

DEVELOPMENT MANAGEMENT COMMITTEE 19th DECEMBER 2022

Case No: 22/01044/OUT

Proposal: Outline planning application with all matters reserved for: Construction of an additional storey, improvements to the fenestration and insulation, the creation of 3 further flats, bringing the total to 5. Construction of a 2 bedroom dwelling to the rear with access from West Street

Location: 37 New Street, St Neots, PE19 1AJ

Applicant: Mr Joel Xavier

Grid Ref: 518319 (E) 260457(N)

Date of Registration: 10.05.2022

Parish: St Neots

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) in accordance with the Scheme of Delegation as St Neots's Town Council recommendation of refusal is contrary to the Officer recommendation of approval.

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The site is located within a built-up residential area of St Neots. The existing dwelling of No. 37 New Street is two-storeys in height and constructed with facing brick. The existing property is located within a row of three-storey terraced properties/apartments to the north and south. The area to the rear of the property is currently hard surfaced and used for off-street car parking.
- 1.2 This application seeks outline planning permission (with all matters reserved) for the construction of an additional storey and other external alterations at No. 37 New Street, St Neots as well as the erection of a two-bedroom dwelling to the rear of No. 37 New Street.

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (20th July 2021) (NPPF 2021) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the

achievement of sustainable development. The NPPF 2021 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 2021 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 The NPPF 2021 sets out the Government's planning policies for (amongst other things):
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 - * building a strong, competitive economy;
 - * achieving well-designed, beautiful and safe places;
 - * conserving and enhancing the natural, built and historic environment.
- 2.4 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
 - LP5: Flood Risk
 - LP4: Contributing to Infrastructure Delivery
 - LP9: Small Settlements
 - LP11: Design Context
 - LP12: Design Implementation
 - LP14: Amenity
 - LP15: Surface Water
 - LP16: Sustainable Travel
 - LP17: Parking Provision and Vehicle Movement
 - LP25: Housing Mix
 - LP30: Biodiversity and Geodiversity
 - 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)

3.3 Neighbourhood Plans:

- St Neots Neighbourhood Plan (2016)
- Policy A2: Design
- Policy PT2: parking standards for residential developments

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

4. PLANNING HISTORY

- 4.1 04/01305/FUL - Alterations and change of use of ground floor from retail to two flats - Permission Granted.

5. CONSULTATIONS

- 5.1 St Neots Parish Council - Object to the proposed development on overdevelopment grounds.
- 5.2 Environment Agency - No comments.
- 5.3 Cambridgeshire County Council Highway Authority - No objections.
- 5.4 Huntingdonshire District Council's Conservation Officer - No comments as the proposal is in outline and no details are provided at this stage.
- 5.5 Huntingdonshire District Council's Urban Design Forum - No objections.
- 5.6 Cllr Chapman - Objects to the development on the grounds of access via West Street, overdevelopment and impact on the St Neots Conservation Area.

6. REPRESENTATIONS

- 6.1 During the course of the application 16 letters of objection were received. The concerns raised have been summarised below:
- *Overdevelopment
 - *Impact on St Neots Conservation Area
 - *General noise and disturbance impacts (during and post construction)
 - *Impact on neighbouring properties amenities
 - *Impact on local road infrastructure
 - *Access via private drive (West Street)
 - *Flooding impacts

7. ASSESSMENT

- 7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.
- 7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".
- 7.3 In Huntingdonshire the Development Plan consists of:
- Huntingdonshire's Local Plan to 2036 (2019)
 - Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
 - St Neots Neighbourhood Plan 2014-2029
- 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 are:
- The principle of development
 - Design and visual amenity
 - Residential amenity
 - Highway safety
 - Flood risk and surface water
 - Accessible and Adaptable Homes

The Principle of the Development

- 7.6 The development strategy for Huntingdonshire is to concentrate development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities. This is set out in Policy LP2. The site is located within a built-up area of St Neots, which the adopted Huntingdonshire Local Plan

to 2036 identifies as a Spatial Planning Area as defined by Policy LP7.

