DEVELOPMENT MANAGEMENT COMMITTEE 19th June 2023

Case No: 23/00609/FUL

Proposal: Demolition of derelict outbuildings and residential

development of 7 dwellings

Location: Outbuildings rear of 30-32 High Street, St Neots

Applicant: Mr K Odunaiya

Grid Ref: (E) 518396 (N) 260250

Date of Registration: 13th April 2023

Parish: ST NEOTS

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 The application site is Windmill Row which lies to the rear of numbers 30 and 32 High Street, St Neots and comprises some commercial buildings and associated land which benefitted from an earlier permission in principle under application number 20/01812/PIP for a residential development following the demolition of the existing outbuildings. This application was initially the subject of an application for full technical details consent (22/00819/FULTDC). The technical details application was withdrawn as there had been a slight amendment to the red line approved under the permission in principle, hence this needs to be considered as a full application. The site is enclosed by the properties on High Street to the north, 34 High Street is to the east of the access and Windmill House and 'Smokey Mews' is to the east. To the south is the recently developed 'Samuel Emery Mews' which is the southern part of Windmill Row and a further recent development 'Farrier Court' to the west.
- 1.2 The site is allocated for development as part of the St Mary's Urban Village under Policy SN 1 of Huntingdonshire's Local Plan to 2036 (2019). There is a clear historical character in the vicinity and this section of land was once an area hosting workshops, outbuildings and cottages running north/south from the High Street. The site is within the St Neots Conservation Area but

there are no Listed Buildings within the site itself. That said, there are a number of Listed Buildings in the immediate vicinity including the Grade II Listed War Memorial, Grade I Listed St Mary's Church and Grade II* Listed Brook House.

- 1.3 In terms of other constraints, there are no trees within the site and no trees subject to preservation orders in the immediate vicinity. However, there are trees which are afforded protection in the locality (by virtue of their locations within the Conservation Area) and these are discussed in the proceeding sections of this report. The site is within Flood Zone 2 and has a low risk of surface water flooding as per the most recent Environment Agency Flood Risk Maps and Data.
- 1.4 This application seeks permission to demolish the existing outbuildings and redevelop the site providing 7 dwelling units, associated amenity space and parking. HDC's Urban Design and Conservation Team have visited the site and have been heavily involved with the design of the scheme.

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 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
- 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
- LP25: Housing Mix
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows
- LP37: Ground Contamination and Groundwater Pollution
- SN 1: St Mary's Urban Village St Neots
- 3.2 St Neots Neighbourhood Plan 2014-2029 (2016)
 - Policy A3 Design
 - Policy PT1 Sustainable Travel
 - Policy PT2 Vehicle Parking Standards for Residential Development
 - Policy SS3 Service and Provision
- 3.3 St Neots Conservation Area Character Assessment (October 2006)
- 3.4 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)

The National Design Guide (2021)

- C1 Understand and relate well to the site, its local and wider context
- C2 Value heritage, local history and culture
- I1 Respond to existing local character and identity
- I2 Well-designed, high quality and attractive
- · B2 Appropriate building types and form
- M3 Well-considered parking, servicing and utilities infrastructure for all users
- H1 Healthy, comfortable and safe internal and external environment

Local For full details visit the government website Local policies

4. PLANNING HISTORY

- 4.1 9500315CAC Demolition of outbuildings (Consent)
- 4.2 20/01812/PIP Residential development following demolition of commercial outbuildings (Permission)
- 4.3 22/01819/FULTDC Technical Details Consent on Permission In Principle Ref: 20/01812/PIP (Demolition of derelict outbuildings and residential development of 9 dwellings) revised scheme reducing to 7 dwellings. (Withdrawn)

5. CONSULTATIONS

- 5.1 St Neots Town Council recommend refusal. Their comments are available to view on HDC's Public Access Site but broadly relate to:
 - Parking and highways issues loading, turning, congestion, access and limited parking provided
 - Impact on heritage assets
 - Design, appearance, materials and scale
 - Drainage and flooding
- 5.2 HDC Conservation Team No Objection further details in the proceeding sections of this report.
- 5.3 HDC Urban Design Team No Objection further details in the proceeding sections of this report.
- 5.4 HDC Environmental Health Team No Objections.
- 5.5 HDC Arboricultural Officer No representations received at the time of determination, however, advice has been provided by HDC's Arboricultural Officer as part of the withdrawn application and further details are in the proceeding sections of this report
- 5.6 HDC Landscapes Team No representations received at the time of determination.
- 5.7 HDC Operations (Waste) Team No Objections
- 5.8 Cambridgeshire County Council Highways No Objections.
- 5.9 Cambridgeshire County Council Archaeology No Objections further details in the proceeding sections of this report.

- 5.10 Historic England No comment to make, suggest you seek the views of your specialist Conservation and Archaeological Advisors.
- 5.11 Anglian Water have provided their standard holding response advising that they would not generally comment on a scheme of this scale. However, they have also provided a separate letter dated 17th of April 2023 confirming that they are able to accept the additional flow from this development due to the limited scale. Further details are in the proceeding sections of this report.
- 5.12 Lead Local Flood Authority No Objections, subject to the imposition of conditions.
- 5.13 Environment Agency No Objections.
- 5.14 Cadent/National Grid Gas No Objection informative note to be added to any permission.

6. REPRESENTATIONS

- 6.1 Five Objections have been received (on Public Access one of these states that it is a collective objection from 4 dwellings on Samuel Emery Mews) and these largely relate to the link of the proposed new development with the existing Windmill Row South (Samuel Emery Mews) development due to the removal of the existing fence and potential disturbance/security/highway safety and anti-social behaviour issues due to the increase in footfall as a result. One comment raises additional concerns relating to:
 - Disruption during development stages
 - Overlooking/loss of privacy

Officer comments:

Whilst the concerns of the residents are recognised, in this case Officers understand that Condition 14 imposed as part of the Windmill Row South development (now Samuel Emery Mews) under application number 18/00497/FUL references that upon occupation of any redevelopment of the parcel of land to the north of the site (the site in question) the temporary fence shall be removed. This is to ensure that pedestrian access is achieved north—south from High Street to Brook Street as required by Policy SN 1 of the Local Plan. As this is the case this matter is not within the gift of the applicant to control. The access and links are further discussed in the proceeding sections of this report. It should be noted that matters raised in the comments which are not material planning considerations (civil queries regarding boundary treatments and ownership and matters relating to the existing structures) cannot be addressed as part of this

application and will need to be addressed by other means between the relevant parties.

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". The most relevant adopted documents which form part of the development plan and subsequently the basis for this decision are:
 - Huntingdonshire's Local Plan to 2036 (2019)
 - Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
 - St Neots Neighbourhood Plan 2014-2029 (2016)
- 7.3 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.
- 7.4 The main issues to consider are:
 - The principle of development
 - Design and visual amenity
 - Impact on heritage assets
 - Residential amenity
 - Parking provision and highway safety
 - Flood risk and surface water
 - Biodiversity
 - Impact on Trees
 - Contamination

- Accessible and Adaptable Homes
- Water Efficiency
- Developer Contributions

The Principle of the Development

7.5 The application site lies within the St Neots Spatial Planning Area as per Policy LP7 of the Local Plan to 2036. Policy LP7 supports residential development (Class C3) where it is appropriately located within a built-up area of an identified Spatial Planning Area settlement (and the location proposed is considered to fall within the built-up area). Further, the application site forms part of the St Mary's Urban Village which has been allocated for development under Policy SN 1 of the Local Plan (some aspects of which have already been realised). There are some stipulations within the policy which need to be addressed to enable successful redevelopment of the site but subject to these matters, accordance with other policies and material considerations the principle of the development is supported.

