

DEVELOPMENT MANAGEMENT COMMITTEE 18th JANUARY 2021

Case No: 19/02163/FUL (FULL PLANNING APPLICATION)

Proposal: EXTENSION TO CAR PARK WITH LIGHTING AND LANDSCAPING.

Location: LAND AT RICHARD WESTBROOK HALL HIGH STREET BRAMPTON

Applicant: BRAMPTON PARISH COUNCIL TESS ROGERS

Grid Ref: 520902 270992

Date of Registration: 25.11.2019

Parish: BRAMPTON

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) as the application is made on behalf of Brampton Parish Council and there have been neighbour objections received which are contrary to the officer recommendation of approval.

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The site is located within the built-up area of Brampton and comprises a grassed area and mature trees, hedges, and a hard-surfaced car parking area with Richard Westbrook Hall to the south west corner of the site. The site is located within the Conservation area.
- 1.2 To the west of the site is Nos 103-105 High Street (Grade II Listed Building) with boundary wall abutting the site and small shop. To the east of the site is the Brampton Dental Practice, Rumbles, Greives Off licence, Chemist and the Co-op with car parking at the rear. Access to the site is off of an existing access on the High Street.
- 1.3 The application seeks planning permission for the extension of the car park with lighting and landscaping.
- 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 (19th February 2019) (NPPF 2019) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2019 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 2019 sets out the Government's planning policies for (amongst other things):
- delivering a sufficient supply of homes;
 - achieving well-designed places;
 - conserving and enhancing the natural environment;
 - conserving and enhancing the historic environment.
- 2.3 Planning Practice Guidance and the National Design Guide 2019 are also relevant and material considerations.

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

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
- LP2: Strategy for Development
 - LP4: Contributing to Infrastructure Delivery
 - LP7: Spatial Planning Areas
 - LP11: Design Context
 - LP12: Design Implementation
 - LP14: Amenity
 - LP17: Parking Provision and Vehicle Movement
 - LP22: Local Services and Community Facilities
 - LP30: Biodiversity and Geodiversity
 - LP31: Trees, Woodland, Hedges and Hedgerows
 - LP34: Heritage Assets and their settings
- 3.2 Planning Practice Guidance is also relevant and a material consideration.
- 3.3 Supplementary Planning Documents (SPD) and Guidance:
- Huntingdonshire Design Guide SPD (2017)
 - Huntingdonshire Townscape and Landscape Assessment SPD 2007
 - Developer Contributions SPD 2011
 - Cambridgeshire Flood and Water SPD 2017
 - Huntingdonshire Tree Guidance Note 3

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

4. PLANNING HISTORY

- 4.1 No relevant planning history

5. CONSULTATIONS

- 5.1 Brampton Parish Council recommends approval.
- 5.2 CCC Highways - No objections or requirements, made comments regarding the parking space closest to the front of the site being inaccessible.
- 5.3 HDC Trees - No objections subject to compliance conditions and commented:
"The recently submitted Tree Survey demonstrates that the mature Lime and the majority of the Cherry group can be retained and provides a suitable method for protection. On the basis of this information, I have no objection subject to the use of compliance conditions to secure the Tree Protection Plan contained in the report".
- 5.4 HDC Environmental Health - No objections or conditional requirements.
- 5.5 The Cambridgeshire Wildlife Trust - Commented: "As no ecological information has been provided with the above application, I am unable to make detailed comments on potential ecological impacts. However, publicly available mapping information shows there are no protected sites or habitats on site or nearby that are likely to be affected. I note the proposals involve the loss of a single tree a length of hedge, and an area of grass. Should permission be granted, the tree and hedge removal should take place outside the bird nesting season, and the potential of the tree to support roosting bats must be considered (a suitably qualified tree surgeon will be able to deal with this). In order to deliver a net gain in biodiversity, in line with local and national planning policy, additional biodiversity enhancements, appropriate to the scale of the proposal, such as additional native and/or wildlife friendly planting, should also be carried out".