- 7.7 Policy LP7 of the adopted Local Plan states that a proposal for development on a site which is additional to those allocated in the plan will be supported where it is appropriately located within a built-up area and is in accordance with other policies.
- 7.8 Given the site is located within a built-up area of St Neots, the principle of development is considered to be acceptable, subject to all other planning matters. As such, the proposal is considered to be in accordance with Policies LP2 and LP7 of the adopted Huntingdonshire Local Plan as well as the aims of the National Planning Policy Framework.

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

- 7.9 The Local Planning Authority is required to ensure that with respect to any buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72.
- 7.10 The proposed development involves the construction of an additional storey and external alterations to No. 37 New Street, St Neots in order to create 3 further flats and the erection of a two-bedroom dwelling to the rear of the site. The site is located within the St Neots Conservation Area.
- 7.11 As the current application seeks outline approval with all matters reserved, layout, scale and appearance are not to be considered as part of this application. However, it should be noted that with regard to the creation of an additional storey on the existing property of No. 37 New Street, the principle is considered to be acceptable given the heights of the directly adjoining neighbouring properties to the north and south - subject to specific details. Furthermore, the Local Planning Authority consider that a new residential dwelling could be erected on land to the rear of No. 37 New Street, addressing West Street without constituting overdevelopment of the site, subject to specific details. The applicant is directed towards comments received by the Council's Urban Design Forum which should inform any future reserved matters application.
- 7.12 Accordingly, in principle, it is considered that an acceptable scheme for the proposed development could be brought forward in terms of design and impact on heritage assets, subject to specific details of access, off-street car parking and cycle parking. The proposal is therefore considered to be in accordance with Policies LP11, LP12 of the Huntingdonshire Local Plan to 2036 and the NPPF (2021) in this regard.

Residential Amenity

- 7.13 Based on the indicative plans submitted, the Local Planning Authority are satisfied that a development proposal could be brought forward that would not result in unacceptable impacts on neighbouring properties amenities. The applicant is advised that the provision of an additional storey to the existing property of No. 37 New Street should not extend beyond the rear elevation of the two neighbouring properties and consideration should also be given to the scale and siting of the proposed dwelling to the rear of the site.
- 7.14 Given the means of access to the site in terms of construction, the Local Planning Authority consider that a construction management plan is required to be provided and agreed. Accordingly, any planning permission granted would include a condition to secure this.
- 7.15 Overall, it is considered that an adequate standard of amenity could be provided for all users of the development and could be maintained for neighbours. The proposal is therefore considered to be capable of complying with Policy LP14 of the Local Plan to 2036 and paragraph 127(f) of the NPPF (2021) subject to the submission of specific details.

Highway Safety

- 7.16 Policy LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.
- 7.17 Based on the submitted indicative site plan, it is proposed to provide pedestrian access to the proposed development via West Street - a non-classified, private street. Objections have been received during the course of the application over the access of the proposed dwelling. Access is not a matter to be determined or considered as part of this application, however, it is worth noting that Cambridgeshire County Council Highway Authority have raised no objections to the proposal and any use of West Street would require separate consents that are not dealt with as part of any planning application.
- 7.18 Policy LP17 of the Local Plan to 2036 and the Huntingdonshire Design Guide (2017) seek the provision of adequate vehicle parking and secure and covered cycle parking on the basis of 1 cycle space per bedroom. The proposed development is submitted in outline form, and whilst the indicative site plan shows provision of bicycle parking it does not include any suitable provision for cycle storage. However, it is considered that should the development be acceptable, this could be secured by way of a planning condition or required as part of any

reserved matters submission. In terms of vehicle parking no allocated off-street parking is shown for either the flats or the proposed dwelling. There is limited on-street parking in New Street and the surrounding roads due to double yellow lines and parking restrictions. With regard to the proposed dwelling, this would be accessed from West Street, which is a private road. In relation to the accesses to the public highway, West Street already serves multiple dwellings and therefore an extra single dwelling would not be considered significant. The under provision of parking would be contrary to Policy LP17 of the Local Plan and would result in additional on street parking. However, when having regard for paragraph 111 of the National Planning Policy Framework, it is not considered that the under provision of parking in this location would lead to a severe or unacceptable danger to highway safety. The sustainable location within walking distance of local amenities is also a factor in reaching this conclusion.

