

# DEVELOPMENT MANAGEMENT COMMITTEE 18<sup>th</sup> DECEMBER 2023

**Case No:** 23/01327/FUL

**Proposal:** CHANGE OF USE OF MONTAGU HOUSE FROM CURRENT E CLASS. REVERSION TO ORIGINAL BUILT INTENT (C3 DOMESTIC) TO PROVIDE 3 SELF CONTAINED DOMESTIC DWELLINGS, WITH EACH DWELLING TO HAVE OWN OFF ROAD PARKING, AND GARDEN AMENITY SPACE.

**Location:** 81 HIGH STREET HUNTINGDON

**Applicant:** WARNER PLANNING

**Grid Ref:** 523582 272124

**Date of Registration:** 17<sup>th</sup> JULY 2023

**Parish:** HUNTINGDON

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## RECOMMENDATION - REFUSE

This application is referred to the Development Management Committee (DMC) because the Officer recommendation is contrary to the Town Council recommendation.

### 1. DESCRIPTION OF SITE AND APPLICATION

#### Site and Surroundings

- 1.1 Montagu House, 81 High Street is a Grade II Listed Building and is located within the Huntingdon Conservation Area. No's 76, 77, 78 and 79 Ermine Street are Grade II Listed Buildings immediately to the north across the street. The site is located within the Huntingdon Neighbourhood Plan area and within the Air Quality Management Area. The site is located within the Environment Agency's Flood Zone 2 (medium probability) within the Huntingdonshire SFRA (2017). There are no other constraints.

#### Proposal

- 1.2 This application seeks approval for the change of use of Montagu House, 81 High Street, Huntingdon from Use Class E to three self-contained dwellings and associated works. The proposal would provide a six-bedroom dwelling (Unit A) and two, two-bedroom dwellings (Units B and C). The associated works involve the provision of off-street car parking and amenity space for each dwelling. The proposal involves the installation of two dormer

windows on the south-west elevation roofslope and the installation of two velux windows on the north-east elevation roofslope. The proposal also involves the erection of a 2m high brick wall to demarcate Unit A and C's private amenity spaces and the parking area.

- 1.3 This application is an amended scheme following the withdrawal of a previous application (reference 23/00507/FUL).
- 1.4 The Local Planning Authority is also considering a Listed Building Consent application of the same proposal (planning reference 23/01328/LBC).
- 1.5 Officers gave the applicant an opportunity to provide correct drawings, the applicant stated that they have decided to not prepare or submit any additional information, as they believe that there is sufficient information already available to the Local Planning Authority to approve the applications at Montagu House.
- 1.6 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.
- 1.7 The application is supported by the following documents:
  - Design and Access Statement;
  - Heritage Statement;
  - Flood Risk Assessment;
  - Biodiversity checklist;
  - Structural Inspection Report;
  - Air Quality Assessment; and
  - A Unilateral Undertaking relating to wheeled bins.

## **2. NATIONAL GUIDANCE**

- 2.1 The National Planning Policy Framework (5th September 2023) (NPPF 2023) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 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 2023 sets out the Government's planning policies for (amongst other things):
  - delivering a sufficient supply of homes;
  - building a strong, competitive economy;
  - achieving well-designed, beautiful and safe places;
  - conserving and enhancing the natural, built and historic environment

- 2.3 Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

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

### 3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
- LP1: Amount of Development
  - LP2: Strategy for Development
  - LP4: Contributing to Infrastructure Delivery
  - LP5: Flood Risk
  - LP7: Spatial Planning Areas
  - LP11: Design Context
  - LP12: Design Implementation
  - LP14: Amenity
  - LP15: Surface Water
  - LP16: Sustainable Travel
  - LP17: Parking Provision and vehicle movement
  - LP21: Town Centre Vitality and Viability
  - LP25: Accessible and adaptable homes
  - LP30: Biodiversity and Geodiversity
  - LP31: Trees, Woodland Hedges and Hedgerows
  - LP34: Heritage Assets and their Settings
- 3.2 Supplementary Planning Documents (SPD) and Guidance:
- Huntingdonshire Design Guide Supplementary Planning Document (2017):
  - Developer Contributions SPD (2011)
  - Huntingdonshire Landscape and Townscape Assessment (2007)
  - Cambridgeshire Flood and Water SPD 2017
  - Huntingdonshire Tree Guidance Note 3
  - Annual Monitoring Report – Part 1 (Housing) 2019/2019 (October 2019)
  - Annual Monitoring Report – Part 2 (Non- Housing) 2018/2019 (December 2019)
  - RECAP CCC Waste Management Design Guide (CCC SPD) 2012
- 3.4 The National Design Guide (2021)
- \* C1 - Understand and relate well to the site, its local and wider context
  - \* I1 - Respond to existing local character and identity
  - \* I2 - Well-designed, high quality and attractive
  - \* B2 - Appropriate building types and forms
  - \*M3 - Well-considered parking, servicing and utilities infrastructure for all users
  - \* H1 - Healthy, comfortable and safe internal and external environment

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

Huntingdon Neighbourhood Plan 2018-2026 (September 2019):

- \* Policy NE3 – Setting of Huntingdon
- \* Policy BE1 – Design and Landscaping
- \* Policy BE2 – Local Distinctiveness and Aesthetics
- \* Policy BE3 – Heritage Assets
- \* Policy TT1 – Sustainable Transport

#### **4. PLANNING HISTORY**

- 4.1 Given the heritage of the property there is a wide planning history associated with it. The history from November 1974 onwards is available to view on HDC's Public Access Site. The most recent, relevant history is detailed below:
- 4.2 23/01328/LBC - Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self-contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space - Pending consideration.
- 4.3 23/00508/LBC - Change of Use of Montagu House from current E Class. Reversion to original built intent - C3 Domestic - to provide 3 self-contained domestic dwellings. Each dwelling to have own off-road parking, and garden amenity space - Withdrawn.
- 4.4 23/00507/FUL - Change of Use of Montagu House from current E Class. Reversion to original built intent - C3 Domestic - to provide 3 self-contained domestic dwellings. Each dwelling to have own off-road parking, and garden amenity space - Withdrawn.
- 4.5 23/01328/LBC - Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space – Pending.

#### **5. CONSULTATIONS**

- 5.1 Huntingdon Town Council – Recommend approve, no objections.
- 5.2 Local Highway Authority – No objections following contact with the applicant and the subsequent revised parking layout for Ermine Street and confirmation that the parking and turning proposed is possible. The applicant has also indicated that he will not be relocating the gates and that it will remain ungated because of the sensitive location. The effect of the proposed development should therefore be mitigated with the recommended conditions.
- 5.3 Environmental Health Team- No objection.

