUL

- Proposal: PROPOSED CHANGE OF USE OF LAND TO RESIDENTIAL CURTILAGE AND ERECTION OF A GREENHOUSE DOME (RETROSPECTIVE)
- Location: LAND NORTH OF ABBOTS HOUSE, PRIORY GARDENS, CHESTERTON
- Applicant: MR. J WATT

Grid Ref: 512799 295519

Date of Registration: 16th July 2024

Parish: CHESTERTON

RECOMMENDATION - APPROVE

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

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

- 1.1 The site is located to the northeast of the small settlement of Chesterton and is surrounded by residential development to the east and south. To the west of the application site are agricultural fields and to the north and within the applicant's ownership is an area of woodland.
- 1.2 The application site comprises a dwelling and detached garage permitted under 18/01689/FUL and subsequent application 23/01407/S73, which is currently under construction. The site also hosts an area of rough grass, established trees, a formal garden and dome greenhouse (the subject of this application) to the north of the dwelling. A pond and associated brook bound the site to the east. Public vantage points of the site are screened by well-established trees and hedgerows along the site boundaries.
- 1.3 The site is located to the northeast of two Grade II listed buildings known as the Priory and Stable House and one Grade I listed building St Michaels Church. The application site is not within a Conservation Area. The site is located within Flood Zone 1 and

therefore at lowest risk from river and sea flooding however, there is a pond and brook which run along the eastern boundary of the site, therefore the site is some risk from surface water flooding. There are no other designated assets or habitats within or in proximity to the site.

The Proposal

- 1.4 The application seeks planning permission to extend the residential curtilage/garden that was permitted under application reference 18/01689/FUL by changing the use of the former agricultural land to residential garden/curtilage and retrospective planning permission for a greenhouse dome that has already been erected to the north of the site. The development description and plans have been amended during the course of the application to apply for a change of use to the agricultural land for it to be included within the residential curtilage of the permitted dwelling. For the avoidance of doubt the retrospective application shall be referred to as 'the proposal' in this report.
- 1.5 It is noted that Permitted Development (PD) rights for Classes A (extensions), B (roof additions), C (other roof alterations) and E (Buildings within the curtilage) of the Town and Country Planning (General Permitted Development) (England) Order 2015 have been removed from the dwelling on site that is currently under construction.
- 1.6 This application has been accompanied by the following:
 -Planning, Design and Access Statement
 -Proposed Plans
- 1.7 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 <u>National Guidance</u>

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
 - LP1: Amount of Development
 - LP2: Strategy for Development
 - LP4: Contributing to Infrastructure Delivery
 - LP5: Flood Risk
 - 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
 - LP34: Heritage Assets and their Settings
- 3.2 Supplementary Planning Documents (SPD) and Guidance:
 - Huntingdonshire Design Guide Supplementary Planning Document (2017)
 - Developer Contributions SPD (2011)
 - Huntingdonshire Landscape and Townscape 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 24/01323/FUL- Proposed change of use of land to residential curtilage and erection of a detached self-build residential annexe.-Pending Consideration.
- 4.2 23/01407/S73- Variation of condition 2 (plans) to 18/01689/FUL to amend the design and materials of the approved dwelling and garage- Permission 18.01.2024
- 4.3 22/02547/FUL- Erection of a detached single storey residential annexe-Withdrawn 25.07.2024
- 4.4 22/00990/S73- Variation of condition 2 of permission 18/01689/FUL. Design Improvements- Refused 30.01.2023
- 4.5 21/80309/COND- Conditional Information for 18/01689/FUL: C1 (Time Limit), C3 (Materials), C6 (Tree Protection), C8 (Levels), C12 (Ecology)- Details Discharged 24.12.2021.
- 4.6 18/01689/FUL- The erection of a new family dwelling with garaging and access.-Permission 12.04.2019

5. CONSULTATIONS

- 5.1 Chesterton Parish Council- Objection and recommend refusal. Their comments are available to view in full on HDC's Public Access site but broadly relate to the following matters:
 - The previous planning applications on site are fairly recent, and so it remains a controversial site, sensitive to neighbours
 - The land appears to have been used an orchard for at least 150 years. The site appears to have become overgrown after 1945, but was owned by the agricultural community
 - We do not understand why the dome structure, has been located in isolation of an overgrown orchard, and feel its shape would make it difficult to be used as a greenhouse, and more likely to be used as a summerhouse. The location is still unsuitable.

- Despite the small size of the structure, there must have been an impact on trees and nature conservation
- The modern materials look out of place in this woodland environment. Incompatible location for such a structure
- We have had representations made to us by close neighbours
- Consider the address Land North of Abbots House misleading, as the location no longer has connection to Abbots House

6. **REPRESENTATIONS**

- 6.1 One representation has been received in objection to the development proposal raising the following material planning matters:
 - The amended application seeks the change of use of the land, yet the previous application was solely for the erection of a greenhouse not located on the site.
 - The application could potentially increase development on the site where there is limited access.
 - The application site is woodland and has a natural pond where there has been evidence of great crested newts.
 - A previous application on the site was refused on the basis of the adjacent private garden being overlooked.
 - The greenhouse dome might also be incorporated into another part of the dwelling at a later stage
 - Changing the use of the land would open up possibilities for additional development on what is currently woodland.

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:
 - Principle of development and Impact on the Character of the Countryside
 - Impact on heritage Assets
 - Residential Amenity
 - Flood Risk
 - Biodiversity and Impact on Trees

The Principle of Development and Impact on the Character of the Countryside

- 7.6 The application site is located to the northeast of Chesterton. The application seeks to increase the size of the residential garden/curtilage permitted with application ref 18/01689/FUL and 23/01407/S73 by changing the use of some adjacent agricultural land. It is noted that the greenhouse dome has already been erected on site and the area of additional land has been integrated into the existing private garden space. This application seeks to regularise the change of use of the land and the erection of the greenhouse.
- 7.7 The proposal shall be assessed against relevant local and national policies. Chesterton is identified in the Local Plan as a Small Settlement under Policy LP9 and as such is the starting point to assess the principle of development.
- 7.8 Local Plan Policy LP9 states that a proposal that is located within a built-up area of a Small Settlement will be supported where the amount and location of development proposed is sustainable in relation to the:
 - a. level of service and infrastructure provision within the settlement;
 - b. opportunities for users of the proposed development to access everyday services and facilities by sustainable modes of travel including walking, cycling and public transport;
 - c. effect on the character of the immediate locality and the settlement as a whole.

- 7.9 The built-up area is defined in the local plan as a distinct group of buildings that includes 30 or more homes. Land which relates more to the group of buildings rather than to the surrounding countryside is also considered to form part of the built-up area.
- 7.10 It is noted that the site was formally associated with the residential curtilage of Abbotts House and hosted a tennis court with fencing and ancillary buildings prior to the erection of the dwelling for which the guidance in Local Plan paragraph 4.8 states the grounds that relate closely to the buildings, for instance formal gardens, ancillary parking and hard tennis courts would be considered within the built-up area. However, in this instance north of the permitted dwelling and its residential curtilage, the application site comprises an area of rough grass, trees, a formal garden and dome greenhouse. Guidance in paragraph 4.85 states that agricultural land, woodland, meadow where the character of the land primarily relates to the countryside is excluded from the builtup area. Subsequently the application site is not considered to be within or well related to the settlement of Chesterton and therefore located in the countryside whereby Local Plan Policy LP10 (The Countryside) is applicable.
- 7.11 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.

7.12 With regards to Policy LP10 part a, the irregular shaped site is grade 3 agricultural land and whilst the site is not currently defined by boundary treatments, the land appears to have been cleared and is no longer characteristic of its former agricultural land use. The proposed enlargement to the approved residential garden/curtilage would result in the loss of 1,872sqm agricultural land. Officers acknowledge comment made by the Parish Council in regard to the use of the site as an orchard however, a site visit undertaken found the site is no longer in use as an orchard for agricultural purposes. The land is classified as Grade 3 agricultural

land, which is good to moderate quality agricultural land, and lower than the top 2 categories of Grade 1 and Grade 2. Therefore its loss, is not considered would result in the loss of the best and most versatile agricultural land, in line with Policy LP10.