- 7.19 Accordingly, in principle, it is considered that an acceptable scheme for the proposed development could be brought forward in terms of highway safety, subject to specific details of any access and cycle parking in accordance with Policy LP17 of the Local Plan to 2036.

Flood Risk

- 7.20 The site is located within Flood Zone 2 in accordance with Environment Agency mapping. The proposal involves the erection of a two-bedroom dwelling - which is classified as 'More Vulnerable' development. This type of development is considered to be acceptable in Flood Zone 2 and accordingly Exception or Sequential Tests are not required.
- 7.21 In principle, it is considered that an acceptable scheme for the proposed development could be brought forward, in terms of its impact on both flood risk and surface water.

Accessible and Adaptable Homes

- 7.22 Policy LP25 of the Local Plan to 2036 requires proposals that include housing to meet the optional Building Regulation requirement M4(2) "Accessible and adaptable dwellings" unless it can be demonstrated that site specific factors make this unachievable.
- 7.23 Should the application be approved and subject to a condition it is considered that the proposed development could be designed and built in accordance with the M4(2) standards.
- 7.24 A condition will be imposed upon any consent to ensure that the development is built in accordance with these standards and that they are maintained for the life of the development.

Other Issues

Community Infrastructure Levy (CIL):

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

Bin UU:

- 7.26 A Unilateral Undertaking to secure the provision of wheeled bins has not yet been submitted as part of the application. This has been requested and an update will be given to Members at Committee. If Members were minded to approve the application a Unilateral Undertaking should be secured, to ensure the proposal would provide a satisfactory contribution to meet the tests within CIL Regulation 122 and paragraph 204 of the NPPF. The proposal subject to securing a Unilateral Undertaking would accord with Policy LP4 of the Huntingdonshire Local Plan to 2036 and the Developer Contributions Supplementary Planning Document (2011).

Conclusion

- 7.27 The proposed development is considered to be compliant with the relevant national and local policy as it is acceptable in principle. Furthermore, it is considered that a scheme could be brought forward that would be acceptable in terms of its scale, design, impact on St Neots Conservation Area, impact on neighbouring properties amenities, highway safety and all other planning matters. There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.
- 7.28 Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that outline planning permission with all matters reserved be granted, subject to the imposition of appropriate conditions.

8. RECOMMENDATION - APPROVAL subject to a Unilateral Undertaking to secure the provision of wheeled bins, and conditions to include the following:

- Outline and Reserved Matters time etc conditions
- Approved plans
- Height and building line parameters
- Construction Management Plan
- Cycle parking and storage
- Bin storage

- Boundary Treatments
- Accessible and adaptable homes - M4(2) standards
- Water efficiency
- Floor levels no lower than existing and flood proofing incorporated where appropriate

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 **Amanda McSherry Development Management Team Leader**