6. REPRESENTATIONS

- 6.1 Representations were received from the Owners/occupiers of 12 Flint Close in support of the application and commented:
"I fully support this project and consider it will help alleviate the traffic congestion around the shopping area of Brampton High Street".
- 6.2 Objections were received from the Owners/Occupiers of 70, 99b 103 and 105 High Street raising the following summarised matters:

1. Object to the removal of the tree and hedging;
2. Flooding hazard due to existing blocked drain;
3. Amenity impacts from loss of privacy, light pollution, noise, air pollution
4. Potential accidental damage to wall and trespass
5. Signs should be added to ensure the spaces are for patrons only;
6. Certificate B should have been served on all the shops as they own this car park;
7. Lack of notification and consideration.

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 (2019). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".
- 7.3 In Huntingdonshire the Development Plan consists of:
- Huntingdonshire's Local Plan to 2036 (2019)
 - Cambridgeshire & Peterborough Minerals and Waste Development Plan Core Strategy (2011)
 - St Neots Neighbourhood Plan 2014-2029
 - Godmanchester Neighbourhood Plan (2017)
 - Houghton and Wyton Neighbourhood Plan (2018)
 - Huntingdon Neighbourhood Plan (2019)
- 7.4 The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: *Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor* [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.
- 7.5 The main matters for consideration are:
- The Principle of the Development

- Impact on the Character and Appearance of the Conservation Area
- Impact on the setting of the Listed Building
- Impact on Residential amenity
- Highway safety, Parking Provision and Access
- Trees
- Ecology
- Other matters

The Principle of the Development

- 7.6 Policy LP7 of Huntingdonshire Local Plan to 2036 establishes a settlement hierarchy that identifies Brampton as part of the Huntingdon Spatial Planning Area. In such locations, a proposal that is located within a built-up area of a Spatial Planning Area 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.
- 7.7 The fundamental aims of Policy LP22 of the Local Plan is to maintain the sustainability, vitality and viability of settlements, and individual neighbourhoods within market towns, to support local facilities and service to provide for the needs of the local community.
- 7.8 The proposals seek to enlarge the onsite parking area increasing parking capacity for patrons using the nearby facilities (shops, dentist and Hall). The alterations to the car parking will improve the existing parking within the site for all year-round use, supporting the function of this local community facility. The principle of the development is therefore considered to be supported.
- 7.9 The proposals are therefore considered to be acceptable meeting the aims and objectives of the NPPF (2019) and Policies LP9 and LP22 of Huntingdonshire's Local Plan to 2036.

Impact on the Character and Appearance of the Conservation Area

- 7.10 The area is characterised by a mixture of retail and residential buildings fronting onto the High Street with prominent trees. The mature trees are an important part of the character of the conservation area. Whilst the hardstanding will be extended further to the south of the site, additional planting in the form of a new hedge and trees will be added to the south of the parking area and the prominent Lime tree will be retained. The proposals are therefore considered to have a neutral impact on

the character and appearance of the conservation area with the loss of grass and hedging but the majority of the important features (established and protected trees) will be retained and additional planting provided.

- 7.11 The car park will be finished in tarmac, detailed in section 7. of the application form, this material is considered to be appropriate for this location. The materials will be secured by a suitably worded condition attached to the decision notice.
- 7.12 The proposals are therefore considered to meet the aims and objectives of the NPPF (2019) and Policies LP9, LP11 and LP12 of Huntingdonshire's Local Plan to 2036.

Impact on the setting of the Grade II Listed Building (103-105 High Street)

- 7.13 The National Planning Policy Framework 2019 states 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 (Para 193) and that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification (Para 194). The NPPF 2019 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (Para 196).
- 7.14 Policy LP34 of the Local Plan to 2036 outlines that "Great weight and importance is given to the conservation of heritage assets and their settings. The statutory presumption of the avoidance of harm can only be outweighed if there are public benefits that are powerful enough to do so.
- 7.15 The proposed development would have a neutral impact on the setting the listed building with the removal of part of the grassed area additional hedge planting is proposed which will soften the impact.
- 7.16 The proposed development is therefore considered to accord with Policy LP34 of the Local Plan to 2036 and the NPPF (2019) in this regard.