Design and Visual Amenity

- 7.6 Windmill Row is located to the south of the main High Street of St Neots and to the north of Brook Street. The surroundings are a mixture of commercial buildings (associated with a town centre use) and residential development. It has a largely historical character forming an area which would have once been a long, narrow connection between the two streets hosting traditional burgage plot housing, demolition of some of these took place in the late 1970's/early 1980's. Windmill House is located adjacent to the site at the southern boundary with the recently developed Samuel Emery Mews. Whilst there are some clear indicators of the historic past (in terms of the arrangement of buildings and adjacent Listed Buildings) there is some more modern development in the vicinity in the form of Samuel Emery Mews and Farrier Court to the west. Whilst there have been some deviances to the historical character, for the most part the modern development has sought to reintroduce some of the historic grain of development into the area (in particular with Samuel Emery Mews). At present the site hosts some large commercial buildings which do little to enhance the character or appearance of the area. The site is visible from the direction of Church Walk (to the east) and in general from the western section of St Mary's Churchyard.
- 7.7 In this case earlier submissions (as part of the withdrawn full technical details application) raised concerns with Officers with regard to its design and layout. As this is the case HDC's Urban Design and Conservation Officers have taken the opportunity to assist in the design with a view to achieving a high quality and sympathetic development and have provided detailed guidance

throughout the process. The number of units has also been reduced from nine to seven (in comparison with the original intention). Under this scheme the existing commercial buildings will be demolished and the western section of Windmill Row shall be redeveloped with the introduction of a terrace of seven twostorey dwellings which will be fairly linear in terms of their relationship with the western side of Samuel Emery Mews and which will support in the re-introduction of the traditional burgage plot. Each will have a private rear courtyard accessed by a ginnel and providing storage for wheeled bins (where needed) and the land to the front will form a mews style development with three parking spaces to the south-east and shared bin storage to the north of Unit 1 for either individual or communal bins (to be agreed with the Operations Department). Operations have advised that they consider that communal bins would be the preferable option as have concern that individual bins could cause an obstruction on the High Street on collection day. Officers have confirmed with Operations that they are satisfied that this matter may be addressed following the determination of the application and suitable options explored. Matters relating to bin storage will therefore be deal with by condition. Cycle storage for each dwelling would be within the rear courtyards and details of these matters shall also be secured by condition.

- 7.8 There is a slight variance in terms of the design of the dwellings, most notably unit 7 is a larger double fronted property whilst unit 4 is smaller with a reduced ridge height and rooflights to the east facing roof plane. All seek to emulate the appearance of traditional cottages with a gently contoured frontage as well as slightly varying ridge and eaves heights and chimneys to ensure that the grain of traditional development is achieved and the successfully developed Samuel Emery Mews is used as an inspiration for the design.
- 7.9 In terms of ensuring vehicular and pedestrian access as per part a of Policy SN 1, this relates to St Mary's Urban Village in its entirety and therefore vehicular access is provided to Samuel Emery Mews from Brook Street. The vehicular access to this new development shall be provided via the existing access from the High Street. The temporary close boarded fence which currently separates the two sites will be removed (as per the condition on 18/00497/FUL) and bollards will be erected which will provide pedestrian access north-south (from High Street to Brook Street) but which will prevent vehicular access between the two thus preventing a 'rat run'. Details of the bollards shall be secured by condition. Much discussion has taken place with regards to the provision of pedestrian access points to Church Walk (again as per part a of Policy SN 1) mainly due to constraints and confusion with regard to ownership of the boundary treatments and a historic wall. Earlier versions of the plans provided a link to the east (to Church Walk) and West (to Farriers Court) but this raised other issues with regard to the suitability of the accesses

and reduction in scale of outdoor space available to the dwellings. Advice was sought from colleagues in HDC's Planning Policy Team (as part of the technical details application) who concluded that provided pedestrian access was available from the High Street to Brook Street (which will be achieved by the removal of the temporary fence), then there was less concern with achieving these additional access points. Access to the High Street and Brook Street is available via Church Walk and Farrier Court and so there is no detriment to users or occupiers of these areas as a result of the omission of the east/west connections.

- 7.10 HDC's Urban Design Team are broadly satisfied that the proposed development for the reasons details above would result in a high quality development and which accords with the requirements of parts b and c of Policy SN 1 of the Local Plan to 2036. However, notwithstanding this consideration and the details on the submitted plans and documents, Officers consider it prudent to secure further details of all external materials, architectural details chimneys, doors, window reveals, cills and headers, eaves and verges, window and doors (to include colour, design and method of opening) and roller shutter doors, details of the cycle storage, hard landscaping (to include boundary treatments) and the bollards and their location adjacent to the southern boundary such to ensure that the high quality design is achieved.
- 7.11 Officers have considered the concerns raised by the Town Council with regards to the design, appearance materials and scale. However, as detailed in the preceding sections of this report, the design has very much been guided by Officers and is intended to be in keeping with the adjacent recent developments whilst retaining the historic character. Therefore, this, alongside the conditions in relation to materials, architectural details and landscaping would ensure that a high quality development which would integrate well and regenerate this historic area of St Neots would be achieved.
- 7.12 In conclusion, taking all of the above factors into consideration the development proposed is not considered harmful to the wider character or appearance of the area and it therefore accords with Policies LP11, LP12, parts a, b and c of Policy SN 1 of Huntingdonshire's Local Plan to 2036, Policy A3 of the St Neots Neighbourhood Plan (2016) and the provisions of the NPPF (2021) and the National Design Guide (2021) in this regard.

Impact on Heritage Assets

7.13 The application site lies within the St Neots Conservation Area and there are a number of Listed Buildings of varying grades in the vicinity. An assessment of the impact on Heritage Assets forms part of the submitted Design and Access Statement. As

detailed in the preceding sections of this report, HDC's Conservation Team have assisted in achieving the design and layout and Historic England have also been consulted. Historic England raise no objections, instead advising that advice is sought from specialist Conservation advisers (the Conservation Team) which has taken place and which has resulted in the present application. Overall, whilst it is noted that there are concerns from the Town Council with regard to impact on Heritage Assets (most notably the war memorial on Church Walk which is approx. 5.8 metres from the south-eastern corner of the furthest parking space), the current appearance of the site is considered not to enhance the character and appearance of the Conservation Area. The proposed scheme seeks to reinstate the grain and historic form of Windmill Row reflecting the pattern of historic burgage plots and the pattern of streets within the St Neots Conservation Area. This action is considered to protect the significance of the heritage asset (the Conservation Area) as required by Policy LP34 and part b of SN 1 of the Local Plan to 2036. Subject to the previously referred to conditions the development would sit comfortably alongside the adjoining development and is considered to preserve and enhance the character of the Conservation Area. Therefore, taking this assessment into account alongside the lack of objection from internal and external heritage specialists the proposal is considered to be acceptable with regard to its impacts on heritage assets and therefore accords with Policy LP34 and part b of policy SN 1 of the Local Plan to 2036 of Huntingdonshire's Local Plan to 2036, Policy A3 of the St Neots Neighbourhood Plan (2016) and the provisions of the NPPF (2021) and the National Design Guide (2021) in this regard.