Amanda.mcsherry@huntingdonshire.gov.uk

SCHEDULE OF PLANNING APPLICATION RESPONSES – 24 May 2022

No.	Reference	Development	SNTC Decision	Notes
1	22/01051/FUL 22/010052	Mr Denis Whitfield Hotel 10 – 14 Market Square, St Neots Refurbishment and conversion of the existing to provide 7 residential units and 2 commercial units, construction of 1 ½ and 2 ½ storey new build to provide 10 new residential units and retention of existing residential boathouse unit.	REFUSE	The reasons for objection include; The application represents over development of the site. The application would result in the loss of a key asset to the town. The application is contrary P3 to the SNTC Neighbourhood Plan. The application would result in the loss of visual amenity/vista. The application effects a listed building and conservation area, representing overdevelopment of a listed asset.
2	22/00938	Wyboston, Beds, MK44 3AL Environmental Screening Request Application PROPOSAL: Request for a screening opinion in respect of a proposed business park development with the construction of a new access at Land South of the A428 within the Wyboston Lakes Complex.	Noted	No comments
3	21/02873/HHFUL	Mr and Mrs Barnes The Mill House School Lane, Eaton Socon, St Neots Remove garage door and insert 2 windows in north elevation and extend balcony	APPROVE	Minimum impact on neighbours. Improves the property.
4	22/01044/OUT	Mr Joel Xavier 37 New Street St Neots PE19 1AJ Outline planning application with all matters reserved for: Construction of an additional storey, improvements to the fenestration and insulation, the creation of 3 further flats, bringing the total to 5. Construction of a 2-bedroom dwelling to the rear with access from West Street.	REFUSE	Over development of the site.