Residential Amenity

- 7.17 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. A site visit was carried out by the case officer during the consultation period of the application.

- 7.18 The proposals also seek to introduce some lighting however, no details have been provided of the proposed lighting in the supporting information. To ensure the lighting is appropriate for this location, close to residential properties further details of the lighting is required to be agreed in writing by the Local Planning Authority (LPA) to ensure the location, design and levels of illumination of the lighting is appropriate. A condition will be added to the decision notice in this regard prior to the installation of the any lighting.
- 7.19 The site is located within a busy area of Brampton close to a range of local services, facilities and a dense residential area. The proposals seek to extend the existing car park, it is acknowledged that there will be an increase in traffic movements however the volume of cars that can be accommodated within the proposed extended parking area is not considered to result in an significant increase. Whilst concerns have been raised in regard to an increase in pollution, the proposals have been assessed in consultation with the Council's Environmental Health Team who have raised no concerns in this regard.
- 7.20 Overall, it is considered that a high standard of amenity would be provided for all users of the development and maintained for neighbours. Notwithstanding the recommended and necessary condition above, the development is considered acceptable in terms of overshadowing, overlooking, overbearing impact, loss of privacy, loss of light and would not have a significant detrimental impact upon residential amenity through noise, vehicular movements or pollution. The proposal is therefore considered to be in accordance with Policy LP14 of the Local Plan to 2036 and paragraph 127(f) of the NPPF (2019).

Highway safety, Parking Provision and Access

- 7.21 Paragraph 109 of the National Planning Policy Framework sets the test that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development would be severe". The main issue is whether there would be any severe adverse effects on highway safety and traffic flow arising from the proposed development.
- 7.22 In determining whether the development would have severe residual cumulative impacts, Cambridgeshire County Council (CCC) have been consulted and has raised no objections to the proposals or made any conditional recommendations.
- 7.23 Given the nature of the proposal, it is considered that the proposal would not have an adverse impact on highways safety meeting the aims and objectives of Paragraph 109 of the NPPF (2019) and Policy LP17 of Huntingdonshire's Local Plan to 2036.

Trees

- 7.24 The proposals have been amended several times throughout the course of the application taking into account local concerns and officer recommendations. Most importantly the protected Tree will now be retained and new trees and hedging will be planted.
- 7.25 The proposals seek to remove one tree to make way for the hard-surfaced area. The proposals have been assessed in consultation with HDC Trees Team who have raised no objections to the proposals subject to appending the above pre-commencement conditions to the decision notice to ensure the trees are protected and the proposed new trees and hedging are appropriate for this site. In this instance, the conditions are considered to be appropriate and necessary to ensure the important trees within the site are protected and retained as specified.
- 7.26 Notwithstanding the above recommended conditions, the proposals are considered to comply with Policy LP31 of Huntingdonshire's Local Plan to 2036.

Ecology

- 7.27 Paragraph 170 criterion d. of the NPPF states Planning policies and decisions should contribute to and enhance the natural and local environment by: "minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".
- 7.28 Policy LP30 states that a proposal is required to demonstrate that all potential adverse impacts on biodiversity have been investigated via an 'appropriate assessment' in accordance with the Habitats Directive, the policy goes on to say a proposal is required to demonstrate that there will be no net loss in biodiversity and provide a net gain where possible through the planned retention, enhancements and creation of habitats and wildlife features, appropriate to the scale, type and location of development.
- 7.29 No such assessment has been submitted to demonstrate that there will be no adverse impacts or a net gain in biodiversity or protected species, however the site is considered to be of low ecological value and whilst the changes to the surfacing of the car park will reduce foraging areas for birds/animals and there will be removal of a trees, these changes will have a minor adverse impact on biodiversity. The proposals seek to add a replacement hedge which would help to mitigate the impacts; however, no details of the type and size of hedging have been provided.