#### 5.4 Conservation Team – Object.

There are a number of plan irregularities and discrepancies. Some works are acceptable in principle but require amendments or will require conditions to ensure that the works are carried out correctly, however, these can only be drafted on receipt of an acceptable scheme. Whilst there may be scope for the subdivision of this building to form 3 dwellings the lack of accurate drawings is still unacceptable. Where features are missing from drawings the legal conclusion would be that they were being removed from the building, if this were the case these works would result in harm and would not be supported. The works to the roof of unit c are unacceptable in principle.

There is insufficient accurate information to ensure that the Council is able to assess the proposals and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area. The proposal is therefore not in accordance with ss. 16, 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Policy LP 34 of the adopted Huntingdonshire Local Plan. The works are unacceptable.

## **6. REPRESENTATIONS**

6.1 None received.

## **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 the 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)

- 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 as part of this application are:
- Principle of Development
  - Design, Visual Amenity and impact on the surrounding area and heritage areas
  - Residential Amenity
  - Parking Provision and Highway safety
  - Flood Risk and Drainage
  - Biodiversity
  - Accessible and Adaptable Dwellings
  - Water Efficiency
  - Developer contributions

### **Principle of Development**

- 7.6 The site is located within Huntingdon and therefore falls within the Huntingdon Spatial Planning Area. The site is considered to be within the built up area of Huntingdon.
- 7.7 Policy LP7 (Spatial Planning Areas) states for Development Proposals on Unallocated Sites:

*A proposal for development on a site which is additional to those allocated in this plan will be supported where it fulfils the following requirements and is in accordance with other policies:*

#### *Residential Development*

*A proposal for housing development (class 'C3') or for a residential institution use (class 'C2') will be supported where it is appropriately located within a built-up area of an identified Spatial Planning Area settlement.*

- 7.8 The proposal would result in the loss of Use Class E floorspace (office space). However, as the site is located outside the Huntingdon Town Centre boundary, there are no policies in the Huntingdon Neighbourhood Plan or the Huntingdonshire Local Plan restricting its loss.
- 7.9 The principle of development is therefore acceptable, subject to the development being in accordance with other relevant policies discussed below.

## **Design, Visual Amenity and impact on the surrounding area and Heritage Assets**

- 7.10 The property of Montagu House is a Grade II Listed Building and is located within the Huntingdon Conservation Area. No's 76, 77, 78 and 79 Ermine Street are Grade II Listed Buildings immediately to the north across the street.
- 7.11 Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 7.12 Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.13 Para. 199 of the NPPF set out that *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'*. Para. 200 states that *'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...'* The NPPF goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use.
- 7.14 Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.15 Policy LP11 of the Local Plan states that proposals will be supported where it is demonstrated that they positively respond to their context and draw inspiration from the key characteristics of their surroundings, including the natural, historic and built environment. Policy LP12 of the Local Plan states that proposals will be supported where they contribute positively to the area's character and identity and where they successfully integrate with adjoining buildings, topography and landscape.
- 7.16 Section 12 of the NPPF (2021) seeks to achieve well-designed places, noting that the creation of high quality buildings and places is fundamental to what the planning and development process

should achieve. Good design is a key aspect of sustainable development.

7.17 The National Design Guide (2020) sets out the characteristics of well-designed places and demonstrates what good design means in practice. It covers the following: context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan. Of particular note to the current proposals is guidance relating to design and how this understands and relates well to the site within its local and wider context, how the history of the place has evolved and that local sense of place and identity are shaped by local history, culture and heritage, how a proposal responds to existing local character and identity, whether proposals are well-designed, high quality and attractive and whether they are of an appropriate building type and form.

7.18 The HDC Design Guide 2017 is particularly relevant to the application proposals, in particular chapter 4 and sections 3.7 and 3.8. The guide states that the size, shape and orientation (the form) of a building can have a significant impact upon its surroundings. The form of new buildings should generally reflect traditional building forms found in Huntingdonshire. The scale, massing and height of proposed development should be considered in relation to that of adjoining buildings, the topography, pattern of heights in the area and views, vistas and landmarks.

The guide notes that with regard to building detailing, the district has various architectural styles and materials which reflects the local vernacular. It is noted that new buildings should be designed in harmony and proportional to each other, complimenting the overall street character of the place. Appropriate spaces between buildings helps to create an interesting streetscape. Detailed guidance is also provided relating to roofs, eaves and ridge lines and chimneys. With regard to materials, these should complement the successful parts of any surrounding developments in order to conserve or enhance the distinctive character of the various parts of the district and to ensure that buildings sit comfortably within the landscape.

7.19 The proposed development involves the change of use of the existing building of Montagu House from office space to three residential dwellings and associated works. The proposal involves the installation of two dormer windows on the south-west elevation roofslope and the installation of two velux windows on the north-east elevation roofslope. The proposal also involves the erection of a 2m high brick wall to demarcate Unit A and C's private amenity spaces and the parking area.

7.20 Following a review of the submitted plans and a site visit undertaken by the case officer and Council's Conservation Officer, it is concluded that there are significant and fundamental drawing



discrepancies and errors - including but not limited to, missing windows and chimney breasts, the alignment of the staircase in unit C and the attic area above unit C.

- 7.21 As such, it is considered that the plans have not been drawn correctly and therefore it can be argued that there is insufficient accurate information to ensure that the Local Planning Authority is able to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area.
- 7.22 While there are some matters and discrepancies that can be addressed by the implementation of suitably worded conditions, the absence of certain features such as the built in dresser in Unit B ground floor need to be clearly shown on the submitted plans to ensure that they are not being removed. The errors in the drawings are therefore considered to be fundamental and undermine the proposal.
- 7.23 There is also an objection from the Conservation Officer to the loss of the tie beam and lack of information submitted regarding the conversion of the attic (unit C). No details of the proposed cranked beams, roof insulation, doubling up of roof joists or detailed drawings of the dormers are provided. This information is considered necessary to fully consider the impact of the proposals and the works proposed to the roof of unit c. Although it is accepted that it may be structurally possible to convert the roof space, the Conservation Officer maintains that the current proposals will result in harm to the significance of the Listed Building through the loss of an original tie beam.
- 7.24 The proposed change of use would secure a long-term viable use for the listed building and this is considered a benefit of the scheme. Whilst certain aspects of the development such as the loss of the original tie beam is considered to be harmful, overall it is not possible to assess the potential impact of the development upon the heritage asset. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must therefore determine that the proposal would result in harm to the heritage asset. Such harm would not be outweighed by the benefits.
- 7.25 The plans submitted with the application have not been drawn accurately as there are significant and fundamental drawing errors. As the application is not supported by sufficient and accurate information, the Council is unable to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting, and have due regard to the preservation and enhancement of the Huntingdon Conservation Area. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must

therefore determine that the proposal would result in harm to the heritage asset. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm. As such, the proposed development is considered to be contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of the Huntingdonshire Local Plan to 2036, Policies BE1, BE2 and BE3 of the Huntingdon Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2023).