- 7.13 In regard to part b, of LP10, the site is located within the Northern Wolds character area as identified in the Huntingdonshire Landscape and Townscape SPD (2022). Development in the Northern Wolds should protect and enhance the distinctive characters of the valley and plateau landscapes through maintenance of field patterns and long-distance views from the upland areas and protection of ancient hedgerows and oak trees within the valleys.
- 7.14 Public vantage points from outside the site are limited as the land is tucked behind the linear development along Oundle Road and accessed off a track. The closest Public Right of Way (PRoW) is over 480 meters to the west of the site and the entire site is screened from the surrounding countryside to the north and west by well-established trees and to the south and east with dense hedging. Whilst it is acknowledged that trees within the site could be removed without the need for planning permission, this is no different from the current situation. It is considered the position of the land and the wider landscaping, ensures that the change of use of the land to residential garden and the dome structure would not result in any unacceptable harm to the intrinsic character and beauty of the countryside, in line with part b) of LP10.
- 7.15 Householder permitted development rights for outbuildings on the larger garden area can be removed by condition to prevent the potential for a large coverage of buildings on the site which may be at odds with the open and spacious visual rural character of the site and development in the surrounding area. Officers recommend that should Members be minded to approve the application such a condition be imposed to protect the character and intrinsic beauty of the countryside in line with part b) of Policy LP10. A condition regarding the submission of boundary treatment is also recommended.
- 7.16 The land of the extended residential garden/curtilage is not considered disproportionate in size or scale in the context of the approved house on the application. The land in question already has a relatively domestic visual character and does not appear open or characteristic of the surrounding rural countryside.
- 7.17 Officers acknowledge the Parish Council's concerns relating to the siting of the greenhouse. However, the site character and appearance has changed over time, and it no longer functions or visually appears as agricultural land. The Parish also raised concerns regarding the use of the dome, whether due to its shape it could used to grow plants or whether it would be more likely to

be used as a summerhouse. How the applicant chooses to use the building for its incidental domestic purposes is not relevant to the consideration of this application. What must be considered is the siting, design, size etc of the dome structure and whether it is visually acceptable in this proposed extended garden setting. Whilst the concerns of the Parish in this respect have been considered, Officers in this instance do not agree and consider that the design, siting and mass of the dome structure is acceptable given the proposed change of use to domestic garden and due to the extent of screening between the proposed structure, surrounding sites and the open countryside.

- 7.18 With regard to part c) Policy LP10, the greenhouse is approximately 17 metres west from the common boundary with No. 4 Oundle Road and the dwelling No.4 is 35 metres east of the common boundary. This separation distance is considered sufficient to ensure no significant impacts relating to noise, disturbance, and odour upon the closest residential neighbour to their enjoyment of the countryside. As the smaller site already has permission for residential development and the land beyond the application site to the north is woodland and the land beyond this used for agriculture, the extension to the residential garden/curtilage and dome structure impacts would not result in loss of enjoyment of the countryside by others.
- 7.19 The principle of the development is therefore to be considered acceptable in accordance with Policies LP10, LP11 and LP12 of the Huntingdonshire Local Plan to 2036.

Impact on Heritage Assets

- 7.20 This application seeks to change the use of agricultural land to residential garden and for a greenhouse dome structure. The site is not located within a conservation area but is located approximately 150m from the Grade I listed building St Michaels Church. Two grade II listed buildings known as the Priory and Stable House are also about 80m from the application site.
- 7.21 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 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".
- 7.22 Policy LP34 of the Local Plan to 2036 sets out that proposal should protect the significance of heritage assets such as Listed Buildings. Furthermore, 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.

- 7.23 The dome and the land proposed to be changed into garden land are considered to be visually and physically separated from the nearby Grade I and Grade II listed buildings by virtue of the 80m-150m separation distances. Anda s detailed in preceding sections of the report, the site is also bounded with mature trees and hedging to the west, which visually screens the site.
- 7.24 It is therefore considered that the proposal does not result in harm to the setting and significance of these nearby Listed buildings, in line with Policy LP34 and the NPPF.

Residential Amenity

- 7.25 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.
- 7.26 The closest residential dwellings No. 2a, 3, 4, 5 and 5a Oundle Road are located to the east of the application site. Officers acknowledge concerns raised by the occupants of No.2a Oundle Road in regard to the overlooking of the rear amenity space of the neighbouring dwelling. The dwelling of No. 2a is situated to the east of the application site and land within the neighbour's ownership abuts the brook adjacent to the application site. The application site is approximately 41 metres southwest from No.2a's residential curtilage and does not immediately abut this neighbours land. By virtue of the separation distance, it is considered that the proposal does not result in any detrimental overbearing, overshadowing or overlooking impacts to surrounding neighbours.
- 7.27 No.5 the closest residential building to the site is 35m from the common boundary and 65m to the southeast of the proposed dome. A landscaping condition (condition 3) imposed on 23/01407/S73 ensures the landscaping shown on plan JDA/2023/MAY/655/SITE/001 is carried out. This landscaping includes various trees which screen the site from adjacent neighbours to the east. By virtue of the separation distance and landscaping screening it is not considered that the dome greenhouse results in any detrimental overbearing, overshadowing or overlooking impacts.
- 7.28 The proposed development would result in the land being used for the recreational enjoyment of the dwelling. However, an extended garden/curtilage is not considered to unduly impact the amenities of the adjacent neighbours or the users of the open countryside in terms of noise and light.

7.29 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.

Flood Risk

- 7.30 National guidance and Policy LP5 of the Local Plan to 2036 seeks 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).
- 7.31 The application site is within Flood Zone 1, based on Environment Agency flood risk mapping and therefore at lowest risk of river and sea flooding. However, as stated in preceding sections of this report due to the pond and brook which run along the eastern boundary of the site, the site may be at some risk from surface water flooding.
- 7.32 Given this application is for the change of use of agricultural land to residential garden/curtilage and a residential dome structure, as per the NPPF and National Planning Practice Guidance, the submission of a Flood Risk Assessment, Sequential test and Exceptions test are not required.
- 7.33 Therefore, the proposal is considered to be acceptable in regard to flood risk and therefore accords with Policies LP5 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework in this regard.

Biodiversity and Trees

- 7.34 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.
- 7.35 As of the 2nd of April 2024, mandatory 10% Biodiversity Net Gain was imposed on small developments in England as per Schedule 7A of the Town and Country Planning Act 1990. As the application seeks consent for a 12.5m2 greenhouse dome, would impact less than 25m2 of non-priority habitats, would not impact 5m of non-priority linear habitat the impact on biodiversity would be considered negligible. This application is therefore exempt from

mandatory Biodiversity Net Gain as per the de minims threshold detailed in the NPPG.

- 7.36 The application is accompanied with a biodiversity checklist. Given the proposal seeks to change the use of the land to residential garden/curtilage, install a 12.5m2 greenhouse dome and does not intend to make alterations to the established trees and hedgerows on the site, the proposal would not result in unacceptable adverse impacts to biodiversity.
- 7.36 Officers acknowledge third party representations raised in regard to the presence of protected species within the adjacent pond. The 18/01689/FUL application for the dwelling was accompanied with a PEA which determined that the pond on the northeast edge of the property is of poor suitability for newts due to its impermanent nature, being mostly dry and overgrown with wetland vegetation. This application is accompanied with evidence to confirm that the pond to the northeast edge of the site remains in a similar dry condition and therefore, the pond is likely to remain an unsuitable habitat for protected species such as the great crested newt. However, it should be noted that the dome structure is already in position, and the change of use of use of the land would not result in harm should any newts/protected species be present on site.
- 7.37 Overall therefore, Officers are satisfied the proposal would not result in unacceptable adverse impacts to biodiversity. As such, the proposal accords with the objectives of Policy LP30 of Huntingdonshire's Local Plan and Section 15 of the National Planning Policy Framework and Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act (2021) in this regard.

Conclusion

- 7.39 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 7.40 This application seeks planning permission to regularise the change of use of agricultural land to residential garden/curtilage and for the greenhouse dome structure erected on site.
- 7.41 The principle of development is considered acceptable against the aims and objectives of Policies LP10, LP11 and LP12 of the Huntingdonshire Local Plan to 2036.
- 7.42 The siting, size and relationship of the land to the adjacent dwelling and wider countryside would not result in unacceptable harm, due to the loss of agricultural land or to the intrinsic character and beauty of the wider countryside.

- 7.43 The siting, scale and design, of the dome greenhouse does not cause visual harm in the proposed extended residential garden/curtilage and would not result in visual harm to the wider countryside setting.
- 7.45 The proposal would be acceptable in regard to impacts on designated heritage assets, flood risk, surrounding residential amenity and biodiversity.
- 7.46 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 approved.

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

- Drawings
- Boundary treatments
- Removal of permitted development rights Class E (Buildings within the curtilage) of the GDPO.