- 7.30 The proposals have been assessed in consultation with The Cambridgeshire Wildlife Trust and whilst they have not objected to the proposals they have made recommendations as to the timing of the development (to be outside of the bird nesting season) and the potential of the tree to support roosting bats must be considered by a suitably qualified tree surgeon. Given the minor nature of the proposals it is considered to be appropriate to add a condition to the decision notice to require details of biodiversity enhancements and additional hedge planting, notes will also be added to the decision notice in regards to timing and bats.
- 7.31 Notwithstanding the required condition, the proposals are considered to comply with the aims and objectives of the Paragraph 170 of the NPPF (2019) and Policy LP30 of Huntingdonshire's Local Plan to 2036.

Other Matters 1 - 7 above:

- 7.32
1. Object to the removal of the tree and hedging: The lime tree is to be retained and additional planting is proposed.
 2. Flooding hazard due to existing blocked drain: Whilst this is an existing issue, the applicant is aware of the drainage issues and has contacted the relevant Authority to resolve the issue.
 3. Amenity impacts from loss of privacy, light pollution, noise, air pollution: See 3. Above.
 4. Potential accidental damage to wall and trespass: The applicant has proposed to include Kerbing to prevent damage to the wall. The wall will remain in place and additional lighting is proposed which will improve surveillance of the car park, the proposals are not considered to provide any additional opportunities for trespass to the neighbour properties.
 5. Signs should be added to ensure the spaces are for patrons only: This is a matter for the landowner, CCC Highways have not requested or deemed it necessary in this instance.
 6. Certificate B should have been served on all the shops as they own this car park: The applicant submitted certificate B and served notice on the Owners/Occupiers of Brampton Scout Group 68 Thrapston Road, Brampton Chemist, Grieves Off licence, and Rumbles, and No.103-105 High Street. Notice was served on 4th December 2020 and no further representations were received.
 7. Lack of notification and consideration: a total of 12 neighbour consultation letters were issued notifying the surrounding neighbouring properties of the proposals, a site notice was also displayed near to the site along the High Street and the proposals were advertised in the Hunts Post newspaper. The LPA has met its statutory requirements in regards to the required consultations.
- 7.33 The proposed development is considered to be compliant with the relevant national and local policy as:

- * the principle of the development is supported, supporting the community facility;
- * Would not have a harmful impact on the appearance of the area
- * Would not have a significantly detrimental impact upon the amenity of neighbours;
- * Would not have a harmful impact upon highway safety;
- * Would not have a harmful impact upon the protected trees
- * Would mitigate against ecological impacts and provide biodiversity enhancements.

7.34 There are no other material planning considerations which have a significant bearing on the determination of this application. For these reasons, the proposal is considered to constitute sustainable development and accords with the Development Plan. There are no overriding material considerations that indicate that permission should not be granted in this instance and the application is therefore recommended for approval subject to the stated planning conditions.

7.35 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

- Time Limit (3 years)
- Plans listed in table above
- Materials
- Lighting Details
- Tree Protection Plan
- Ecology mitigation measures
- Hedge details

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CONTACT OFFICER:

Enquiries about this report to **Debra Bell Senior Development Management Officer** – debra.bell@huntingdonshire.gov.uk

Brown, Sheila (Planning)

From: developmentcontrol@huntingdonshire.gov.uk
Sent: 22 April 2020 15:53
To: DevelopmentControl
Subject: Comments for Planning Application 19/02163/FUL

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

Comments were submitted at 3:52 PM on 22 Apr 2020 from Mr Jon Chitty.

Application Summary

Address: Land At Richard Westbrook Hall High Street Brampton
Proposal: Extension to car park with lighting and landscaping.
Case Officer: Debra Bell

[Click for further information](#)

Customer Details

Name: Mr Jon Chitty
Email: jon.chitty@bramptonpc.co.uk
Address: 3 Riddiford Crescent, Brampton, Huntingdon PE28 4YH

Comments Details

Commenter Type: Councillor
Stance: Customer made comments in support of the Planning Application

Reasons for comment:

Comments: This proposal extends the car parking available on the Brampton High Street and also enhances the look of the site from the High Street.
Parking on the High Street by the shops is always a contentious issue in the village and whilst this only adds another 4 to the total it is still 4 more than we currently have!