Town Clerk – C Robson

WEST

ERECTION OF A TWO-STOREY, 2-BEDROOM DWELLING

ACCESS FOR 37 NEW STREET

ACCESS TO MOVE BINS

BIN COLLECTION

17

OBSCURED WINDOW

ADDITIONAL LONG-STAY BICYCLE PARKING FOR 37 NEW STREET

BIN STORAGE

LONG-STAY BICYCLE PARKING

SHORT-STAY BICYCLE PARKING

BIN STORAGE

STUDIO FLAT 39 SQM

1-BEDROOM FLAT 1 50 SQM

1-BEDROOM FLAT 2 50 SQM

37

7750

BRICK WALL TO OBSCURE BIN STORAGE

ADDITIONAL COMMUNAL BIN STORAGE FOR 37 NEW STREET

ADDITION OF A THIRD FLOOR TO GAIN A 1-BEDROOM FLAT

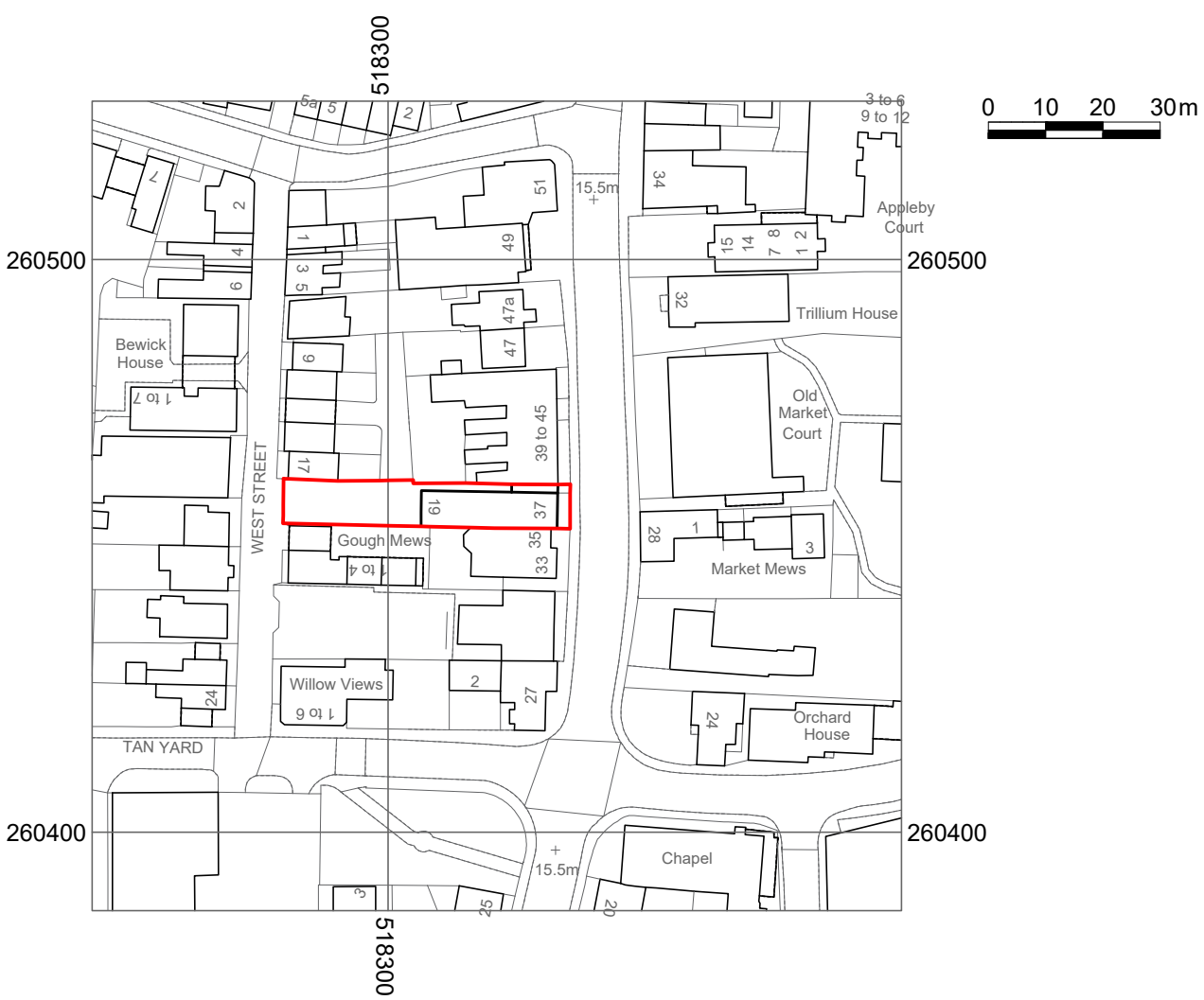
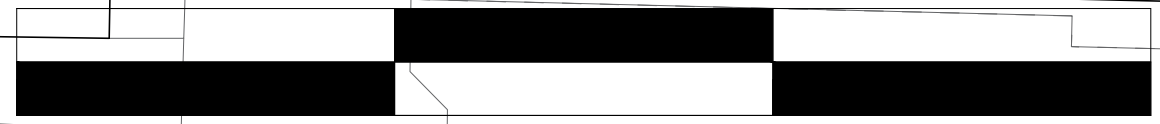
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Gough Mews

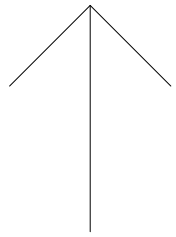
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NORTH



<p>NOTES -</p> <p>Drainage subject to a visit by the builder and assessment of existing drains.</p> <p>Party wall act may be required and is the responsibility of the homeowner, we can advise if required.</p> <p>Please review our Terms and Conditions on our website www.binneyandsimsdesign.co.uk</p> <p>Site plans and Location plans purchased from streetwise.net and are subject to their terms and conditions.</p> <p>Please do not scale from the drawing.</p> <p>Drawings are for planning purposes only.</p> <p>All dimensions are approximate. Prior to commencement of works the contractor is responsible for checking the plans to the site conditions. If any anomalies are found they are reported for rectification. Failure to do so at this stage will result in the contractor being liable for resulting costs incurred.</p> <p>Drawings are subject to structural engineering and building control.</p> <p>Copyright- © 2022</p>	Client: Xavier
	Site Address: 37 New Street St Neots Cambridgeshire PE19 1AJ
	Scale: 1:200, 1:1250
	Drawn By: OJS
	Date: 4th February 2022
	Drawing No: 914-Indicative Plan