7.14 Further to the above, Cambridgeshire County Council's Archaeology Team have been consulted on the proposals and, whilst they raise no objections they have stated that the area scheduled for development has a high level of archaeological potential as it lies within the medieval to post-medieval core of St Neots. They also raise a concern that the submitted Heritage Statement states that no significant archaeology has been discovered in adjacent investigations. However, notwithstanding this consideration they are satisfied that the application may be determined and that archaeological matters may be addressed by a suitable worded pre-commencement condition which shall be attached to any permission.

Residential Amenity

7.15 Policy LP14 of Huntingdonshire's Local Plan to 2036 states that a proposal would be supported where a high standard of amenity is provided for all users and occupiers of a proposed development and maintained for users and occupiers of neighbouring land and buildings. Officers have worked alongside the applicant and the Council's Urban Design Team to ensure that these matters are addressed and Urban Design Officers have not raised any objection to the proposals on this basis.

- In terms of the layout and location of the buildings in relation to 7.16 adjacent dwellings and land, the closest relationship is the rear elevation of unit 1 with the side (east) elevation of number 28b High Street which is approx. 4.7 metres (from the rear 1.5 storey projection which has a ridge height of 6.2 metres) and which is a first floor flat. Officers have had sight of a floorplan for this dwelling and there are no windows in the side elevations which would be impacted by the arrangement of the new development in terms of available light. It should also be noted that there are already some relatively substantial commercial buildings as it exists and so the overall height of unit 1 (approx. 8.1 metres to ridge height of the two storey element) would not be harmful to this first floor flat. As the development extends southwards there is a greater degree of separation to the dwellings 22 a, b and c High Street (approx. 16.2 metres at the closest point) which is considered to be acceptable. Officers are unaware of the arrangement of these dwellings (which are likely to be flats) but under any consideration this separation distance would not breach the 25-degree test in the event that there are windows serving habitable rooms at ground floor level. The development achieves approx. 9 metres (at the closest point) to the 1.5 storey projection and 10.8 metres to the two-storey element with plots 16-18 Farrier Court (now 12, 14 and 15) which are not linear and so are not orientated directly back to back with the proposed development. Sectional details have been provided which illustrate the 25-degree Building Research Establishment (BRE) test as detailed in the Huntingdonshire Design Guide Supplementary Planning Document (2017) measured from the centre point of the bi-fold doors to the rear elevation of plots 16-18 Farrier Court and which shows that main daylight to these habitable rooms is not demonstrably affected by the proposed development. A very small element of the apex of the gable of the rear wing of plot 5 falls below the 25-degree line, however the failure is so small that the impact would be negligible in practice.
- 7.17 In terms of the impact on the dwellings on Smokey Mews and Windmill House Officers note that the rear elevation of Smokey Mews faces the proposed development. Officers have assessed the plans for the Smokey mews development (1000105FUL) and note that with the exception of flat 5 the windows serving habitable rooms all appear to be to the east elevation. Flat 5 has one window at ground floor level serving a bedroom. (The plans show more windows to this elevation but a site visit confirms that this is the only window in place). However, it should be recognised that owing to the existing layout (with the substantial commercial buildings directly opposite) that light available to this window would be limited and so the introduction of the dwellings

are unlikely to significantly worsen this situation. This is further supported by the detailed assessment provided by Urban Design Officers in regard to Windmill House (as below) which is directly to the south of 5 Smokey Mews.

- It is considered that the development would fail the 25-degree 7.18 BRE test as set out in the Site Layout Planning for Daylight and Sunlight a Guide to Good Practice second edition (BRE Digest 209 – 2011) in terms of its relationship with Windmill House. Measured from the centre point of existing windows on the front elevation of Windmill House there would be an obstruction level of approx. 49 degrees. However, it should be noted that the numerical values within the BRE guide are purely advisory and Paragraph 1.6 Appendix F notes the circumstances where alternative numerical tests could be used based on the special requirements of a proposed development or its location. Paragraphs F4 and F5 note 'in a mews in a historic city centre, a typical obstruction angle from the ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18%, which could be used as a target value for development in that street if new development is to match the existing layout, and para F5 'to ensure that new development matches the height and portions of existing buildings, the Vertical Sky Component (VSC) and Annual Probable Sunlight Assessments (APSH) targets for these windows could be set to those for a 'mirror image' building of the same height and size, an equal distance away on the other side of the boundary'. In this case, Windmill Row forms a narrow mews, plots 4 and 5 are of similar scale to Windmill House opposite which would improve the current void of development within the street scene and reflect the historic arrangement of development within the Conservation Area and would, in the opinion of Officers, outweigh the limited loss of daylight and sunlight that would be received by Windmill House. It should be noted that the Local Planning Authority do not consider matters relating to Right to Light and the BRE guide (para 2.2.18) notes that it is for the designer of the new development to check that the proposals do not infringe on any rights of light that may have been established. It should also be noted that the occupants of Windmill House have been consulted on the proposals and no representations have been received at the time of determination.
- 7.19 In terms of the potential impact on garden areas/amenity land enjoyed by the occupants of 12, 14 and 15 Farrier Court (given the nature of the other residential dwellings and their layout there appears to be no other garden areas or amenity land adjacent to the development site). Owing to the separation distances (approx. 4.6 metres from the rear elevation of the 1.5 storey rear projection at the closest point), this would not be significantly harmful when considered alongside the arrangement of the existing buildings and solar orientation).

- In terms of light available to the occupiers of the new dwellings 7.20 when consideration is given to the assessment of Windmill House it follows that given the relatively linear pattern of development (though it is recognised Windmill House is set slightly further back in comparison with Smokey Mews to the north) and the similar building heights (particularly opposite units 1, 2 and 3 that there would be a suitable degree of light available to habitable rooms served by the ground floor windows to the front elevations of the proposed development. The first-floor windows to the front would not fail the 25-degree test. Unit 4 does not have any first-floor windows to the front but the first floor is served by rooflights in the front roof plane. Units 1-3 and 5-7 do not have any windows in the rear elevation but no habitable rooms in the main section of the house. Units 1, 2, 4, and 7 have a habitable room in the rear wing, but, with the exception of unit 7 these all have windows in the south elevation (such to protect the residential amenity of the occupants of dwellings to the rear). Unit 7 has a window in the north elevation. Units 1-3 and 5-7 all have second floor accommodation with natural light provided by rooflights. The garden areas (given the previously assessed distances and layout in relation to adjacent development) will also receive an adequate level of natural light. There will naturally be some degree of shading as is to be expected in developments of this nature but not to such a degree that it would be detrimental to the health and wellbeing of the occupants.
- In terms of overlooking and loss of privacy, the previously 7.21 referred to separation distances and the arrangement of the windows in the rear wings of the proposed dwellings and lack of rear first floor windows (with the exception of unit 4) would secure a high level of residential amenity to the occupants of the dwellings to the west (mainly Farrier Court). Unit 7 does have a window in the rear wing which looks towards the bathroom window of unit 6 (and there is a distance of approx. 6.8 metres between the two). However, the bathroom window would be secured as obscure glazed and non-opening up to a height of 1.7 metres above internal finished floor level which will avoid any direct views into the window of the habitable room to the rear of unit 7. It could be considered that this window to unit 7 would provide views to the rear garden area of unit 6, however, the main view would be to the southern elevation of the rear wing of unit 6, there is a generous depth of garden to unit 6 and 7 in relation to the adjacent plots and so this would not provide a direct view of the full extent of the garden. Further, given the close back to back arrangements of developments of this nature some degree of overlooking cannot be entirely avoided and it should be noted that Urban Design have not raised any concerns in respect of this. The same consideration applies to the side windows in the rear wings of units 1, 2 and 4 and their relationship with adjacent gardens.