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 **Charlotte Dew Senior Development Management Officer – <u>charlotte.dew@huntingdonshire.gov.uk</u>** Dear Sirs:

As requested, I am pleased to submit the observations of Chesterton Parish Meeting ('CPM') on Planning Application 24/00694/FUL, relating to the retrospective erection of a dome-shaped greenhouse in a former orchard.

Planning Applications relating to this site are of such recent date that it remains a 'controversial' site, and any additional proposals are 'sensitive' to neighbouring householders.

The location for this 'experiment' is in the relative isolation of a large area of land (OS Field No7916), which appears to have been used as an orchard for at least 150 years, having become such sometime between 1837 and 1886. The earliest representation is on the 1886 OS 25" sheet (Field No 43) showing a distinctly regular planting regime. It was still an active orchard when described in the Huntly Estate sale catalogue of 1913. At some point after the 1939/45 War the site became overgrown, although still owned by members of the local agricultural community.

We are bewildered....totally bewildered. Why would a dome-shaped structure, purporting to be a greenhouse, be erected in isolation in an overgrown orchard ? It has no resemblance to any practical greenhouse, unless tall plants are grown in the middle and stunted ones at the side (but even they made need semi-circular bamboo canes, or artificial growing frames with a similar profile). We could, nevertheless, see the dome as a summerhouse, but the location is still unsuitable.

Surely there must be an unwarranted impact on the trees and nature conservation, despite the relatively small size of the structure. Ultra-modern materials look out of place in this woodland environment.

Details of this Application have been submitted to members of our Standing Committee and the matter was discussed at a recent Parish Meeting. We have had representations made to us by close neighbours. Nevertheless, whilst we expect to find a "greenhouse" in an "orchard" in a Victorian scenario, this is none such; instead we find it an incompatible location for such a structure. We therefore submit the foregoing observations and have agreed to recommend 'refusal'.

NB: Location statement. We have previously remarked on this before. The location no longer has any connection whatsoever to the Abbots House in Priory Gardens. So to continue the artificial connection by the words "house north of the Abbots House" is wholly misleading. We expect that the elite residence at the southern end of the orchard site will be numbered as "No 6A Oundle Road", and we think is a more appropriate way of referencing point. Yours sincerely

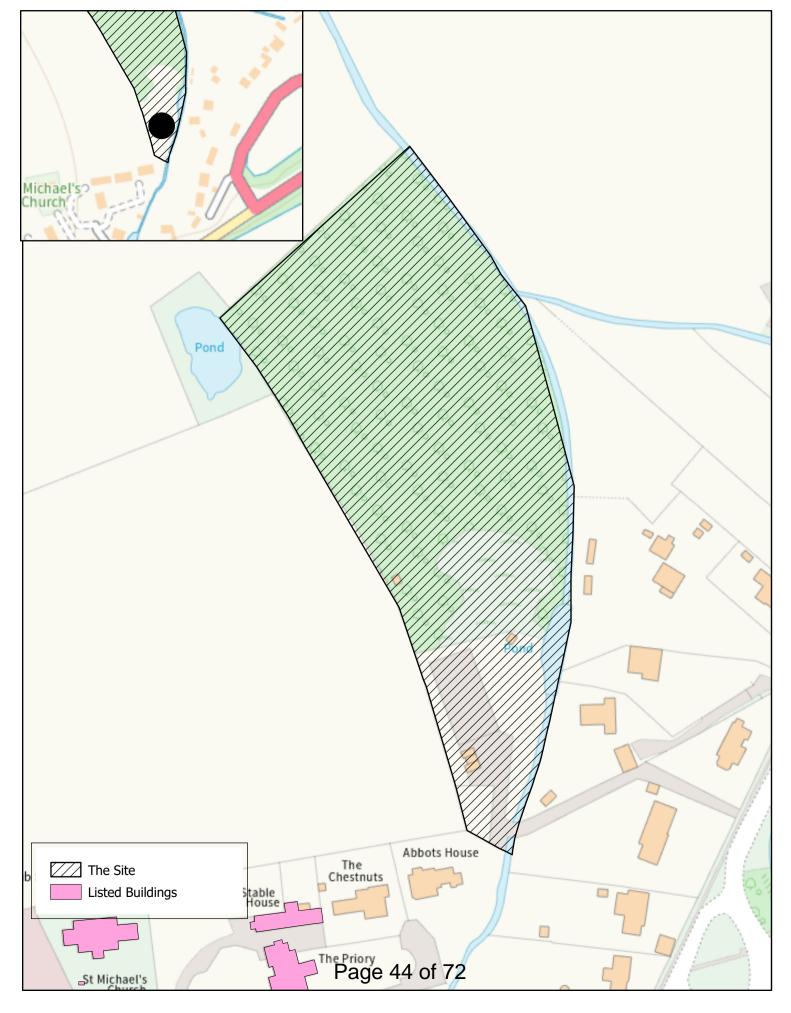
Clerk, Chesterton Parish Meeting.

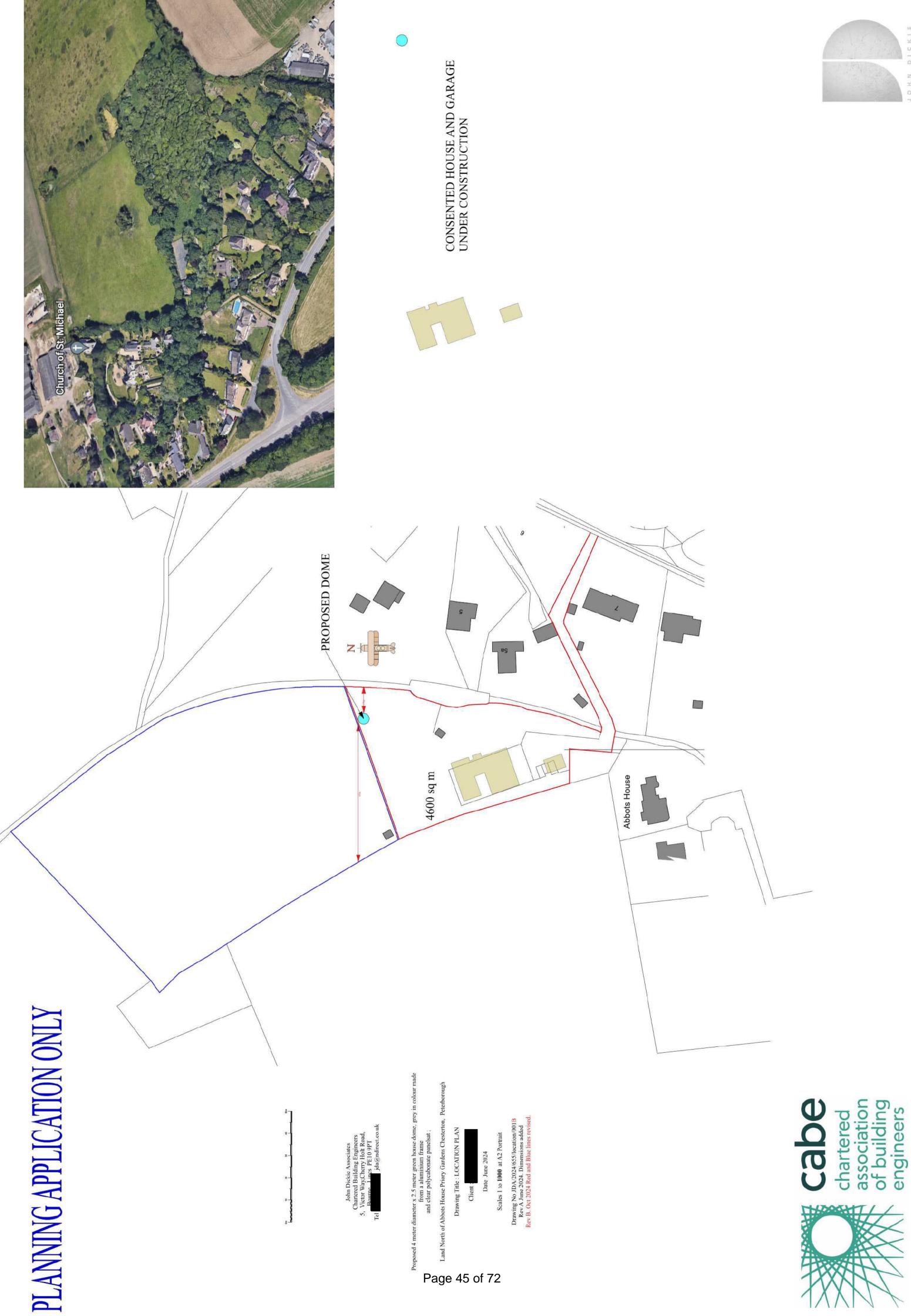
Development Management Committee Application Ref: 24/00694/FUL