## **Residential Amenity**

### Amenity of neighbouring properties

- 7.26 Policy LP14 states that a proposal will be supported where a high standard of amenity is maintained for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

### Amenity of neighbouring properties

- 7.27 The closest neighbouring residential properties are those at the south-east end of Drovers Place and No. 1 Ermine Street, Huntingdon.
- 7.28 As no extensions are proposed to the existing building, the proposal is not considered to result in any overbearing or overshadowing impacts on neighbouring properties over and above the existing arrangements.
- 7.29 The proposed dwellings would utilise existing windows with some upper-floor windows serving habitable rooms. However, given the distance to the neighbouring property of No. 1 Ermine Street and the orientation and relationship between the existing building of No. 81 High Street and the neighbouring properties on Drovers Place, the Local Planning Authority are satisfied that the proposal would not result in any unacceptable overlooking impacts on neighbouring properties amenities. Given the nature of the change of use and the town centre location of the site, the proposal is not considered to result in any significant increase in comings and goings from the site, nor any detrimental general noise and disturbance impacts on the neighbouring properties. The proposal is therefore considered to accord with Policy LP14 of the Local Plan in respect of its impact upon neighbouring properties.

### Amenity for future occupiers

- 7.30 Policy LP14 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development. A proposal will therefore be required to ensure:

- a. adequate availability of daylight and sunlight for the proposed use, minimising the effects of overshadowing and the need for artificial light;
- 7.31 It would appear all the habitable rooms within all the proposed units have windows serving them and therefore should have an acceptable level of daylight, sunlight and outlook.
- 7.32 The proposal is also considered to provide a high standard of amenity for future owners/occupiers of the proposed dwellings with appropriately sized private amenity spaces surrounded by 2m high perimeter walls.
- 7.33 The site is within an Air Quality Management Area. Therefore, an Air Quality Assessment has been submitted with the application. This has been reviewed by the Environmental Health Team who raise no objection in regard to air quality.
- 7.34 The proposal is therefore considered to accord with Policy LP12 and LP14 (a) of the Local Plan in respect of residential amenity standards for future occupiers.

### **Parking Provision and Highway Safety**

- 7.35 Policy LP16 (Sustainable Travel) aims to promote sustainable travel modes and supports development where it provides safe physical access from the public highway. Policy LP17 (Parking Provision and Vehicle Movement) states a proposal will be supported where it incorporates appropriate space for vehicle movements, facilitates accessibility for service and emergency vehicles and incorporates adequate parking for vehicles and cycles.

#### Highway Safety & Car Parking

- 7.36 The proposed development would be accessed via two existing access points - one from Ermine Street and the other from St Johns Street, both classified B roads subject to a 30mph speed limit. As a result of the proposal, the existing access arrangements would remain unaltered. The Local Highway Authority has been consulted as part of the application and raise no objection as the accesses are considered to be of appropriate dimensions to serve the proposed three dwellings. Furthermore, given the existing and proposed uses, the site is not considered to result in any significant increase in comings and goings from the site.
- 7.37 The site would include a total of 10 bedrooms and seeks to provide two areas of off-street car parking provision - a small area north of the existing building, accessed via the existing access off Ermine Street, and a larger area south of the building, accessed via the existing access off St John's Street. While the configuration of the

parking arrangements in the area north of the building would result in some functionality concerns - particularly in the south-east corner, the Highway Authority has confirmed that the applicant has proved that parking and turning is possible. The Local Planning Authority is therefore satisfied the remaining off-street car parking provision is sufficient to accommodate all three properties and therefore is unlikely to result in significant highway safety concerns.

- 7.38 Officers therefore consider the proposal would not have an adverse impact upon highway safety and would be acceptable in regard to car parking in accordance with Policies LP16 and LP17 of the Huntingdonshire Local Plan to 2036.

#### Cycle Parking

- 7.39 There is adequate space within each garden to accommodate secure cycle parking which could be secured by condition if the proposal were to be recommended for approval. Subject to the above-mentioned condition, Officers consider the proposal complies with aims of Policies LP16 and LP17 for cycle parking.

#### **Flood Risk and Drainage**

- 7.40 National guidance and Policy LP5 of the Local Plan seek to steer new development to areas at lowest risk of flooding and advises this should be done through application of the Sequential Test, and if appropriate the Exceptions Test (as set out in paragraphs 159-169 of the NPPF (2021)).
- 7.41 The majority of the application site is located within the Environment Agency's Flood Zone 2 (medium probability) within the Huntingdonshire SFRA (2017). As a result of the proposed development the site would go from a Less Vulnerable use (Offices) to a More Vulnerable use (Residential). While the site would increase in flood risk vulnerability, More Vulnerable development is considered to be compatible with Flood Zone 2 - as such, an Exception Test is not considered relevant in this instance. Furthermore, as the proposal involves a change of use, a sequential test is not required.
- 7.42 The proposed change of use seeks to dispose of surface water via sustainable drainage systems and foul sewage via the existing mains sewer. The use of sustainable drainage systems is considered acceptable and a condition would be imposed on any planning permission granted to secure specific details. Furthermore, the foul sewage disposal method is also considered to be acceptable.
- 7.43 The proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore accords

with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework in this regard.

### **Biodiversity**

- 7.44 Paragraph 174 of the NPPF (2021) states Planning policies and decisions should contribute to and enhance the natural and local environment Policy LP30 of Huntingdonshire's Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated. Policy LP30 also requires development proposals to ensure no net loss in biodiversity and provide a net gain in biodiversity where possible.
- 7.45 Whilst the proposals at this stage do not indicate any measures for biodiversity enhancement, given the nature of the proposed development, the Local Planning Authority are satisfied that the proposal would ensure no biodiversity net loss. It is also worth noting that the Local Planning Authority's records indicate no presence of protected species in the area.
- 7.46 Overall, subject to the imposition of conditions, the proposal is considered to broadly accord with the objectives of Policy LP30 of Huntingdonshire's Local Plan to 2036 and Section 15 of the National Planning Policy Framework in this regard.

### **Accessible and Adaptable Dwellings**

- 7.47 Policy LP25 of the Local Plan states that proposals for new housing will be supported where they meet the optional Building Regulation requirement M4(2) 'accessible and adaptable homes' unless it can be demonstrated that site specific factors make this impractical or unviable. Given that the proposal is for a change of use, this would not be applicable in this instance.

### **Water Efficiency**

- 7.48 Policy LP12 (j) of the Local Plan to 2036 states that new dwellings must comply with the optional Building Regulation requirement for water efficiency set out in Approved Document G of the Building Regulations. A condition can be attached to any consent to ensure compliance with the above, in accordance with Policy LP12 (j) of Huntingdonshire's Local Plan to 2036.