- 7.22 Unit 4 does have a window in the first-floor rear elevation which serves the en-suite. This is because there are no windows to the first-floor front elevation of this unit (and so no means of escape for this habitable room). The applicant has confirmed that Building Control have been consulted and that this is an acceptable solution. The window is shown on the elevation drawing as a fire window and the means of opening (as with other windows) shall be secured by condition. It will also be conditioned as obscurely glazed. Officers consider that securing the means of opening (and any mechanism which allows it to be used as an escape route) is important such that its design does not give rise to overlooking to the surrounding developments. The rooflights have been assessed against the sectional details and these show that the height will be approx. 2 metres above floor level and so this, alongside the angle skywards would not result in an undue level of overlooking.
- There is a reduced degree of separation to the dwellings to the 7.23 east (Windmill House and the rear of the Smokey Mews flat which has the one window serving a bedroom in the west elevation. In this case, unit 4 is largely opposite Windmill House and partially opposite flat 5 Smokey Mews (and the ground floor window). The omission of first-floor windows in unit 4 prevents any serious degree of overlooking due to the location of the windows in flat 5, Windmill House and the fact that the first-floor window to unit 3 is set in from the side (south) elevation. Therefore, any views to these windows from the first floor of any of the units will be oblique and will not be harmful. In terms of the ground floor windows, those to the rear (west) elevation given their location and subject to the boundary treatments (which will be secured by condition) will not be harmful. Officers have considered the limited degree of separation between units 3 and 4 and flat 5 Smokey Mews and Windmill House. Given the location of the window serving the bedroom at Smokey Mews there is not a window directly opposite - instead the door to unit 4 and access to the ginnel of unit 3 faces this window. Unit 4 sits at a slight angle opposite Windmill House (though this angle would not limit available views) and unit 5 is directly opposite with approx. 5 metres between the two. The relationship between the windows to the front of unit 5 and Windmill Row are also considered to be acceptable. It should also be considered that historically there would have been dwellings in this location and any minimal harm caused by the reintroduction of these would be outweighed by the benefits of reinstating the traditional burgage plot.
- 7.24 In terms of other matters, HDC's Environmental Health Team have been consulted and, as well as contamination matters (addressed in the proceeding sections of this report) they have also assessed matters relating to noise and reviewed the assessments relating to these matters and the demolition and construction phase plans. Environmental Health raise no

- objections subject to conditions to secure a noise mitigation and ventilation scheme and adherence to the demolition and construction phase plans.
- 7.25 Overall, taking the above factors into consideration, subject to relevant conditions with regard to finished floor levels, obscure glazing, means of window openings and the Environmental Health requirements, 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 and the NPPF (2021) and National Design Guide (2021) in this regard.

Parking Provision and Highway Safety

- 7.26 The application site is in a sustainable location given its position in St Neots Town Centre. Therefore, there is easy access to shops, services and leisure activities within walking distance of the site as well as access to public car parking. Therefore, the level of parking provision is not as crucial as it might be were it in a more isolated location. It should also be recognised that Huntingdonshire District Council does not have specific requirements for the level of parking to be provided as part of a development established within a policy.
- 7.27 In this case HDC's Urban Design Team and Cambridgeshire County Council's Highways Team have been consulted. Urban Design are supportive and are satisfied that the detail submitted shows that vehicles (including emergency vehicles) can be accommodated. In terms of highway safety, CCC Highways initially asked (under the earlier scheme) for further clarity on if the three parking spaces would be allocated (thus reducing the amount of vehicle movements associated with the poor existing access and advising that it this were the case they would raise no objections on highway safety grounds). Following this confirmation CCC Highways were consulted again and raise no objections (subject to conditions). They conclude that the allocation of the three parking spaces (as detailed in the Design and Access Statement) will reduce the probability of vehicles entering the site on the off chance of locating an available space. CCC accept that the access is not of a standard which would be required today given its width and poor visibility. However, it is concluded that the reduction in movements in comparison with its current use would be an improvement. They do raise the point that any overspill parking would need to be accommodated elsewhere and that it is for the LPA to consider this. As detailed earlier in this section, the sustainable location and availability of public car parks means that the level of parking associated with the development is considered to be acceptable.
- 7.28 In terms of other matters, Officers note that cycle storage is provided in the rear courtyards of each dwelling. Policy LP17 of

the Local Plan states that a proposal which includes residential development will be expected to provide at least one clearly identified secure cycle space per bedroom. The Design Guide specifies that this should be covered cycle storage. Broadly speaking the proposals appear to meet this requirement but a condition shall be attached to any permission such to secure full details of the proposed cycle storage to ensure its suitability in the promotion of more sustainable modes of transport. HDC Operations (Waste Team) have also indicated that communal bins would be preferred to individual bins such to avoid any congestion on the High Street on collection days. They have advised that this is a matter that can be addressed following any approval and subsequent development.

- 7.29 St Neots Town Council have raised specific concerns with regard to loading, turning, congestion, access and limited parking provided. The parking matters are addressed above and loading and turning will be assessed as part of the deferred vehicle tracking (which will be assessed by Urban Design Officers). There is no policy position to secure additional parking on the site and the provision has been assessed against the location. Policies PT1 (Sustainable Travel) and PT2 (Vehicle Parking Standards for Residential Development) seek to ensure that opportunities for sustainable travel modes are maximised (including cycling) and that all development proposals which include an element of residential development, including change of use to residential must provide adequate space for vehicle parking to meet the expected needs of residents and visitors.
- 7.30 Officers consider that the provision of cycle storage and location of the development (in the town centre) promotes sustainable transport methods and accords with policy PT1. Careful consideration has been given to the requirements of PT2. And, whilst the aims of the policy are noted and the level of parking the Policy aims to achieve is not realised under this scheme, it should also be regarded that this site forms part of a site allocated for redevelopment under the Local Plan. Providing parking for each dwelling and additional space for visitors would be extremely challenging to achieve given its location. Further, as detailed by CCC Highways, the existing access is not up to modern standards and intensification of its use (due to increased parking within the site) has the potential to be harmful to highway safety. Due to the historic character of the area and the fact that the access is between two established buildings there is no scope to alter this access. Vehicular access would also not be available from Samuel Emery Mews (owing to the earlier referenced condition attached to the Samuel Emery Mews development). For the reasons detailed earlier in assessment the LPA would also not pursue additional parking given the location. Overall, therefore it is considered that on balance, the opportunities to re-develop this site and the benefits of this, far outweigh any harm which would be created by the

limited parking. In fact, the provision of additional parking and increased vehicle movements could be harmful to the overall character of the area and present a highway safety impact, therefore, Officers consider that a refusal on this basis would not be justified.

7.31 Overall, taking the above matters into account the proposal is considered to be acceptable with regard to parking provision and its approach to sustainable travel and highway safety, it therefore broadly accords with Policies LP16 and LP17 of Huntingdonshire's Local Plan to 2036, PT1 and PT2 of St Neots Neighbourhood Plan (2016) the NPPF (2021) and the National Design Guide (2021) in this regard.