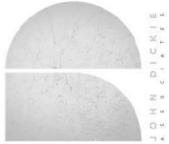


Scale = 1:1,500 Date Created: 06/11/2024

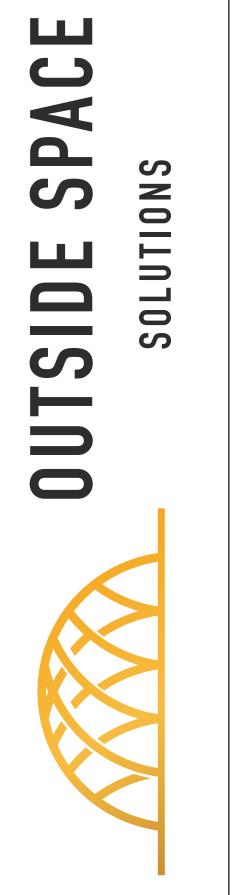















19/1	Chkd.
19/1	Drawn
Da	Index
RBO	POLYCARBC
С Ш Н	OUTER HEIG
R HEIG	INNER H
DIAN	OUTER DIAN
IAM	INNER DIAM

Agenda Item 3c

DEVELOPMENT MANAGEMENT COMMITTEE 18TH NOVEMBER 2024

Case No: 24/00021/FUL

Proposal: RETROSPECTIVE CONVERSION OF EXISTING WAREHOUSE INTO AN ANCILLARY MEAT PACKING FACILITY AND ASSOCIATED WORKS

- Location: 16 LATHAM ROAD, HUNTINGDON
- Applicant: MR PAUL GILMAN
- Grid Ref: 523351 273555

Date of Registration: 5th JANUARY 2024

Parish: HUNTINGDON

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 Town Council.

- 1. DESCRIPTION OF SITE AND APPLICATION
- 1.1 This application seeks approval for the conversion of an existing warehouse into an ancillary meat packing facility and associated works at No. 16 Latham Road, Huntingdon. This application is retrospective with works having been completed in November 2019. The Hilton Foods production facility occupies several units within the Stukeley Meadows Industrial Estate which lies to the north side of Huntingdon.
- 1.2 The Planning Statement submitted with this application states that as Hilton have developed their business, ancillary equipment, welfare facilities, mechanical and electrical plant and storage facilities have been added around the building. The Company operates from the site as a meat food processor, the interior of the building has been converted over time from commercial warehouse to meat packaging with associated plant located to the rear of the building in order to maintain strict temperature controls within the building.
- 1.3 The alterations to the building are as follows:-

South (rear) Elevation – addition of fire escape and associated plant and controls mounted on a 40 ft container with a bank of 10x

condensing units (with 20 individual fans operating in pairs). An additional acoustic enclosure raised off the ground above the existing container to a finishing height of 8.6m is proposed to be constructed around the existing plant consisting of acoustic panels to match the existing goosewing grey cladding.

West Elevation – addition of a 40ft storage container, painted green

North (front) Elevation – single storey grey Portacabin 120m2 used as canteen and rest facility for production staff and two mechanical and electrical 40ft containers (blue).

- 1.4 The site is located within the Established Employment Area (Policy LP18 of the adopted Huntingdonshire Local Plan to 2036) of Stukeley Meadows Industrial Estate and is within the Huntingdon Neighbourhood Plan 2018-2026 catchment area.
- 1.5 This is a revised application following the withdrawal of the previous planning application (ref: 23/00982/FUL) and has been accompanied by a Noise Mitigation Strategy and the addition of an acoustic enclosure which has been amended during the course of the application in an attempt to address concerns.
- 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 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
 - LP14: Amenity
 - LP15: Surface Water
 - LP16: Sustainable Travel
 - LP17: Parking Provision and Vehicle Movement
 - LP18: Established Employment Areas
 - LP30: Biodiversity and Geodiversity
 - LP31: Trees, Woodland, Hedges and Hedgerows
- 3.2 Huntingdon Neighbourhood Plan 2018-2026 adopted September 2019
 - E1- Opportunities for Employment
 - E2 Business Investment
 - NE3 Setting of Huntingdon
 - BE1 Design and Landscaping
 - BE2 Local Distinctiveness and Aesthetics
 - TT1 Sustainable Transport
- 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)
 - 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
 - 12 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 23/00982/FUL - Retrospective conversion of existing warehouse into an ancillary meat packing facility and associated works – Withdrawn.

5. CONSULTATIONS

5.1 Huntingdon Town Council (26.03.24) - Ordinarily Huntingdon Town Council would support a development in line with policy E1 from the Huntingdon Neighbourhood Plan. However, there are issues with the retrospective nature of the planning application and the noise mitigation should be better. Express concern about the location of the equipment and feel that any placement of this equipment should be in line with the report from Environmental Health.

Huntingdon Town Council (23.09.24) - No objections to the application.

Huntingdon Town Council (09.10.24) - objects due to loss of amenity; Neighbourhood Plan E1, NE3 and Huntingdonshire Local Plan LP14 – Amenity.

- 5.2 Cadent Gas No objections in principle. Any pipeline in the vicinity of the works area need to be protected at all times. This has easement in place with BPD distances which must not be encroached upon crossed over or nothing to be built on or placed/stored on or over the pipeline in or on top of the mains or easements for all assets in the works area. Request informative on decision notice.
- 5.3 Cambridgeshire Count Council's Highway Authority No objections to the proposal. The traffic generated by that proposed is the same. Given there is no change in movements there are no issues with the proposal and no significant adverse impact upon the Public Highway should result from the proposal.
- 5.4 Huntingdonshire District Council's Environmental Protection Team (15.04.24) Initially objected to the proposal. The Noise Mitigation Strategy (dated 4th March 2024) indicates that the proposed 7.9m

high screening will not be sufficient to ensure acceptable sound levels at the adjacent property, and that further mitigation is required. The report concludes that additional attenuation measures are currently under investigation by the design team and these will be reviewed by the acoustic consultants. With the information we currently have, noise levels from the site are considered unacceptable and likely to cause a significant adverse impact on the use of the adjacent building.

Huntingdonshire District Council's Environmental Protection Team (12.09.24) - Following receipt of an updated Noise Mitigation Strategy (dated 22nd August 2024) and amended plans it is considered there are insufficient grounds for refusal. The predicted sound levels from the plant, once mitigated are likely to be acceptable and should not give rise to significant adverse impacts on health and guality of life in a workplace. Request a noise impact assessment be completed within 3 months of the works being completed to demonstrate that the sound levels from the plant meet the internal guideline sound levels. Also recommend a condition to ensure that the works proposed within the Clover Noise Mitigation Strategy, dated 22/08/2024 are completed within a specified timeframe from the date of permission.

Officer Note –Given the length of the comments received, the consultation response above is summarised. However, the content of the consultee comments will be discussed in detail within the Summary of Issues section of the report.

6. **REPRESENTATIONS**

6.1 Three letters of objection were received during the course of the application on behalf of Huntingdon Business Centre raising a number of concerns regarding noise and loss of light impacts.

These can be summarised as follows:-

(10th April 2024) -

- Huntingdon business Centre is significantly affected by the noise from the plant equipment which operates 365 days a year, 24 hours a day.
- The Noise Mitigation Strategy by Clover Acoustics (dated 7th March 2024) includes a 7.9m acoustic screen to attempt to address the adverse noise impact. However, the mitigation measures set out would still result in noise levels in excess of the lower and upper guideline levels within the Huntingdon Business Centre office space.
- Further enhancements are required to fully assess the package of mitigation measures robustly.
- Loss of light to the office windows at Huntingdon Business Centre.

(6th August 2024) – The Applicant has still not submitted a robust Noise Mitigation Strategy to mitigate against the noise harm to the Huntingdon Business Centre, which includes insufficient supporting data and reporting errors. Moreover, the latest Noise Mitigation Strategy (dated 31st July 2024) outlines that acceptable noise levels can only be achieved inside the HDC offices when the windows are shut - under no obligation to keep windows closed permanently.