### **Developer Contributions**

#### Bins

- 7.49 Part H of the Developer Contributions Supplementary Planning Document (2011) and Policy LP4 of the Local Plan to 2036 require

adequate provision to be made for refuse bins for new development. Whilst a form for a Unilateral Undertaking (UU) in respect of wheeled bins has been received by the Local Planning Authority dated 10th April 2023, it is considered to be inadequate and incomplete due to the fact it does not include the most up-to-date cost figures and is not accompanied by a site location plan which are required. The proposal therefore fails to meet the requirements of Policy LP4 of the Local Plan to 2036 and the Developer Contributions SPD (2011).

#### Community Infrastructure Levy (CIL)

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

#### **Conclusion**

- 7.51 As outlined above, all planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.52 The building in question is a Grade II Listed Building set within the Huntingdon Conservation Area. The Council has a statutory duty to preserve the listed building and its setting, and have due regard to the preservation and enhancement of the Huntingdon Conservation Area.
- 7.53 The application is not supported by correct or sufficient information regarding the heritage asset. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must therefore determine that the proposal would result in harm to the heritage asset. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm.
- 7.54 The application also does not have a correct complete UU for the provision of bins.
- 7.55 Having regard to all relevant material considerations, it is concluded that the proposal would not accord with local and national planning policy. Therefore, it is recommended that planning permission be refused.

#### **8. RECOMMENDATION - REFUSAL for the following reasons:**

1. The plans submitted with the application have not been drawn accurately as there are significant and fundamental drawing errors. As the application is not supported by sufficient and

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

2. Part H of the Developer Contributions Supplementary Planning Document (2011) and Policy LP4 of the Local Plan to 2036 require adequate provision to be made for refuse bins for new development. Whilst a form for a Unilateral Undertaking (UU) in respect of wheeled bins has been received by the Local Planning Authority dated 10th April 2023, it is considered to be inadequate and incomplete due to the fact it does not include the most up-to-date cost figures and is not accompanied by a site location plan which are required. The proposal therefore fails to meet the requirements of Policy LP4 of the Local Plan to 2036 and the Developer Contributions SPD (2011).

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs

**CONTACT OFFICER:**

Enquiries about this report to **Lewis Tomlinson Senior Development Management Officer** – [lewis.tomlinson@huntingdonshire.gov.uk](mailto:lewis.tomlinson@huntingdonshire.gov.uk)

HUNTINGDON TOWN COUNCILPLANNING COMMENTS : 10<sup>th</sup> AUGUST 2023

<p>21/02422/FUL</p> <p>Erection of factory extension and creation of additional parking areas and associated works 3 Redwongs Way Huntingdon PE29 7HF</p> <p><b>Deemed Approve.</b></p> <p><b>Members noted the need for compliance and enforcement of all planning conditions to minimise impact on nearby residents.</b></p>
<p>23/01327/FUL</p> <p>Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space. 81 High Street Huntingdon</p> <p><b>Recommend Approve. No objections.</b></p>
<p>23/01328/LBC</p> <p>Change of use of Montagu House from current E Class. Reversion to original built intent (C3 Domestic) to provide 3 self contained domestic dwellings, with each dwelling to have own off road parking, and garden amenity space. 81 High Street Huntingdon</p> <p><b>Recommend Approve. No objections.</b></p>
<p>23/01153/FUL</p> <p>Change of use of the existing internal car parking area (Use Class Sui Generis) into a mixed office, storage, and distribution facility (Sui Generis). Dryden House St Johns Street Huntingdon PE29 3NU</p> <p><b>Recommend Approve. No objections.</b></p>
<p>23/01400/HHFUL</p> <p>Erection of ground floor extension, replace rear window and door with bifold door. 39 Hartford Road Huntingdon PE29 3RF</p> <p><b>Recommend Approve. No objections.</b></p>



## Design and Conservation Consultation

<b>Proposal: C/u to form 3 domestic town houses and associated alterations to facilitate this c/u to the listed building</b>	<b>Location 81 High Street Huntingdon</b>	
<b>Dc case officer:</b> <b>MR</b>	<b>Conservation Officer:</b> <b>LB</b>	<b>Application Ref.No: 23/00507/FUL &amp; 23/00508/LBC</b>

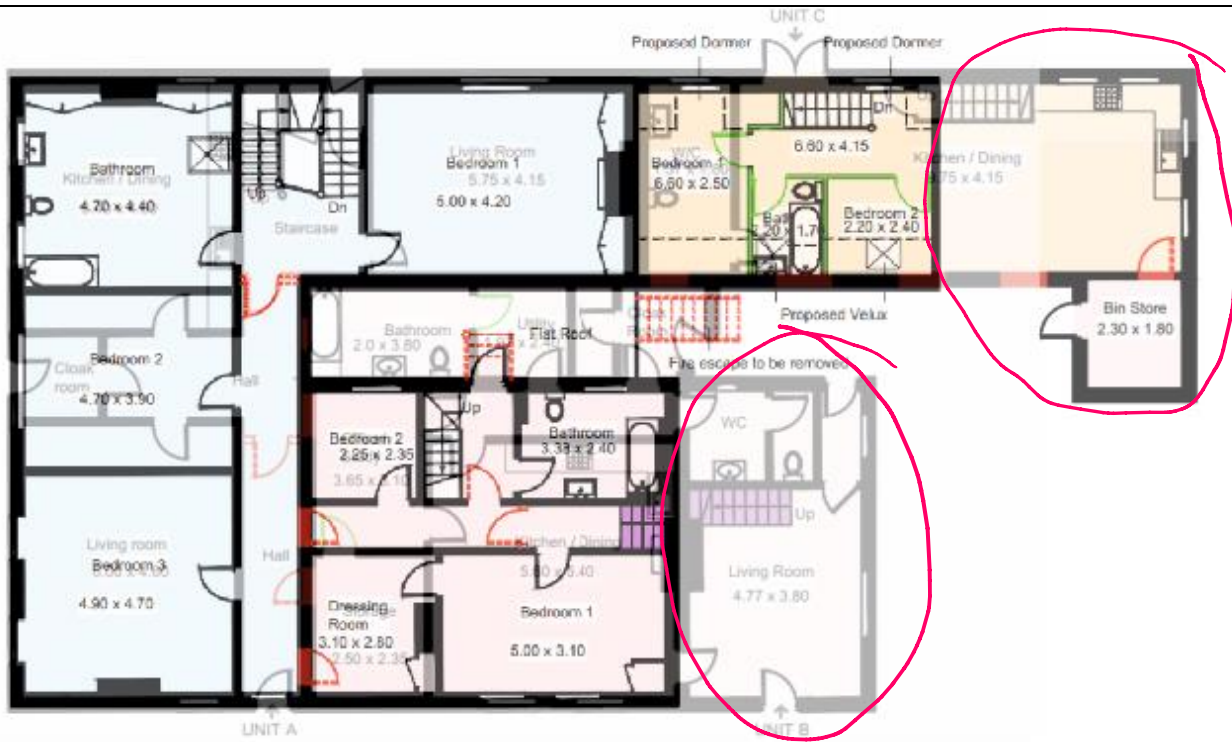
**23/00507/FUL Planning Permission** is sought for the change of use of 81 High Street Montagu House a grade II listed building located within the Huntingdon Conservation Area. The proposal is for the subdivision of the building to form 3 town houses. The impact on the significance of the listed building is a material consideration in the determination of this application.