Flood risk

7.32 The application site lies within Flood Zone 2. Parts e, f and g of Policy SN 1 details that successful development of the site with require the provision of a Flood Risk Assessment and agreement from Anglian Water and the Environment Agency (EA) that wastewater flows can be accommodated along with a further agreement from the EA that the requirements of the Water Framework Directive would not be compromised. Officers note that the Town Council have raised concerns with regard to drainage and potential for flood risk. Anglian Water, the EA and the Lead Local Flood Authority (LLFA) have all been consulted and have reviewed the submitted documents. None have raised objections to the development, with Anglian Water confirming that flows can be accommodated (there is capacity at the waste water treatment works), the EA confirm that they are satisfied with this position and the LLFA state that surface water can be accommodated (subject to condition). Therefore, subject to condition the development is considered to be acceptable with regard to its approach to surface and waste water management and would not result in an increased risk of flooding in the locality. It therefore accords with Policies LP5 and LP15 of the Local Plan to 2036, Policy P4 of the St Neots Neighbourhood Plan 2014-2029 (2016) and the NPPF (2021) in this regard.

Biodiversity

7.33 Policy LP30 of Huntingdonshire's Local Plan to 2036 states that a proposal should ensure no net loss in biodiversity and provide a net gain where possible. In this case a Bat Roost Assessment and Protected Species Survey prepared by Green Environmental Consultants was provided as part of the earlier permission in principle application (20/01812/PIP). The officer report for this application details that no evidence of bat roosts were found and no other protected species on site. It also advises that no further surveys were required but that biodiversity enhancement measures are recommended. In this case the earlier assessment as completed in November 2020 and generally have a 'shelf life' of 2 years. However, in this case Officers have adopted a

pragmatic approach. This is largely due to the fact that the assessment was valid at the time of submitting the application for full technical details consent which was only withdrawn due to the adjustment of the red line. This confirmed that no species were located and that no further assessments would be required. The submitted Biodiversity Method Statement (prepared February 2022 and submitted with this application) is still within date. However, notwithstanding this consideration an informative note shall be added to any permission such that if any habitats of protected species of specimens are located during the course of development works shall cease pending the advice of a skilled Ecologist.

- 7.34 In this case, a Biodiversity Method Statement prepared by Greenlight Environmental Consultancy has been provided in support of this application (as advised above) and the measures detailed within the statement are considered to be broadly acceptable but do not specify a timeline for implementation. Therefore, subject to condition to secure these details and to secure adherence to the mitigation measures the development would not result in a loss in terms of biodiversity and a net gain would be achieved.
- 7.35 Therefore, subject to conditions, the proposal is considered to accord with Policy LP30 of Huntingdonshire's Local Plan to 2036 and the NPPF (2021) in this regard.

Impact on Trees

7.36 There is no tree cover within the site but there are some trees adjacent (most notably to the east) which could be affected by the proposals and which, given their location in the Conservation Area are afforded protection. A Tree Survey and Impact Assessment prepared by Roavr Group accompanied the earlier application and HDC's Arboricultural Officer had been consulted. Under that earlier application they were broadly satisfied with the submission and raised no objections but did note that the Tree Protection Plan did not address the removal of the existing hard surface and creation of the parking area, nor did it show the proposed layout. However, notwithstanding this consideration the proposal was broadly acceptable and the Arboricultural Officer was satisfied that such matters could be addressed by the provision of a revised Tree Protection Plan. Whilst the Arboricultural Officer has not provided comment on this new submission, given that the site remains the same, there is no reason to consider that this position would have changed. Therefore, subject to condition the development is considered to be acceptable with regard to its impact on trees and therefore accords with Policy LP31 of Huntingdonshire's Local Plan to 2036 and the NPPF (2021) in this regard.

Contamination/Air Quality

7.37 Part d of Policy SN 1 requires that an Air Quality Assessment and Low Emissions Strategy be provided in order to secure a successful development. As such the application is accompanied by an assessment prepared by Aval Consulting Group which has been reviewed by Environmental Health. Environmental Health conclude that from the information provided and data which the Local Authority hold from monitoring in the area it is considered that the proposals would not lead to a breach in national objectives or an unacceptable risk from air pollution. They do also point out that current advice from public health experts is that health impacts of air quality should be minimised, even if there is no risk that air quality standards will be breached. As such, Environmental Health (EH) recommend that consideration is given to:

*promoting active travel and ensuring good cycling and walking infrastructure (preferably away from roads) to reduce reliance on vehicle use,

*the provision of electric vehicle rapid charge points/infrastructure,

*access to public transport

*good property insulation

*low emission design

- 7.38 Whilst the LPA is not in a position to secure all of the above matters (as no Policy in place to support these), there are some matters which would be dealt with given the location (walking, cycling and public transport) and recognised insulation standards will be dealt with by way of Building Regulations. They have also recommended the inclusion of the mitigation measures detailed within Appendix D of the submitted assessment which will be secured by condition.
- 7.39 EH have also reviewed the site in terms of other potential contamination impacts and raise no objections subject to conditions such to deal with site investigation prior to commencement of the development (aside from demolition) the submission of a remediation scheme and to deal with any unexpected contamination.
- 7.40 Therefore, subject to relevant conditions the proposed development is considered to be acceptable with regard to its approach to air quality and contamination and therefore accords with Policy LP37 and part d of SN 1 of Huntingdonshire's Local Plan to 2036 and the NPPF (2021) in this regard.

Other matters

Accessible and adaptable homes

7.41 Policy LP25 of Huntingdonshire's Local Plan to 2036 which requires all new dwellings to comply with optional Building Regulation requirement M4(2) 'accessible and adaptable homes', unless it can be demonstrated that site specific factors make this impractical or unviable. This shall be secured by condition.

Water efficiency

7.42 Part j of Policy LP12 of the Local Plan relates to sustainable design and construction methods and ensures that a development makes efficient use of energy, water and other resources, such that all new homes comply with the optional building regulation requirement for water efficiency. This this shall be secured by condition.

Developer contributions

Unilateral Undertaking for wheeled bins

7.43 Part H of the Developer Contributions SPD (2011) requires a payment towards refuse bins for new residential development. A Unilateral Undertaking form for wheeled bin signed by the applicants and dated 26th of May 2023 has been received. The development therefore accords with Policy LP4 of the Local Plan to 2036 in this regard.

Community Infrastructure Levy

7.44 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. A completed Community Infrastructure Levy Form has been provided. The development therefore accords with Policy LP4 of Huntingdonshire's Local Plan to 2036 and will contribute to Policy SS3 of the St Neots Neighbourhood Plan (2019) in this regard.

Conclusion

- 7.45 The proposed development is considered to be compliant with the relevant national and local policy as it is:
 - Acceptable in principle

And it:

- Would not be harmful to the character or appearance of the area;
- Is acceptable with regard to its impact on the designated heritage assets;
- Would not have a significantly detrimental impact upon the amenity of neighbours;
- Would not be detrimental to highway safety in the locality;

- Is acceptable with regard to its approach to flood risk and would not result in an increased risk of flooding in the locality;
- Is acceptable with regards to the impact on biodiversity;
- Is acceptable with regard to the impact on trees;
- Would not be harmful in terms of contaminated air or land;
- There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

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

- Cycle and bin storage
- Materials and architectural details
- Hard and soft landscaping (including boundary treatments, bollards and parking area)
- Obscure glazing/means of opening
- · Finished floor levels to be level access on to Windmill Row
- Noise mitigation and compliance with Demolition Plan
- Implementation timeframe for biodiversity enhancements
- Compliance with Air Quality Impact Assessment
- Limited permitted development rights
- Contaminated land and remediation scheme
- Archaeological matters
- Highway conditions (demarcation of parking)
- LLFA conditions (surface water, maintenance of SuDS, surface water during construction
- Biodiversity matters
- Compliance with LP25 (accessible and adaptable homes)
- Compliance with LP12 (resources)