(6th September 2024) - The latest objection was also supported by a technical Note by Spectrum Acoustic Consultants which assessed the updated Noise Mitigation Strategy (NMS) (dated 22nd August 2024). The key points from Spectrum's Technical Note are summarised as follows:-

- Clover Acoustics have significantly underestimated the noise levels generated by the plant equipment by approximately 12dB. Due to the underestimation of the equipment's sound power levels, the proposed mitigation measures would not be capable of reducing noise from the plant to an acceptable level.
- Clover Acoustics report references that noise criteria are without a specific character, i.e. anonymous noise. The noise emanating from the plant cannot be described as anonymous, as it has a distinctive character. The Spectrum Technical note concludes that the noise levels are "hugely significant noise impact present according to BS 4142:2014+A1:2019, even with the proposed mitigation measures in place."
- The Clover Acoustic report concludes that "with windows open the predicted internal levels would be in excess of the BS8233 guideline internal noise criteria." It is unacceptable to require that the windows at the Huntingdon Business Centre be permanently closed. Our clients are also under no obligation to upgrade the façade of the building in order to improve its sound insulation performance.
- The number of iterations to the noise mitigation strategy reinforces Spectrum's view that it is physically impossible to achieve acceptable internal noise levels at the Huntingdon Business Centre due to the close proximity of the plant equipment and the extremely high noise levels it generates.

(19th September 2024) -

- The proposed mitigation solution requires third-party land (in the form of their windows being shut at all times) to achieve a suitable solution - query whether this would be lawful?
- The offices at HBC do not have mechanical ventilation/trickle vents and therefore the office windows need to be regularly opened to ventilate and cool the

internal spaces. Consequently, keeping the windows closed is not an option.

- The external chiller equipment is circa 4m from the windows and operates continuously.
- Due to the proximity and significant sound power levels of the plant, no amount of mitigation would be capable of reducing noise from the plant to an acceptable level. The plant should be relocated to avoid any doubts.

Huntingdon Business Centre has also made the following comments in addition to those above:-

- Reference to an application at 7 Percy Road (20/01671/FUL) and the noise condition associated with this approval.
- The latest NMS again ignores the effect the noise has on the external amenity area provided for HBC tenants.
- There is no reference in the latest NMS Report to the possible impact on 'loss of daylight' to HBC's offices from the proposed new height of the enclosure.
- Huntingdon Business Centre has now incurred three consecutive years of lost revenue as a result of a.) the prospective applicant's decision to move forward without planning permission and
 - b.) the prolonged planning process.

Officer Note – with regard to the noise condition associated with 20/01671/FUL, each application is determined based upon it's own merits and any information submitted in support of the application is considered, including Noise Impact Assessments. The condition referred to was based upon recommended limits proposed by the applicants noise consultant and was considered appropriate and reasonable in that particular case.

A further representation from Legal Advisors to Huntingdon Business Centre was received on 27th September 2024 making the following points:-

There are serious doubts over whether any reasonable mitigation between the parties could be effective in securing an acceptable standard of environment. The Applicant's noise mitigation solution relies on our client's windows being closed at all times to achieve a suitable solution. The Court in Cemex (UK Operations) Ltd v Richmondshire District & Anor [2018] where the mitigation included the closing of windows held that the Council failed to have proper regard to the PPG.

A suitable noise mitigation solution is unlikely feasible given the proximity of the plant equipment to the office unit as confirmed by our client's noise consultant.

Officer Response – this application relates to 4 windows on the northern façade of the Business Centre building. These 4

windows are not required to be shut at all times, workers can open the windows, however the internal guideline sound levels are more likely to be breached with the windows open.

The Cemex case that is referenced appear to be commercial noise impact on a residential property – not industrial to commercial as is the case here.

7. ASSESSMENT

- 7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.
- 7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2023). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".
- 7.3 In Huntingdonshire the Development Plan (relevant to this applications) consists of:
 - Huntingdonshire's Local Plan to 2036 (2019)
 - Huntingdon Neighbourhood Plan (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:
 - Principle of Development
 - Design, Visual Amenity and Impact Upon the Character of the Area
 - Residential/ Other Amenity and Noise
 - Highway Safety, Access and parking provision
 - Flood Risk and Surface Water

Principle of Development

- 7.6 The site is located within a built-up area of Huntingdon, which the Huntingdonshire Local Plan identifies as a Spatial Planning Area. The site is also located within an Existing Employment Area. As such, Policies LP7 and LP18 of the Huntingdonshire Local Plan are relevant.
- 7.7 Given the proposal involves alterations to an existing industrial use within an Established Employment Area, the principle of development is considered to be acceptable, subject to all other planning matters being addressed.

Design, Visual Amenity and Impact Upon the Character of the Area

- 7.8 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. This is also reflected in Policies NE3, BE1 and BE2 of the Huntingdon Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework.
- 7.9 The proposal involves various external alterations including ancillary equipment, mechanical and electrical plant and storage facilities around the building which have already been installed. This application also proposes the addition of an acoustic enclosure to be added around the plant on the southern elevation. It will be elevated above the existing container and enclose a 12m wide attenuator. The acoustic screen will be raised 2.6m above ground level, finishing at a height of 8.65m, slightly above the existing eaves height of the building and will be goosewing grey to match the existing cladding.
- 7.10 Given the industrial nature of the immediate surroundings, the proposed alterations are considered to be consistent with the character and appearance of the area and are considered to be acceptable in terms of design and visual amenity. The various containers are considered to be acceptable as they are discreetly located around the building. The proposed acoustic enclosure is also considered to be of an acceptable design that would match the existing cladding colour and would not be visually prominent on the building. As such, the proposal would not result in any detrimental impacts upon the streetscene of Latham Road or the surrounding area.
- 7.11 Overall, the proposal is considered to be in accordance with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036,

Policies NE3, BE1 and BE2 of the Huntingdon Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework in this regard.

Residential/ Other Amenity and Noise

- 7.12 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.
- 7.13 Paragraph 193 of the NPPF states that 'Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.'
- 7.14 It is worth noting that given the sites location within the Stukeley Meadows Industrial Estate, the proposal would not result in any impacts on any residential dwellings. However, policy LP14 does not just refer to residential neighbours but to all neighbouring users as well as future occupiers of the site itself.
- 7.15 The closest neighbouring property that is most likely to be impacted upon as a result of the proposed development is Huntingdon Business Centre, 14-16 Blackstone Road which contains offices and warehousing and is located approximately 1.8m from the southern boundary of the site. This property has raised a number of objections to the application and has also submitted a technical note produced by Spectrum Acoustic Consultants.
- 7.16 Following the withdrawal of planning permission (23/00982/FUL), this application has been accompanied by a Noise Mitigation Strategy, produced by Clover Acoustics, which has been amended during the course of this application following concerns raised by the Council's Environmental Protection Team and the neighbouring site.
- 7.17 The most recent Noise Mitigation Strategy (dated 22nd August 2024) reviews the external chillers installed on the south elevation of the building adjacent to Huntingdon Business Centre. The report models the noise for the attenuator elements of the proposal

to predict the external noise levels. An internal noise prediction within the adjacent offices has also been carried out and compared against the guideline office criteria from BS8233:2014. The proposed mitigation scheme is predicted to offer an overall sound reduction of -21dB. Therefore it concludes that with windows closed the internal noise criteria is likely to be achieved. With windows open the predicted internal levels would be in excess of the BS8233 guideline internal noise criteria.

- 7.18 The Councils Environmental Health Officer has visited the site and considers that this is an unusual case as it is usual to consider noise impact on residential amenity, whereas in this case the consideration is on the impact on offices located on an industrial estate. Currently the sound levels exceed those that would be considered acceptable under the planning regime and mitigation measures are therefore required to bring the sound levels to a more acceptable level.
- 7.19 Sound power levels of the unit have been provided and these are in line with monitoring completed by WBM and Clover Acoustics on behalf of the applicant. Huntingdon Business Centre, located adjacent to Hilton Foods have also employed an acoustic consultant (Spectrum Acoustics) who attended the site in July 2024 and gained a measurement of 85dB(A) at 1m from the façade of their building. This is 6dB higher than the level modelled and predicted by Clover Acoustics utilising the onsite measurements and the provided sound power levels. The figure of 85dB(A) will include reflections and potential weather impacts, therefore there is a level of uncertainty with the proposed 104dB sound power level modelled by Spectrum (12dB higher than the manufacturers information).
- 7.20 The proposed attenuation is predicted to provide a reduction in sound levels of 21dB. This results in an external level at the nearest receptor of 58dB(A) according to Clover or 70dB(A) according to Spectrum (however this figure appears incorrect as 85dB 21dB would result in 64dB this was queried with Spectrum).
- 7.21 Window attenuation is predicted to be 23dB if using the modelled external figure of 79dB(A) and the worst case measured internal figure of 56dB(A). Window attenuation could potentially be higher if using Spectrum's external figure of 85dB(A), or internally measured sound levels on the first floor with windows closed (as per WBM's measurements in 2022).
- 7.22 Using the lower window attenuation figure as worst case, internal sound levels are likely to be in the range of 35dB(A) if external sound levels are 58dB(A) or 41dB(A) if external levels are 64dB(A) (Clover and Spectrums predicted levels respectively).