**23/00508/LBC Listed Building Consent** is sought for a programme of works to facilitate the change of use of the building from offices to domestic. The building is to be subdivided to form 3 individual town houses.

Submitted drawings incl

Block plan revised parking	-		
Existing location plan	EX01	Proposed site plan	P01
Existing GF	EX02	Proposed GF	P02
Existing F and 2F Plan	EX03	Proposed first floor	P03
		Proposed second floor	P04
Existing roof Plan	Ex04	Proposed Roof Plan	P05
Existing front elevation	EX05	Proposed front elevation	P06
Existing side elevation	EX06	Proposed side elevation	P07
Existing rear elevation	EX07	Proposed rear elevation	P08
Existing side 2 elevation	EX08	Proposed side 2 elevation	P09

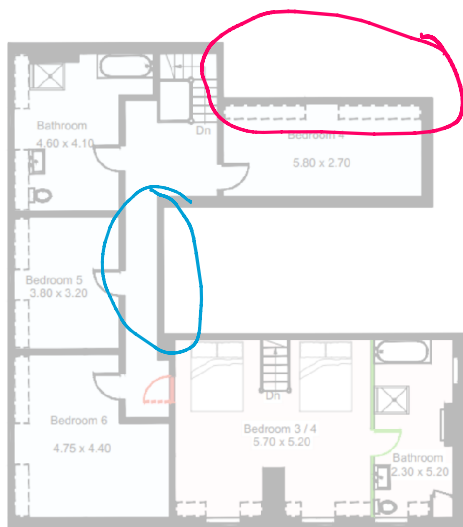
Following a site inspection it is evident that there are substantial errors in these drawings



I have superimposed P03 over P02 The attic above unit 3 occupies the entire length of the building the building the area highlighted in red is a discrepancy/ error

I have concerns about the alignment of the staircase proposed in unit 2, it appears to go through a chimney breast and is not straight, it will most likely breach the line of the roof in this location and may not be possible.

I have also looked at the plan for the second floor,



Highlighted in red The bedroom wall is not stepped in as shown, the chimney breast is missing and the dormer appears to be off centre rather than the position shown on the drawing.



Highlighted in blue opposite the entrance to bedroom 2 there is a dormer – not shown on the plans

The errors in the drawings are fundamental and undermine the proposals. A listed building application that is incorrectly drawn can not be supported as it is unclear what the works are or their impact on the building.

#### Further concerns

The proposal to subdivide the building along the lines indicated may have some credibility if the drawings can accurately reflect the building.

I do have a fundamental concern that these drawings have not been drafted on the basis of building regulation advice and that there may be fundamental fire safety issues to consider which will have an impact on the fabric of the building. These may include the need for fire separation works and provision of safe fire escape egress. The intention to remove the existing fire escape stair may not be possible

I am also not convinced that the proposed new staircase in the living room to unit b is compliant with building regulations.

I am also concerned about the proposals for the bedroom area of unit 3. The plans are incorrect and fail to show a large tie beam at waist high across the space or the raised area at the western end of the room



This is not an exhaustive list however without certainty or clarity of the proposals further assessment is not appropriate.

Support therefore can not be given to either the proposed change of use planning permission or the proposed listed building consent application.

#### **Recommendation:.**

##### **Do not support**

There is insufficient accurate information to ensure that the Council is able to assess the proposals and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area

The proposal is therefore not in accordance with ss. 16, 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and policy LP

34 of the adopted Huntingdonshire Local Plan. The works are unacceptable.

**For the avoidance of doubt this recommendation carries considerable weight in the determination of this application, this is a legal duty. Should the case officer consider that this recommendation should be altered then this application must be referred to the Planning Strategic Forum for senior officer consideration, this must include conservation representation.**