7.46 Informative notes:

- Community Infrastructure Levy
- NPPF
- Fee for Conditions
- Protected species found during works
- Cadent/National Grid Gas apparatus
- LLFA pollution control

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CONTACT OFFICER:

Enquiries about this report to **Kevin Simpson Development Management Officer – <u>kevin.simpson@huntingdonshire.gov.uk</u>**



SCHEDULE OF PLANNING APPLICATIONS - 2 May 2023

No.	Reference	Development	SNTC Decision	Notes
S1	23/00647/HHFUL	Mr Wiggett 8 Ford Close Eaton Ford St Neots Erection of single storey side and rear extension	Approve	In keeping with locality. Improves Property.
S2	23/00641/HHFUL	Mr & Mrs Gowers 19 Dukes Road Eaton Socon St Neots 2-strorey side extension	Approve	Improves Property. Satisfactory proposal in terms of scale and pattern of development.
S3	23/00615/HHFUL	Mr Aslan 10 Rycroft Avenue St Neots PE19 1DT Proposed single storey extension to the rear.	Approve	In keeping with locality. Improves Property.
S4	23/00660/HHFUL	Mr Nunn 25 Cambridge Gardens St Neots PE19 1PG Proposed single storey extension to the front	Approve	Minimum impact on neighbours.
\$5	23/00505/FUL 23/00506/LBC	Mr A Sharp Campbell McCrae Ltd 23 High Street St Neots PE19 1BU Demolition of existing outbuildings and construction of offices	Approve	Subject to approval of HDC Conservation and Heritage Officer.
S6	23/00609/FUL	Mr K Odunaiya Idera Real Estate Ltd Units 1 And 2 Windmill Row St Neots Demolition of derelict outbuildings and residential development of 7 dwellings	Object	Adequacy of parking/loading/turning Traffic congestion. Effect on listed building and conservation area. Design, appearance, and materials. Scale of the development. Committee members still have concerns over the lack of parking bays for the proposed development of 7 dwellings, vehicular access to the High Street, access for emergency vehicles and refuse collection vehicles, pedestrian safety, drainage and flooding and the effect on the conservation area, in particular the War Memorial located close by.
\$7	23/00617/HHFUL	Katy Stafferton 126 St Neots Road Eaton Ford St Neots Erection of a single storey side extension.	Approve	Satisfactory proposal in terms of scale and pattern of development. Makes efficient use of its site.

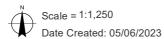


SCHEDULE OF PLANNING APPLICATIONS - 2 May 2023

No.	Reference	Development	SNTC Decision	Notes
S8	23/00674/HHFUL	Dr P Wright 48 Avenue Road St Neots PE19 1LH Rear single storey extension with associated landscaping. Loft conversion and new side window for loft staircase.	Approve	Improves the property.
\$9	23/00652/REM	Urban and Civic on behalf of Wintringham Partnership LLP Wintringham Park Cambridge Road St Neots Application for Reserved Matters Approval relating to 17/02308/OUT for grey, green and blue infrastructure to include: the construction of extensions to the Western and Eastern Primary Routes, the creation of attenuation ponds, hard and soft landscaping, the creation and upgrade of footways and cycleways, the installation of a pumping station and rising main, and all ancillary works, associated infrastructure and engineering works. Includes works outside of the defined Key Phase 1 boundary.	Noted	

Chairperson

Development Management Committee

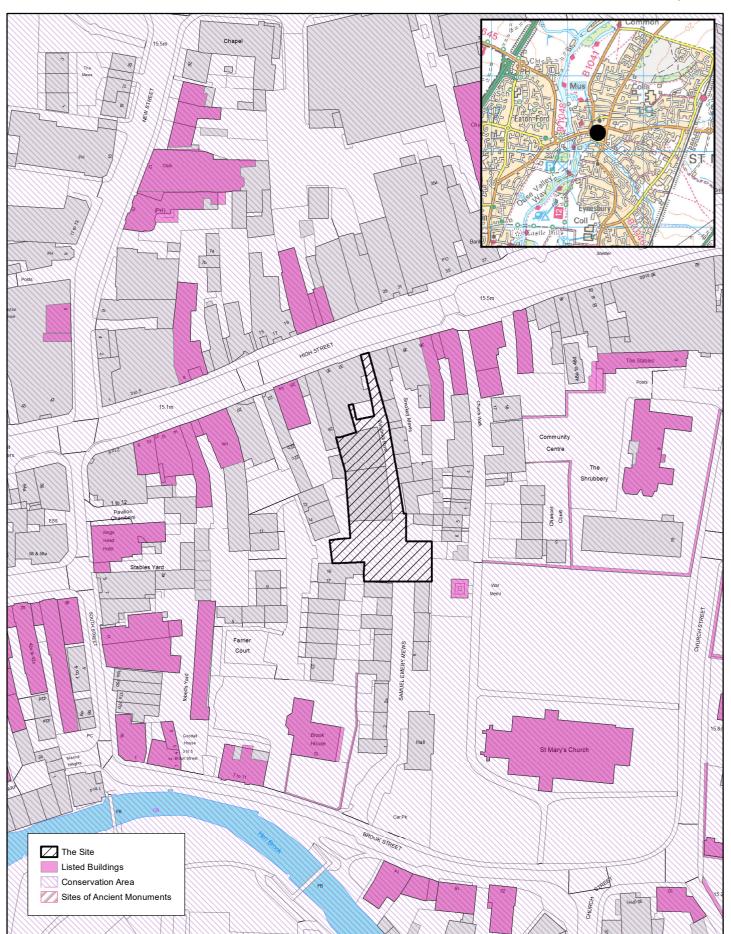


Application Ref:23/00609/FUL

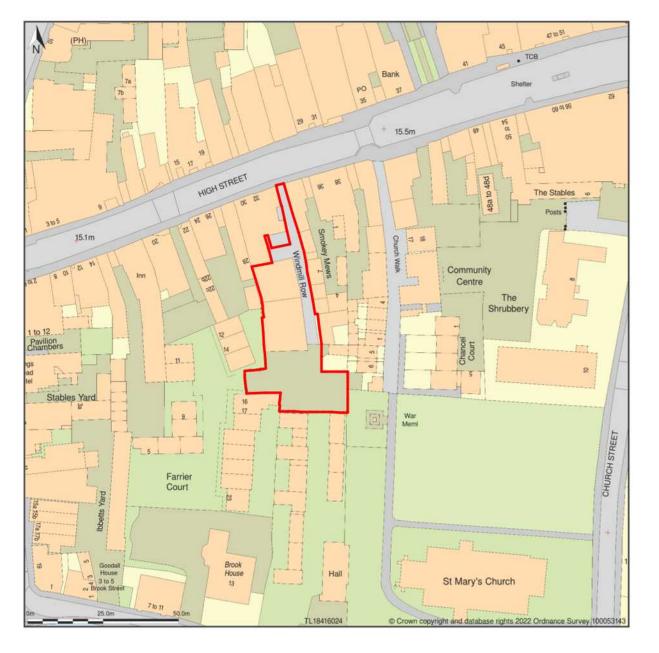
Location:St Neots



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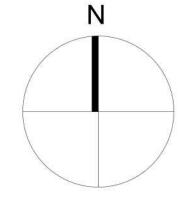
Windmill Row, St. Neots, Cambridgeshire, PE19 1JF



Location Plan shows area bounded by: 518310.94, 260144.92 518510.94, 260344.92 (at a scale of 1:1250), OSGridRef: TL18416024. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Applicant Site Boundary

 P3
 Updated to Planners Comments
 RS
 15/12

 P2
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Newland Development Ltd.