The Brampton Parish Council supports the application strongly.

Development Management Committee



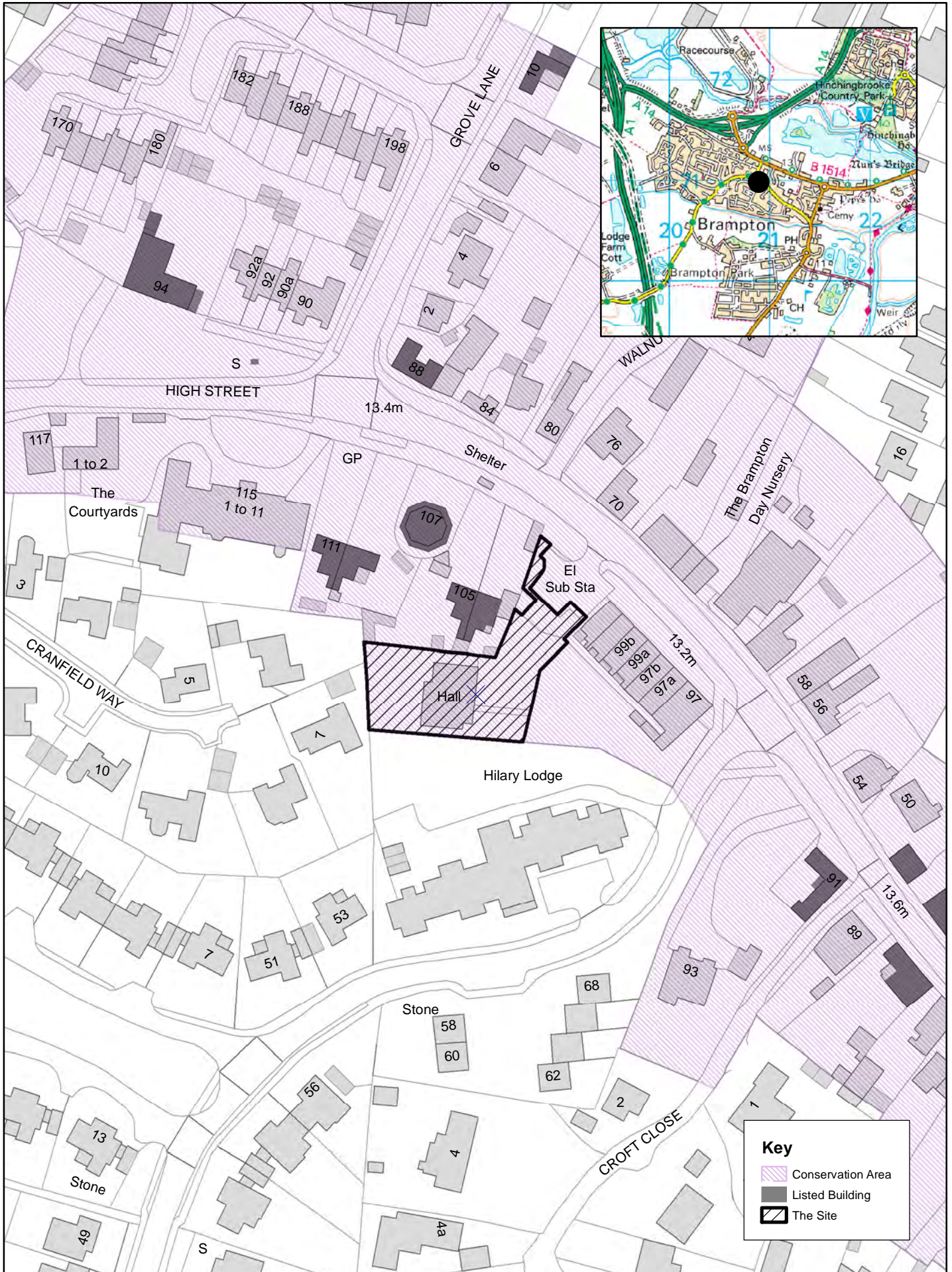