- 7.23 In line with BS8233 guidance, the target internal sound levels are therefore likely to be met with the windows closed however, the guideline sound levels may be breached when windows are open. There is a balance between the competing demands of closed windows to mitigate external noise ingress into offices, and of open windows to provide reasonable ventilation / thermal conditions. The points that have been considered in this case are the location and surrounding land use, as well as the direction of the most impacted windows (located on the northern façade, therefore unlikely to have significant solar gains), availability of windows on quieter facades, overall sensitivity of the receptor, and the expectation of being able to open windows and meet internal guidelines.
- 7.24 A relaxation of the guideline levels during periods when windows are open is considered reasonable in the case of naturally ventilated buildings or where the occupants of a commercial building have the option of opening windows for occasional periods, especially on an industrial estate such as this where there is an expectation of noise. Taking these factors into account it is not considered unreasonable in an industrial setting to have periods where workers are exposed to higher levels of noise (above the recommended guidelines) if they wish to have windows open to prevent overheating, as there should be a reasonable expectation of some noise in this location. The point raised by Spectrum Acoustics about the anonymous nature of noise is noted, however in BS8233 this appears to be given more weighting for residential premises.
- 7.25 Using a -13dB reduction for windows partially open this would result in levels internally in the region of 45dB(A) or 51dB(A) if using the higher level of 64dB(A) externally predicted by Spectrum.
- 7.26 It must also be noted that the Mitigation Strategy states that the applicant has attempted to contact the neighbouring property to discuss methods of upgrading the sound insulation of the neighbouring premises which could include upgrading the building envelope, enhanced double glazing and air conditioning for thermal comfort to negate the need for opening the windows. However, to date no agreement has been made.
- 7.27 The adjacent premises has also raised the issue of the impact on an external amenity area. The Council's Environmental Health Team note that there is no relevant noise guidance for commercial external amenity areas. Spectrum Acoustics have referred to BS4142 in the submitted NMS, however within the scope of BS4142 it specifically stipulates that it's use is to assess the likely effects of sound on people who might be "inside or outside a dwelling or premises used for residential purposes upon which

sound is incident", therefore it is considered inappropriate for use in this instance.

- 7.28 Another approach would be to utilise BS8233 and whilst the noise source is not traffic noise, it is constant, without tonal or intermittent characteristics. This guidance advises an upper threshold of 55dB, however it should be highlighted that this is for residential areas (gardens/patios) and recognises that 'in higher noise areas a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited'. The predicted sound level of the plant is 58dB(A) according to Clover and 64dB(A) according to Spectrum. This is at the receptor building at height and is likely to be lower at ground level. Due to the location of the external amenity area and the reasonable expectation of noise on an industrial estate, in close proximity to the A141, this is considered acceptable for the likely short duration of exposure.
- 7.29 Based on the information provided, the Council's Environmental Health Team have therefore concluded that there are insufficient grounds for refusal of planning permission in this instance. The predicted sound levels from the plant, once mitigated via suitably worded conditions, are likely to be acceptable and should not give rise to significant adverse impacts on health and quality of life in a workplace.
- 7.30 A further objection relates to loss of light to the office windows at Huntingdon Business Centre as a result of the proposed enclosure. The proposed acoustic enclosure is approximately 2.3m from the side elevation of the neighbouring property at the closest point. The windows in question are located on the north elevation of the building and previously looked directly onto a high belt of trees which formed the boundary prior to the external chiller unit being installed. Accordingly, due to the orientation of the windows and the fact that the proposed acoustic screen does not extend much beyond the eaves heigh of the existing building, the Local Planning Authority are satisfied that the proposal would not result in any significantly detrimental impacts on the neighbouring property.
- 7.31 As such, the proposed development is considered to be in accordance 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, access and parking provision

- 7.32 Policy LP17 of the Huntingdonshire Local Plan states that a proposal will be supported where is incorporates appropriate space for vehicle movements, facilitates accessibility for service and emergency vehicles and incorporates adequate parking for vehicles and cycles.
- 7.33 The site would be accessed via the existing access arrangements off Latham Road, an unclassified road subject to a 30mph speed limit. The proposal does not involve any alterations to the existing access, off-street car parking or turning facilities. The submitted Planning Statement confirms that there are no significant implications regarding traffic movements servicing Hilton's use of the building compared to the previous warehouse use. Accordingly the Local Planning Authority are satisfied that the proposal does adversely affect highway safety and Cambridgeshire County Council Highway Authority have no objections to the proposal.
- 7.34 As such, the proposal is considered to be in accordance with Policy LP17 of Huntingdonshire's Local Plan to 2036, Policy TT1 of the Huntingdon Neighbourhood Plan and Section 9 of the National Planning Policy Framework in this regard.

Flood Risk and Surface Water

- 7.35 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).
- 7.36 The application site lies within Flood Zone 1 which means that it has a low probability of fluvial flooding. The proposal involves alterations to an existing industrial/warehouse building which is classified as 'Less Vulnerable' development. This type of development is considered to be acceptable in Flood Zone 1 and accordingly Exception or Sequential Tests are not required.
- 7.37 It is also worth noting that no alterations are proposed to foul drainage disposal and no external alterations are proposed that would impact the existing surface water drainage.
- 7.38 Overall, the proposal is considered to be acceptable with regard to its impact on flood risk and surface water and foul drainage and therefore accords with Policies LP5 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework in this regard.

Conclusion

- 7.39 As outlined above, all planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 7.40 On balance, the proposal supports the expansion of a large scale commercial use in an established Industrial Estate and whilst the issues of noise and disturbance to the neighbouring property are noted, it is considered that the predicted sound levels from the plant, once mitigated via suitably worded conditions, are likely to be acceptable and should not give rise to significant adverse impacts on health and quality of life in a workplace.
- 7.41 The proposed development is therefore considered to be compliant with the relevant national and local policy as it is:

*Acceptable in principle

And it:

* Is of an appropriate scale and design;

* Would not have a significantly detrimental impact upon the amenity of neighbours.

- * Would not be detrimental to highway safety in the locality;
- * Would not result in an increased risk of flooding in the locality;

* There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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

- Approved plans
- Materials
- Noise Mitigation Strategy
- Maintenance scheme
- Acoustic Attenuation Measures compliance
- Permitted Development no additional or replacement plant or machinery

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.

From:	@huntingdontown.gov.uk>
Sent:	09 October 2024 13:04
То:	
Cc:	
Subject:	RE: 24/00021/FUL - 16 Latham Road, Huntingdon
Follow Up Flag:	Follow up
Flag Status:	Completed

Hi

Huntingdon Town Council objects due to loss of amenity; Neighbourhood Plan E1, NE3 and Huntingdonshire Local Plan LP14 – Amenity.

Best wishes,



I refer to your recent email. For clarity I would be grateful if you could confirm your position as to whether Huntingdon Town Council object or do not object giving material planning reasons for your decision.

Kind Regards

On behalf of

From:	@huntingdontown.gov.uk>
Sent: Monday, October 7, 2024 4:1	7 PM
То:	<pre>@huntingdonshire.gov.uk></pre>
Subject: FW: 24/00021/FUL - 16 Lat	ham Road, Huntingdon

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Hi

I've been contacted by Brown and Co over the weekend and someone called **sectors** today. After looking into this further this was the comment that should have been submitted regarding this application:

While Huntingdon Town Council will defer to Huntingdonshire District Council's expertise and particularly that of the Environmental Health Officer, we reiterate our concerns around noise from the chillers. In particular, we do not think requiring the neighbouring property to keep their windows closed in order to meet acceptable noise levels is

Page 64 of 72

reasonable, and we note the concern expressed by Brown & Co. regarding the outside amenity area that appears not to have been addressed.

Best wishes,

From: Sent: 23 September 2024 13:31 To: @huntingdonshire.gov.uk Subject: FW: 24/00021/FUL - 16 Latham Road, Huntingdon

Hi

Huntingdon Town Council has no objections to this planning application.