**Signed.....L.B Date: 7 june 2023**

# Development Management Committee



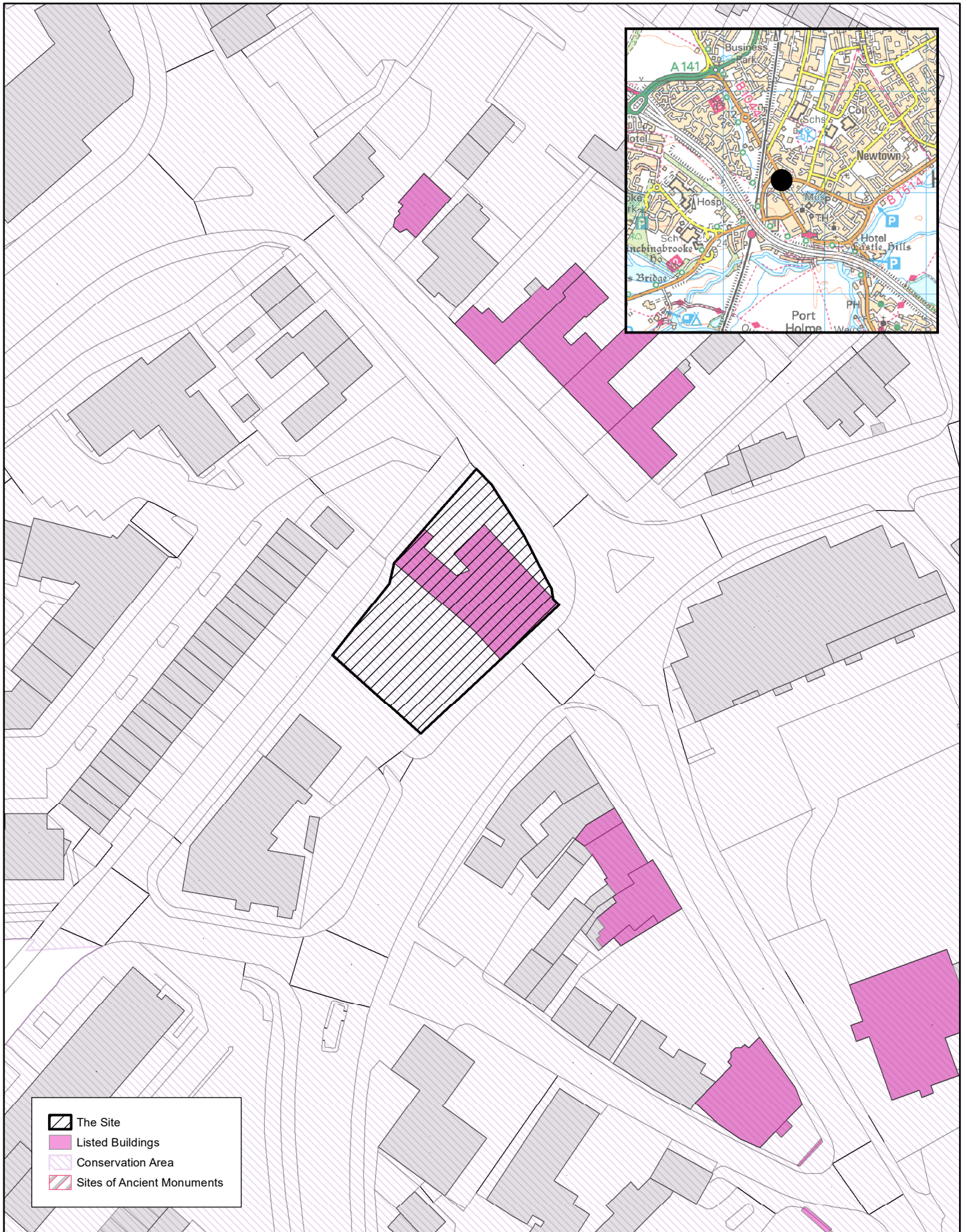
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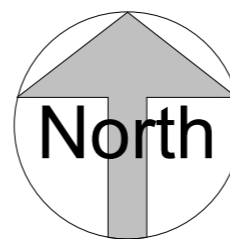
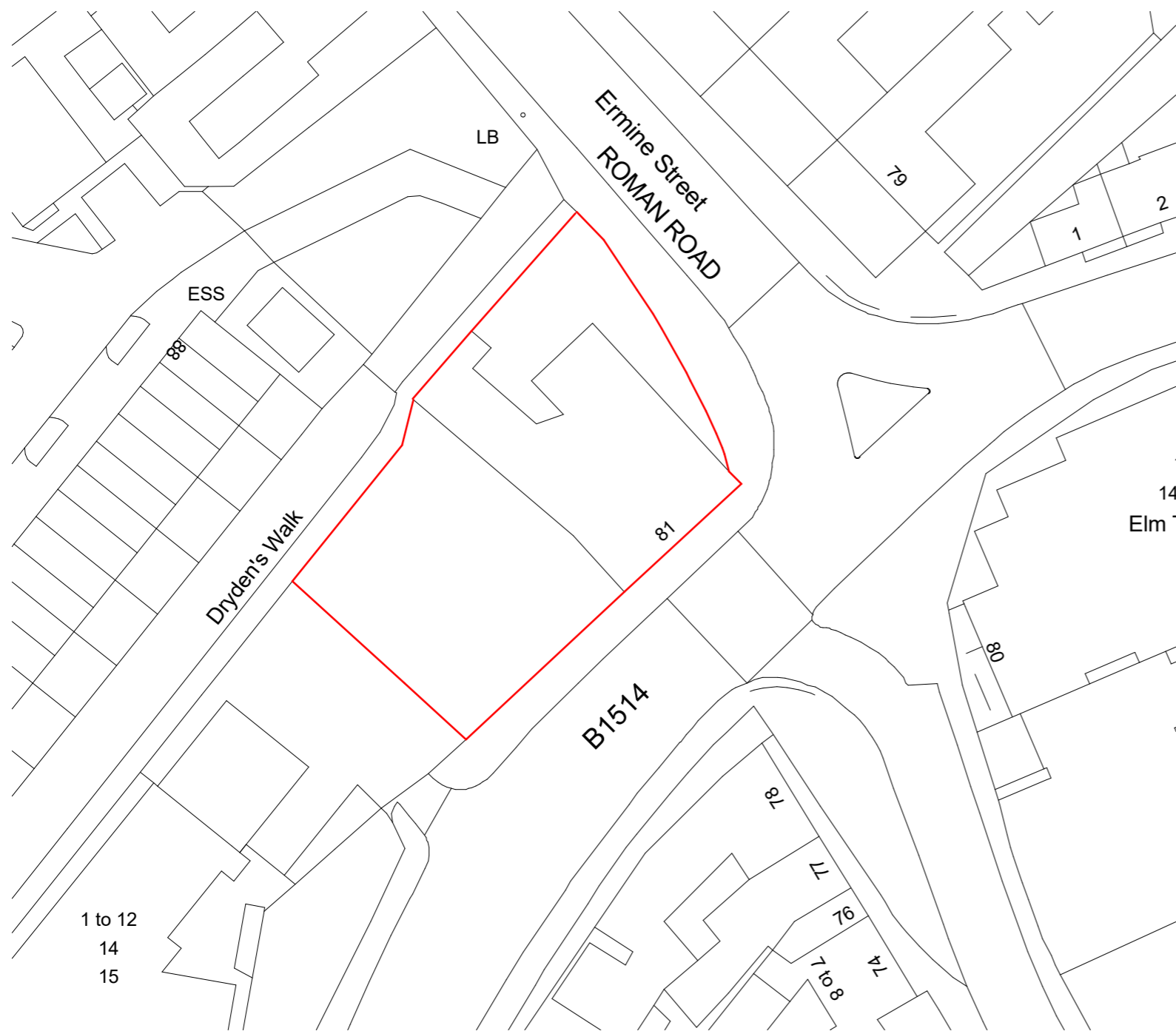
Application Ref: 23/01327/FUL and 23/01328/LBC

Date Created: 05/12/2023

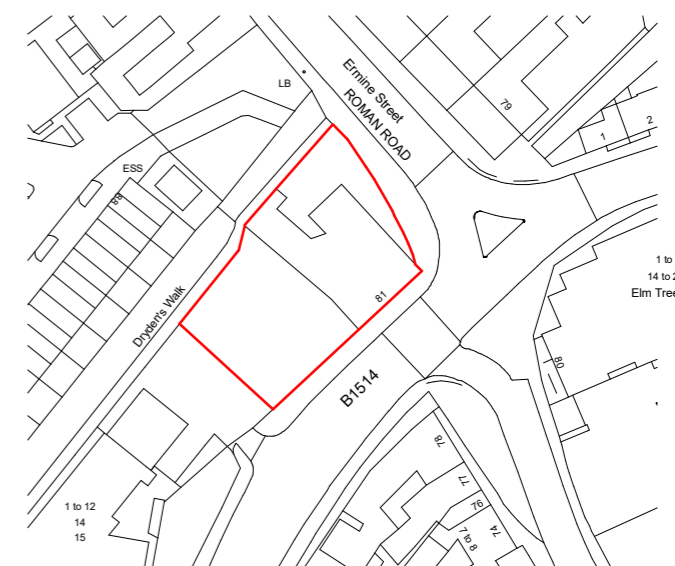
Parish: Huntingdon

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Ordnance Survey HDC 100022322