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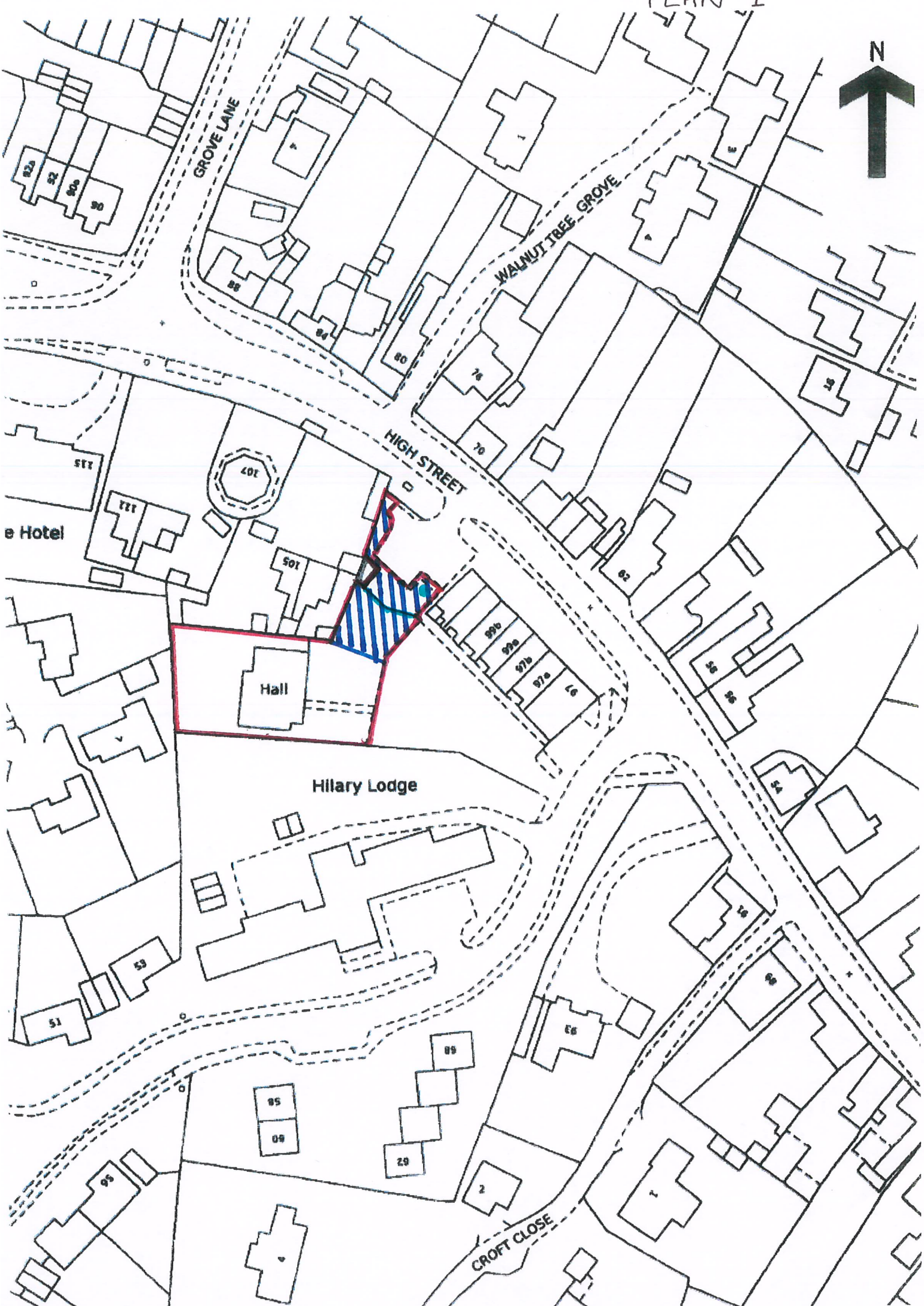
Application Ref:19/02163/FUL