Best wishes,

From: Huntingdon Town Council <<u>TownCouncil@huntingdontown.gov.uk</u>> Sent: 20 September 2024 11:50 To: @huntingdontown.gov.uk> Subject: FW: 24/00021/FUL - 16 Latham Road, Huntingdon

From: @huntingdonshire.gov.uk> Sent: 20 September 2024 11:46 To: Huntingdon Town Council <<u>TownCouncil@huntingdontown.gov.uk</u>> Cc: @huntingdonshire.gov.uk> Subject: 24/00021/FUL - 16 Latham Road, Huntingdon

Huntingdon Town Council,

I am writing regarding the above planning application and your comments dated 26th March 2024. I note that at that time you expressed concern about the location of the equipment and requested that it should be in line with the report from Environmental Health. Following the subsequent submission of a Noise Mitigation Strategy Environmental Health have removed their objection to the propoal and I enclose a copy of their latest comments for your information.

I believe that you have been re-consulted on this application following the submission of the latest Noise Mitigation Strategy and I would be grateful if you would confirm whether your objection to the application still stands?

Your earliest response would be appreciated so that the application can be progressed.

Kind Regards,

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

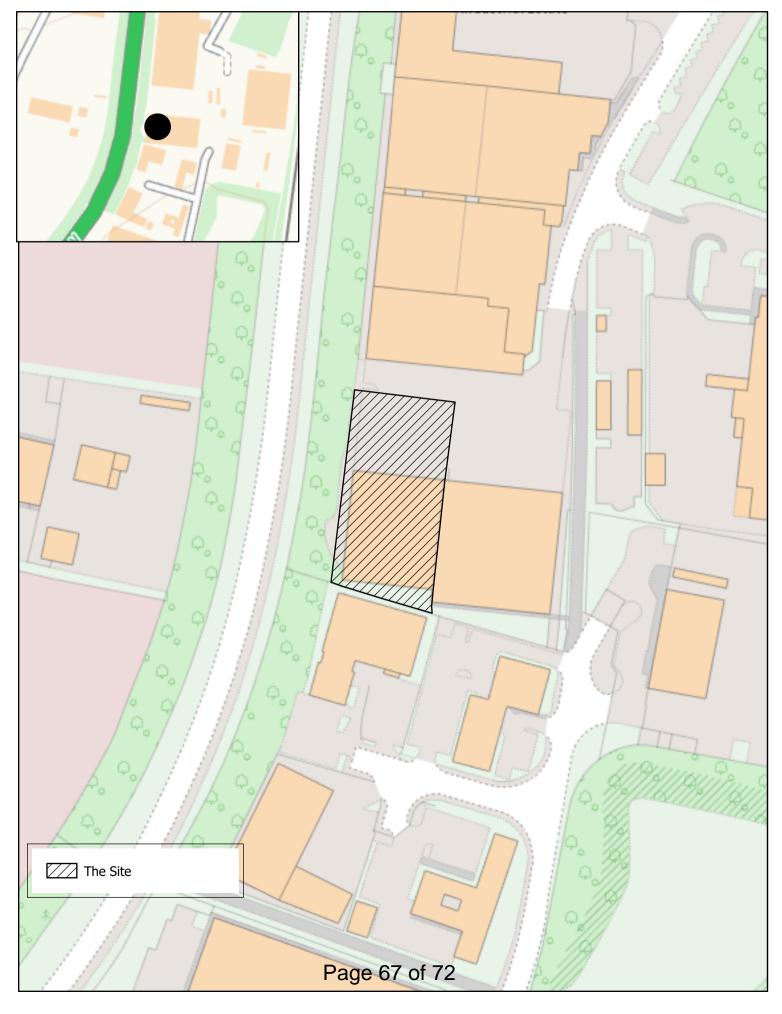
This email has been scanned for viruses and malware, and may have been automatically archived

Development Management Committee Application Ref: 24/00021/FUL



Scale = 1:1,250 Date Created: 06/11/2024





NOTES:	Ordnance Survey Data ©Crown Copyright. All rights reserved. Licence no. 100053865	Revision	P01 First issue P02 4 Mar 2024 Building Numbering Revised			

Purpose

DRAWING STATUS			
FEASIBILITY		TENDER	
PLANNING	\mathbf{r}	CONSTRUCTION	
BUILDING REGS		AS BUILT	

Provinci Unit F 16 Latham Rd Hilton Foods	d Hilton Foods
Concept Designs	
DRAWING Location Plan	
SCALE 1:1250 @A1 DATE ADT 23	Apr 23 [DK]
DWGNO 5965 MWK XX	5965 MWK XX 00 DR A 0003 P02
STATUS STATUS STATUS	REVISION DESCRIPTION PLANNING
NOTE: IF DRAWING PRINTED @ A3: SCALE TO BE:	A3: SCALE TO BE: NA

Latham Road, Huntingdon

f

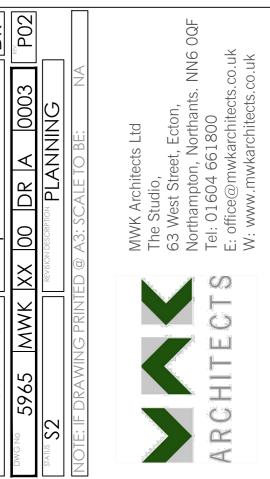
. .