Project Windmill Row

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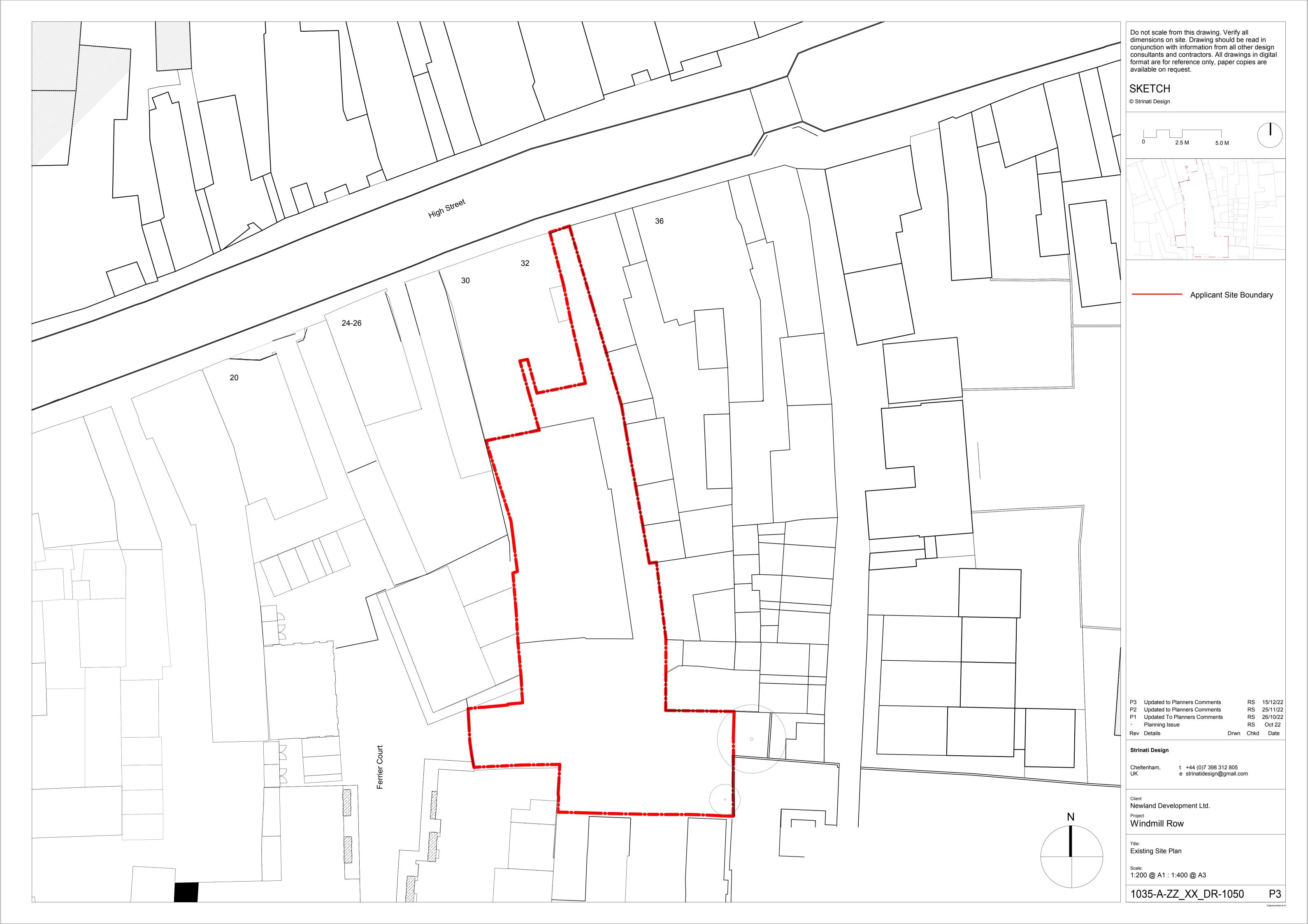
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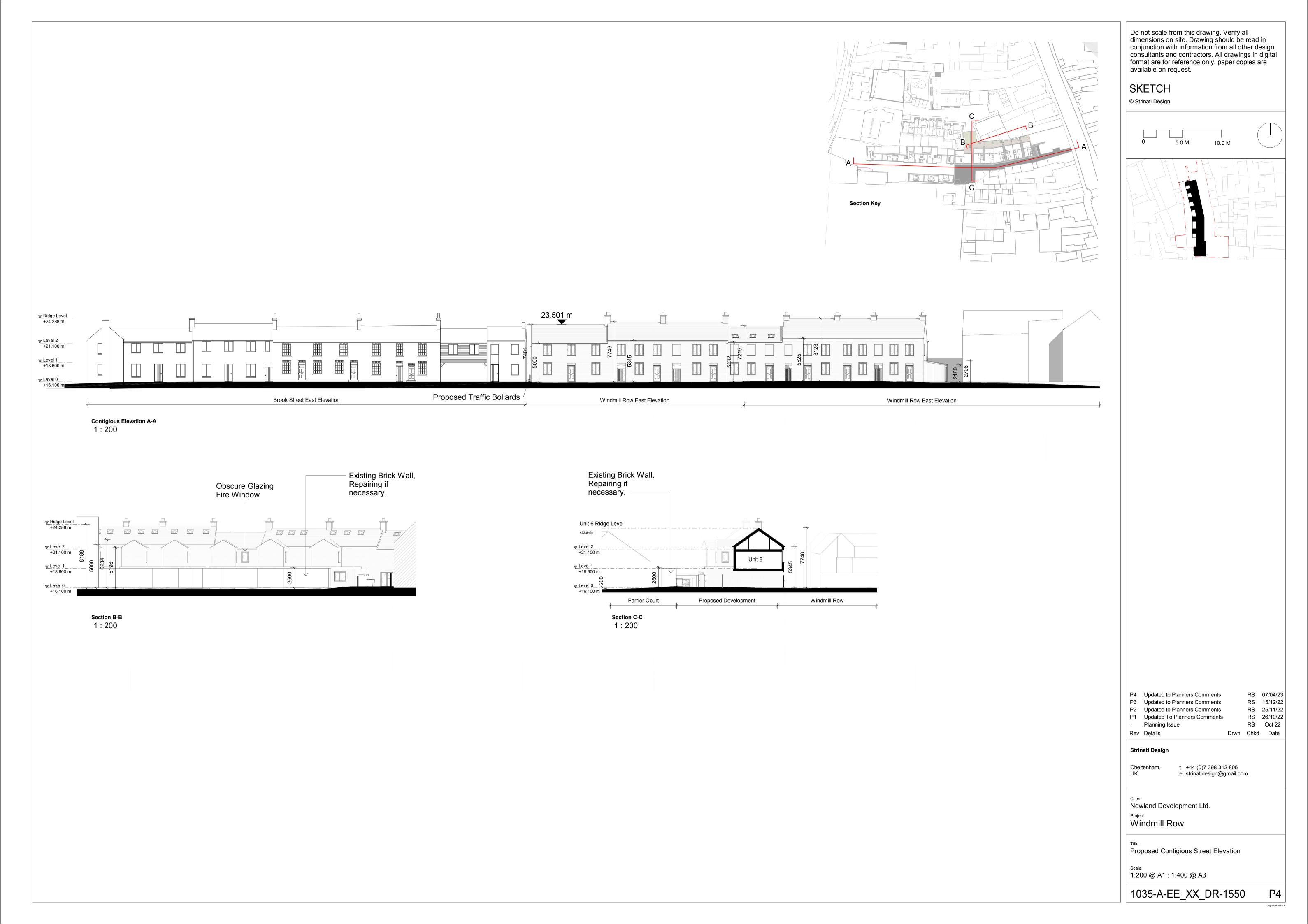
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P3