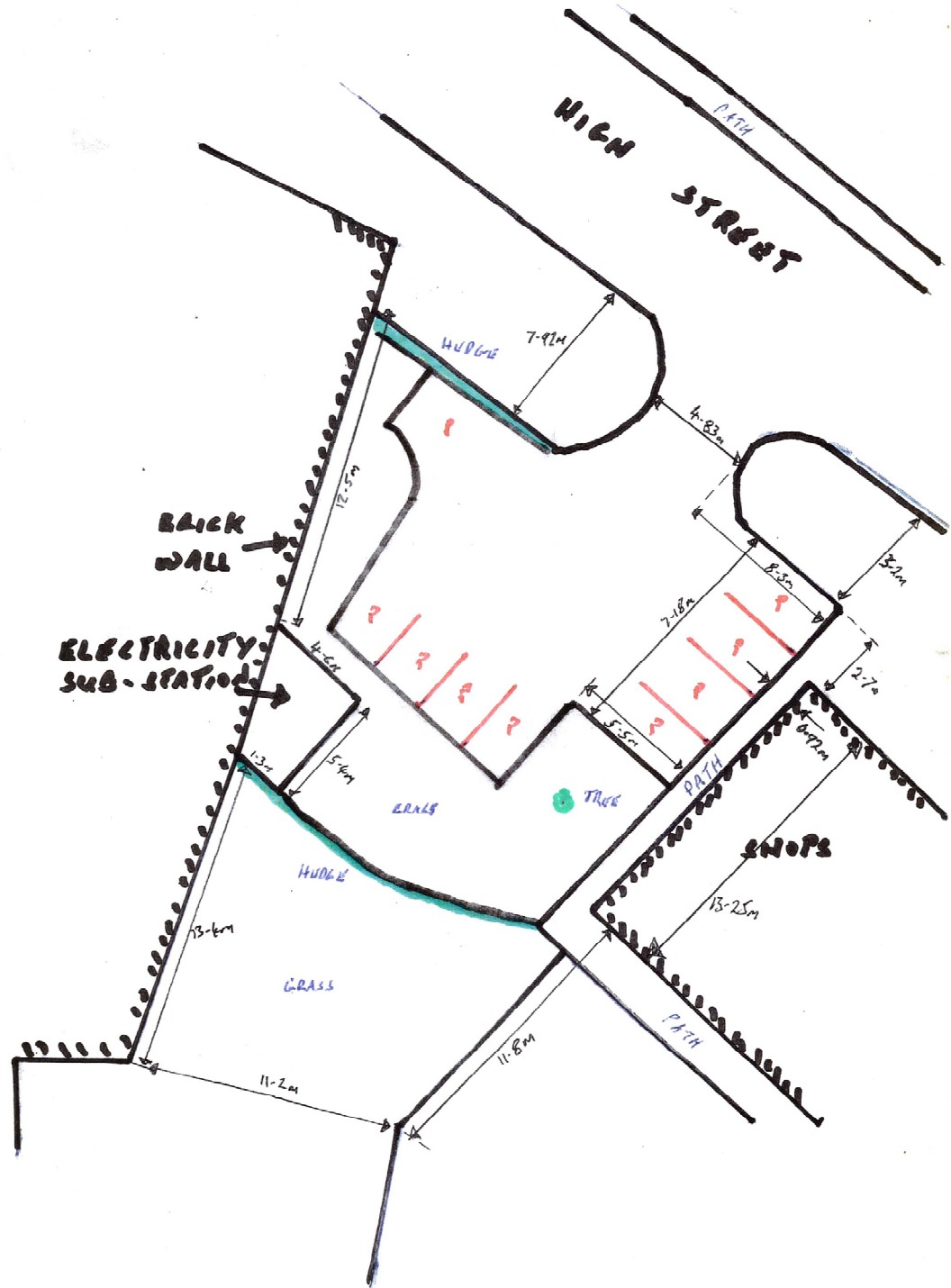
Date Created: 02/12/2020

Parish: Brampton

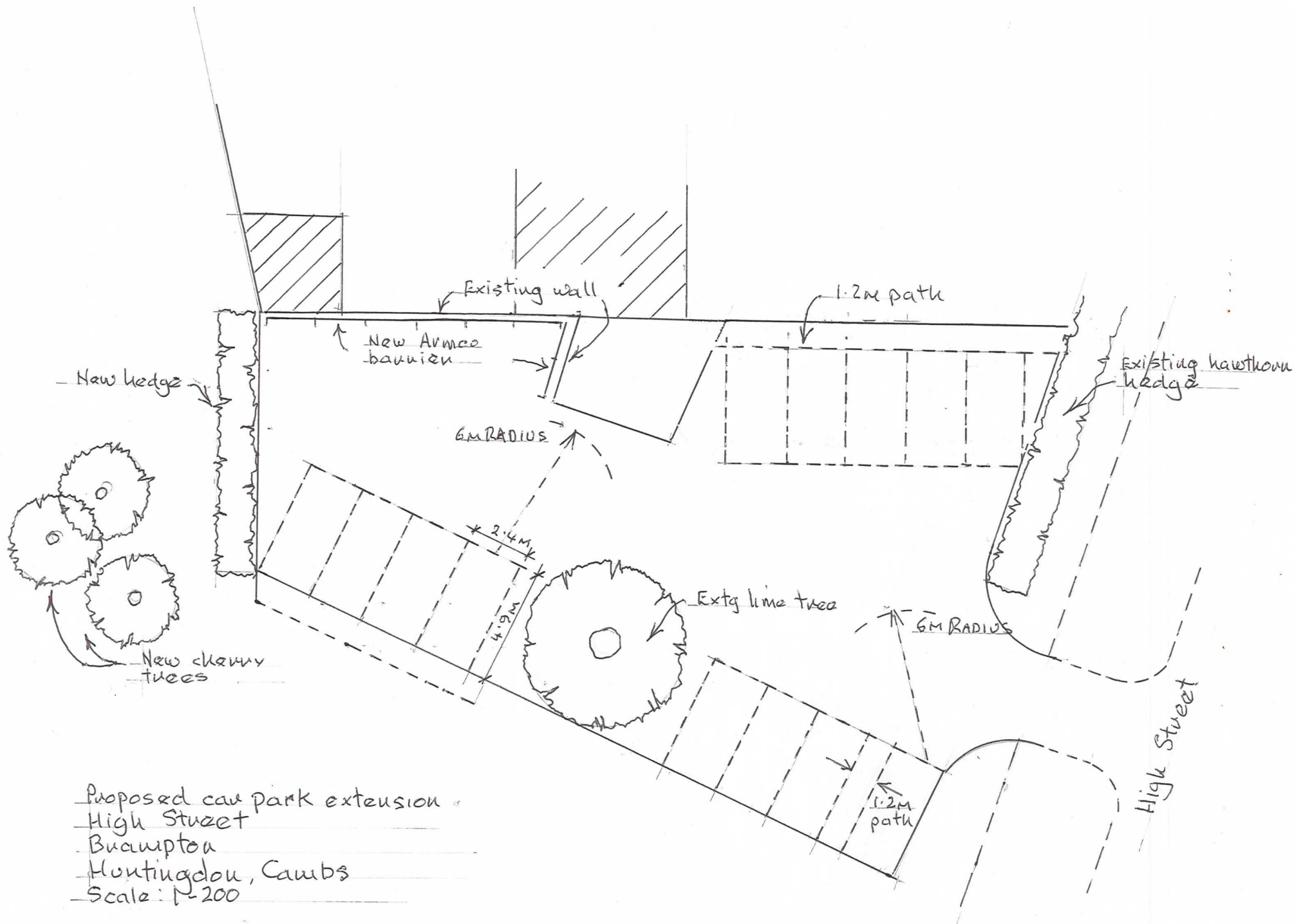
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SCALE 1: 203.85



Proposed car park extension
 High Street
 Brampton
 Huntingdon, Cambs
 Scale: 1:200