Unit G 14 Latham Ra

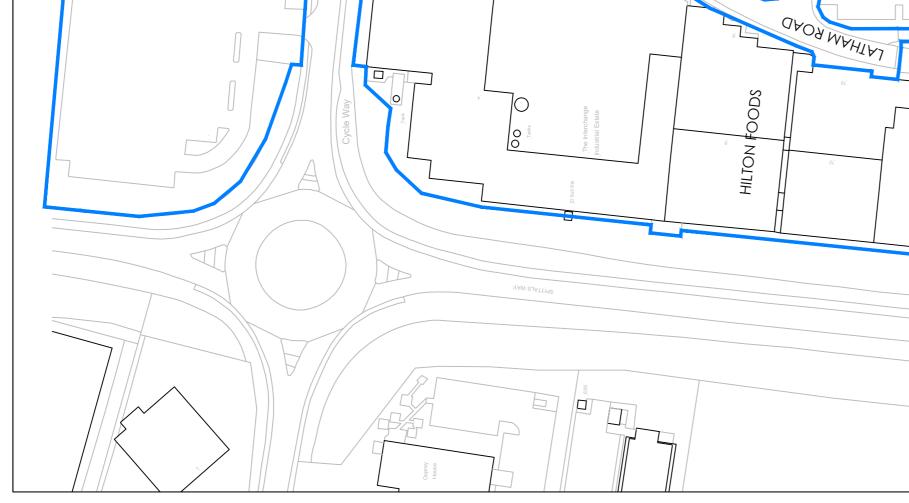
> Unit F 16 Latham Rd

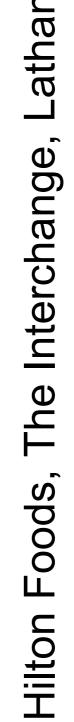
YAW ZJATTI92

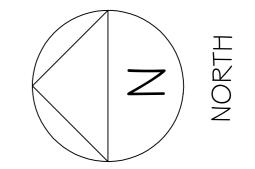
1 J N N N





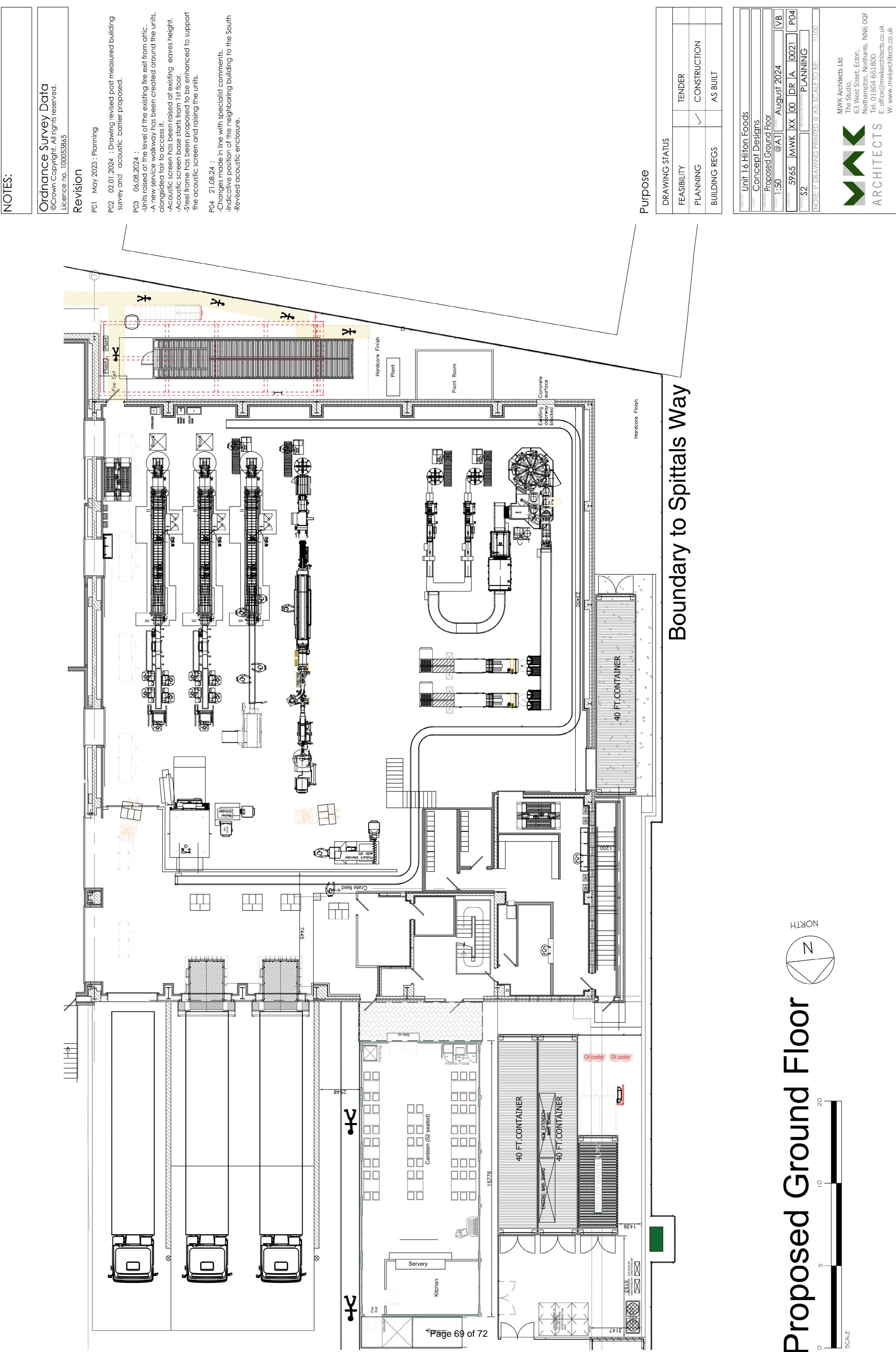




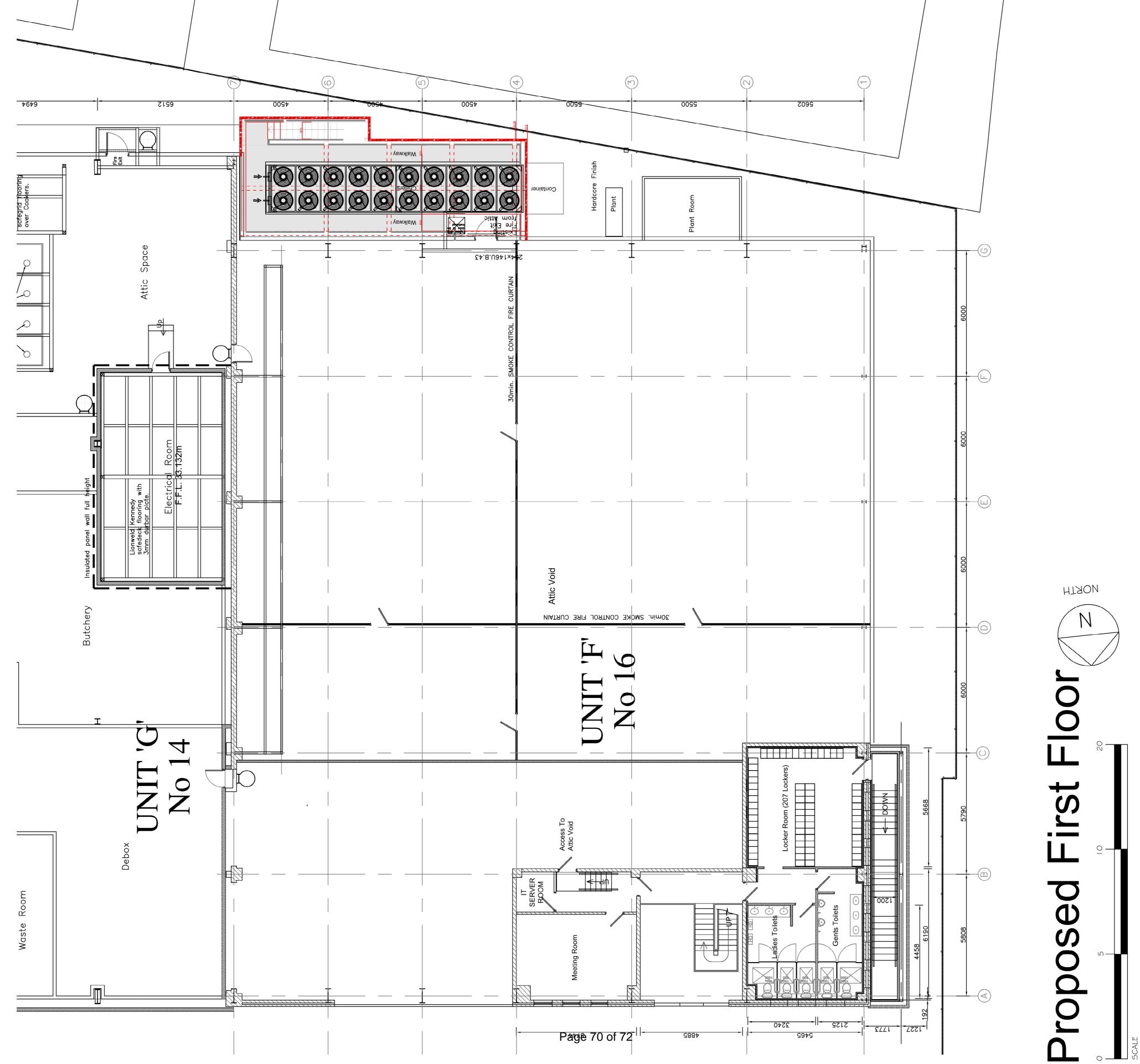


Location Plan 1:1250

Page 68 of 72



NOTES: NOTES: NOTES: NOTES: Not Copyright. Atrights reserved. Coronn Copyright. Atrights reserved. Denree no. 10005365. Revision Not 2023: Planning Not 2023: Not 2023: Planning Not 2023: Planning	Purpose Drawing Status Feasibilitry TENDER PLANNING CONSTRUCTION PLANNING AS BUILT BUILDING REGS AS BUILT Non-Proposed First Floor Non-Proposed First Floor Init 16 Hilton Foods As BUILT Init 25 Jinta Join August 2024 Init 35 Jinta Join August 2024 Init 35 Jinta Join MWK Architects Ltd Init 37 Machitects Ltdin, Northants. NN6 OGF Northantbolice, Northants. NN6 OGF Init 40 HITE CT 3 Northantbolice, Northants. NN6 OGF Init 40 HITE CT 3 Northantbolice, Northants. NN6 OGF Init 40 HITE CT 3 Northantbolice, Northants. NN6 OGF Init 40 HITE CT 3 Northantbolice, Northants. NN6 OGF Init 40 HITE CT 3 Northantbolice, Northants. NN6 OGF Init 40 HITE CT 3 Northiterts. Coutk



Planning Appeal Decisions Since October 2024 Committee

Ref No	Appellant	Parish	Proposal	Site	Original Decision	Delegated or DMC	Appeal Determination	Costs
23/019 78/ TREE Page 71 0	Mrs Tracey Collins	Huntingdon	London Plane tree L/TPO/201 J8Q5ADIKB5000 This tree is considerably overgrown in height and width and heavy thick branches banging against the windows of flats 52/53/32/33 of Anglian House. We have a tree surgeon who is able to reduce the size by removing the middle limb.	Apartment 52 Anglian House Ambury Road South Huntingdon PE29 3PD	Refused	Delegated	Appeal Withdrawn	N/A
23/004 235/ HHFU L	Mindaugas Dabasinska s	Hemingford Grey	Erection of a solid garden block wall on concrete foundation (part retrospective)	18 The Brambles St Ives PE27 5NJ	Refused	Delegated	Appeal Dismissed	N/A
23/024 65/ HHFU L	Mr Anthony Ansell	Chesterton	Single storey entrance. Two storey kitchen/living/bedroo m extension to rear. Loft extension over existing detached double garage.	5A Oundle Road Chesterton Peterborough PE7 3UA	Refused	Delegated	Appeal Allowed	N/A

This page is intentionally left blank