1 to 12  
14 to 27  
Elm Tree Court



### Location Plan

1 : 1250

### Site Plan

1 : 500

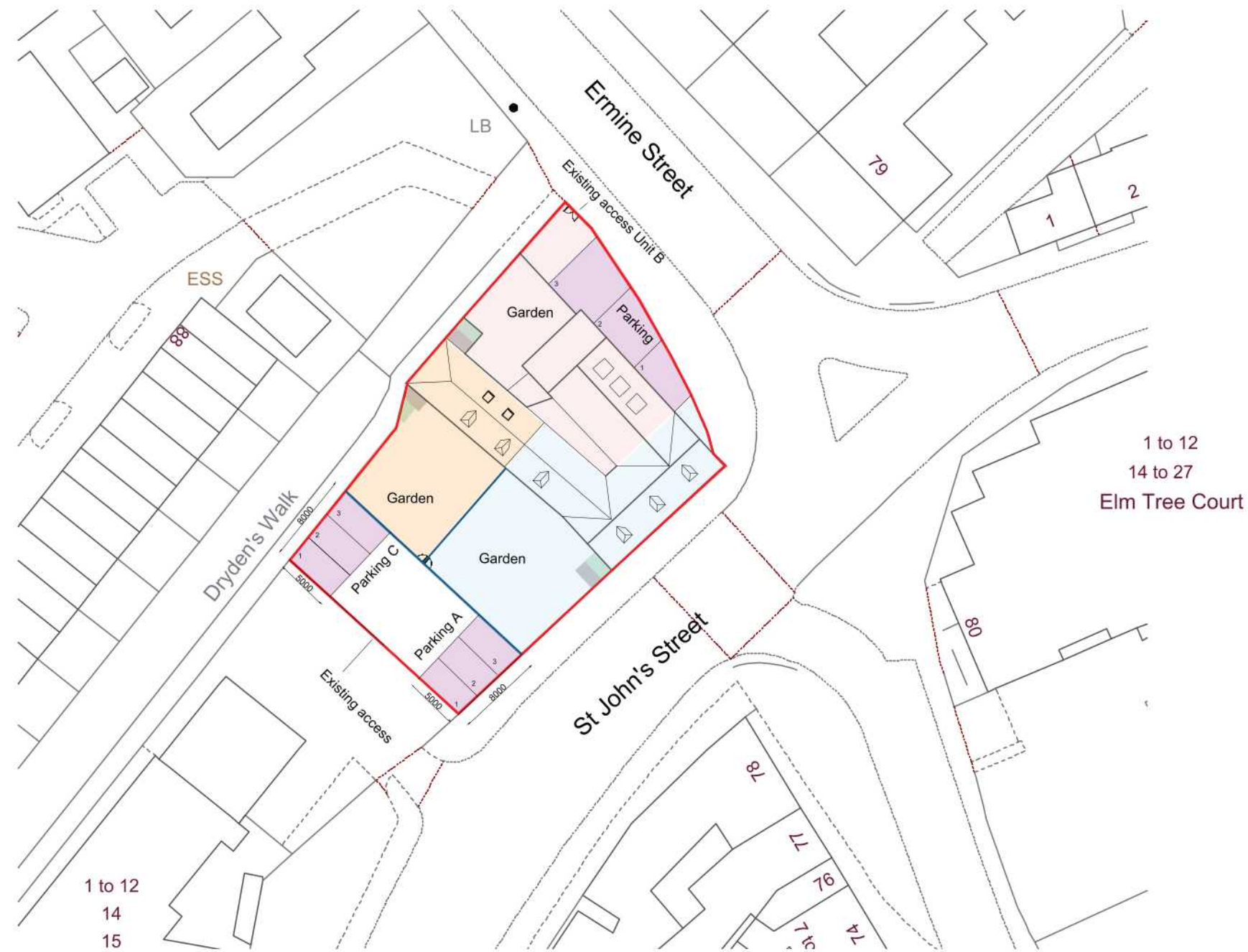
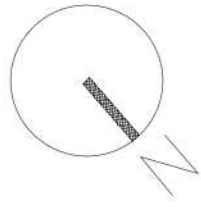
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No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Location Plan		

CLIENT			M. Smith		
Date	Project number	Scale (@ A3)			
13/03/23	P054	As indicated			
Drawn by	DRAWING NUMBER			REV	
SA	EX-01				
Checked by					
SA					



**Key**

- Unit A
- Unit B
- Unit C
- Bin Storage
- Cycle Storage
- Parking Spaces
- New brick wall 2 metres high to delineate parking and amenity space

**Proposed Site Plan**

1 : 500

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No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Site Plan		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)		REV	
19/07/23	P054	1 : 500		A	
Drawn by	DRAWING NUMBER			REV	
SA	P-01			A	
Checked by					
SA					



**Existing Front Elevation**  
1 : 100

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**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Front Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER			REV	
SA	EX-05				
Checked by					
SA					