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Windmill Row Neighbouring Site 30, 30a High Street Neighbouring Site Neighbouring Site 34 High Street 32 High Street **Existing / Proposed Street Elevation** RS 07/04/23 P4 Updated to Planners Comments P3 Updated to Planners Comments RS 15/12/22 P2 Updated to Planners Comments RS 25/11/22 P1 Updated To Planners Comments RS 26/10/22 Planning Issue RS Oct 22 Rev Details Drwn Chkd Date Strinati Design t +44 (0)7 398 312 805 e strinatidesign@gmail.com Client
Newland Development Ltd. Project
Windmill Row Title:
Existing & Proposed Street Elevations Scale: 1:100 @ A1 : 1:200 @ A3 1035-A-EE_ZZ_DR-1300



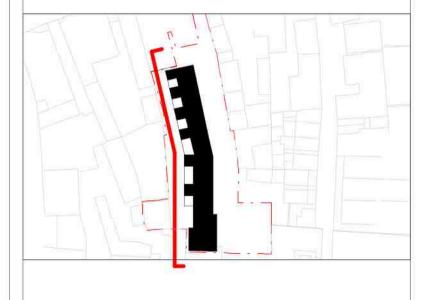


West ELevation (West)

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Newland Development Ltd.

Project
Windmill Row

Title: Rear Elevation (West)

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RS 07/04/23

RS Oct 22

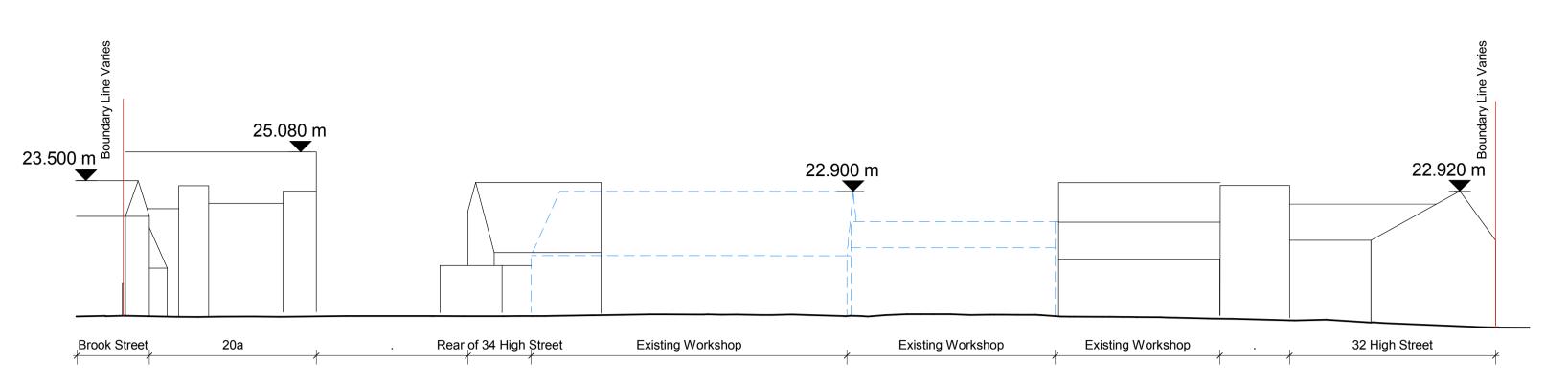








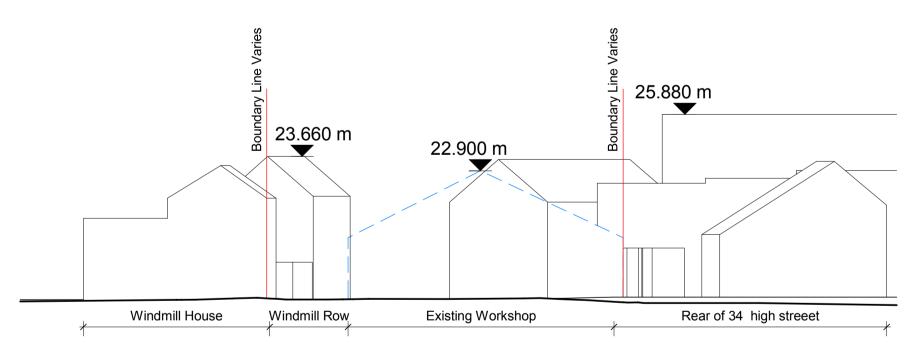




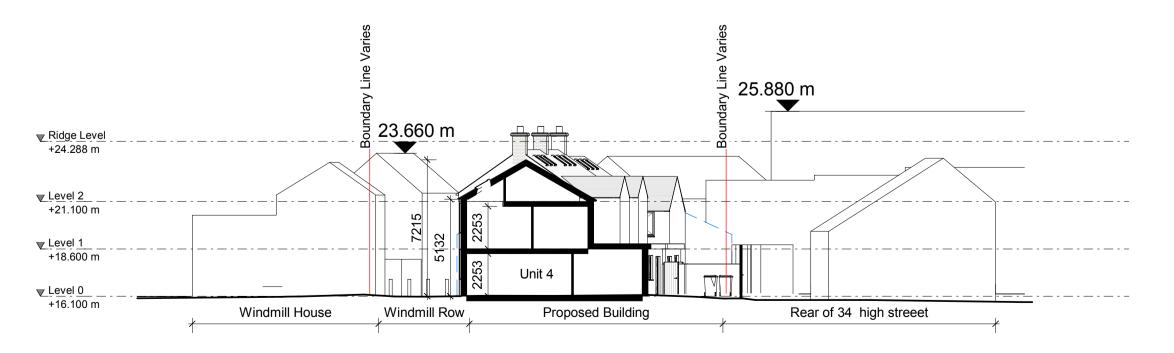
Existing Section A-A (View from Windmill Road Cottage)



Proposed Section A-A (View from Windmill Road Cottage)



Existing Section B-B



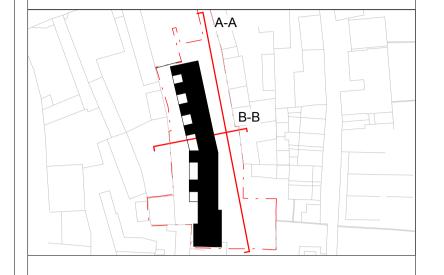
Proposed Section B-B - Relationship between Windmill Row Cottage & The Proposed Development

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Applicant Site Boundary

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P4 Updated to Planners Comments RS 07/04/23
P3 Updated to Planners Comments RS 15/12/22
P2 Updated to Planners Comments RS 25/11/22
P1 Updated To Planners Comments RS 26/10/22
- Planning Issue RS Oct 22
Rev Details Drwn Chkd Date

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Newland Development Ltd.

Project

Windmill Row

Title:
Existing & Proposed Site Sections

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P4 Updated to Planners Comments
P3 Updated to Planners Comments
P2 Updated to Planners Comments
P1 Initial Issue
R8 07/04/23
R8 15/12/22
R8 25/11/22
R8 26/10/22
Rev Details
RS 07/04/23
RS 25/11/22
RS 26/10/22

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Client
Newland Development Ltd.

Project
Windmill Row

Title:
Typical Cross Section

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