## Existing Rear Elevation

1 : 100

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# IONIC DESIGN

No.	Description	Date

PROJECT

Montagu House

SHEET

Existing Rear Elevation

CLIENT

M. Smith

Date  
13/03/23

Project number  
P054

Scale (@ A3)  
1 : 100

Drawn by  
SA

DRAWING NUMBER

REV

Checked by  
SA

EX-07



## Existing Side Elevation

1 : 100

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# IONIC DESIGN

No.	Description	Date

PROJECT

Montagu House

SHEET

Existing Side Elevation

CLIENT

M. Smith

Date  
13/03/23

Project number  
P054

Scale (@ A3)  
1 : 100

Drawn by  
SA

DRAWING NUMBER

REV

Checked by  
SA

EX-06



## Existing Side 2 Elevation

1 : 100

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# IONIC DESIGN

No.	Description	Date

PROJECT

Montagu House

SHEET

Existing Side 2 Elevation

CLIENT

M. Smith

Date  
13/03/23

Project number  
P054

Scale (@ A3)  
1 : 100

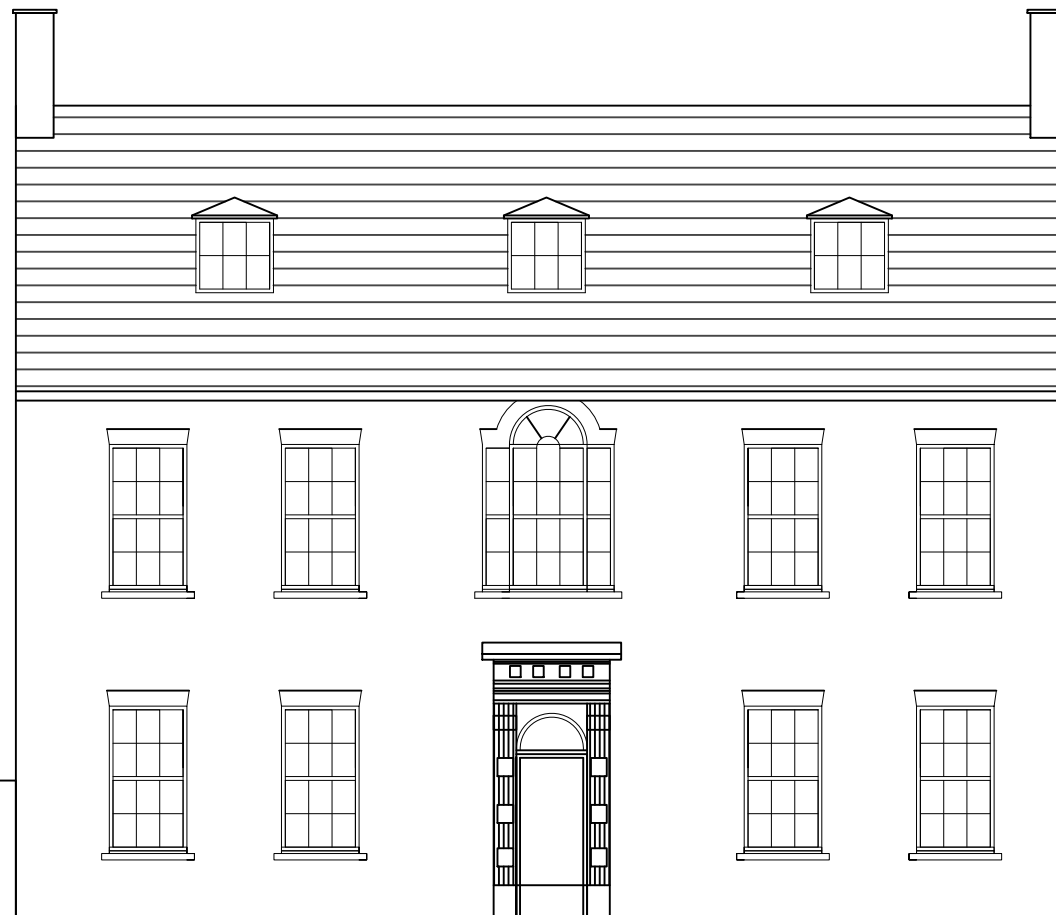
Drawn by  
SA

DRAWING NUMBER

REV

Checked by  
SA

EX-08



## Proposed Front Elevation

1 : 100

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# IONIC DESIGN

No.	Description	Date

PROJECT  
**Montagu House**

SHEET  
**Proposed Front Elevation**

CLIENT <b>M. Smith</b>			
Date 13/03/23	Project number P054	Scale (@ A3) 1 : 100	
Drawn by SA	DRAWING NUMBER P-06		REV
Checked by SA			



**Proposed Rear Elevation**  
1 : 100

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**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Rear Elevation		

CLIENT				M. Smith	
Date	13/03/23	Project number	P054	Scale (@ A3)	1 : 100
Drawn by	SA	DRAWING NUMBER	P-08	REV	
Checked by	SA				



Proposed Dormer  
to match existing

**Proposed Side Elevation**  
1 : 100

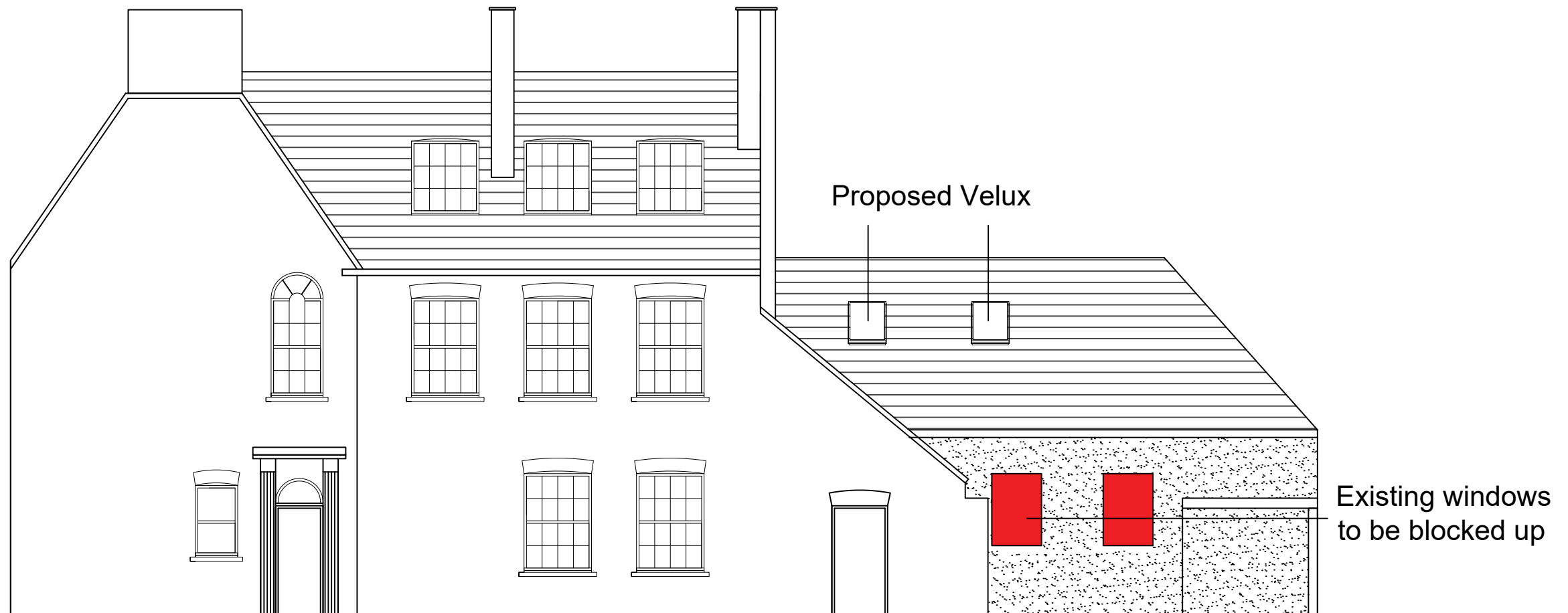
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**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Side Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER			REV	
SA	P-07				
Checked by					
SA					



**Proposed Side 2 Elevation**  
1 : 100

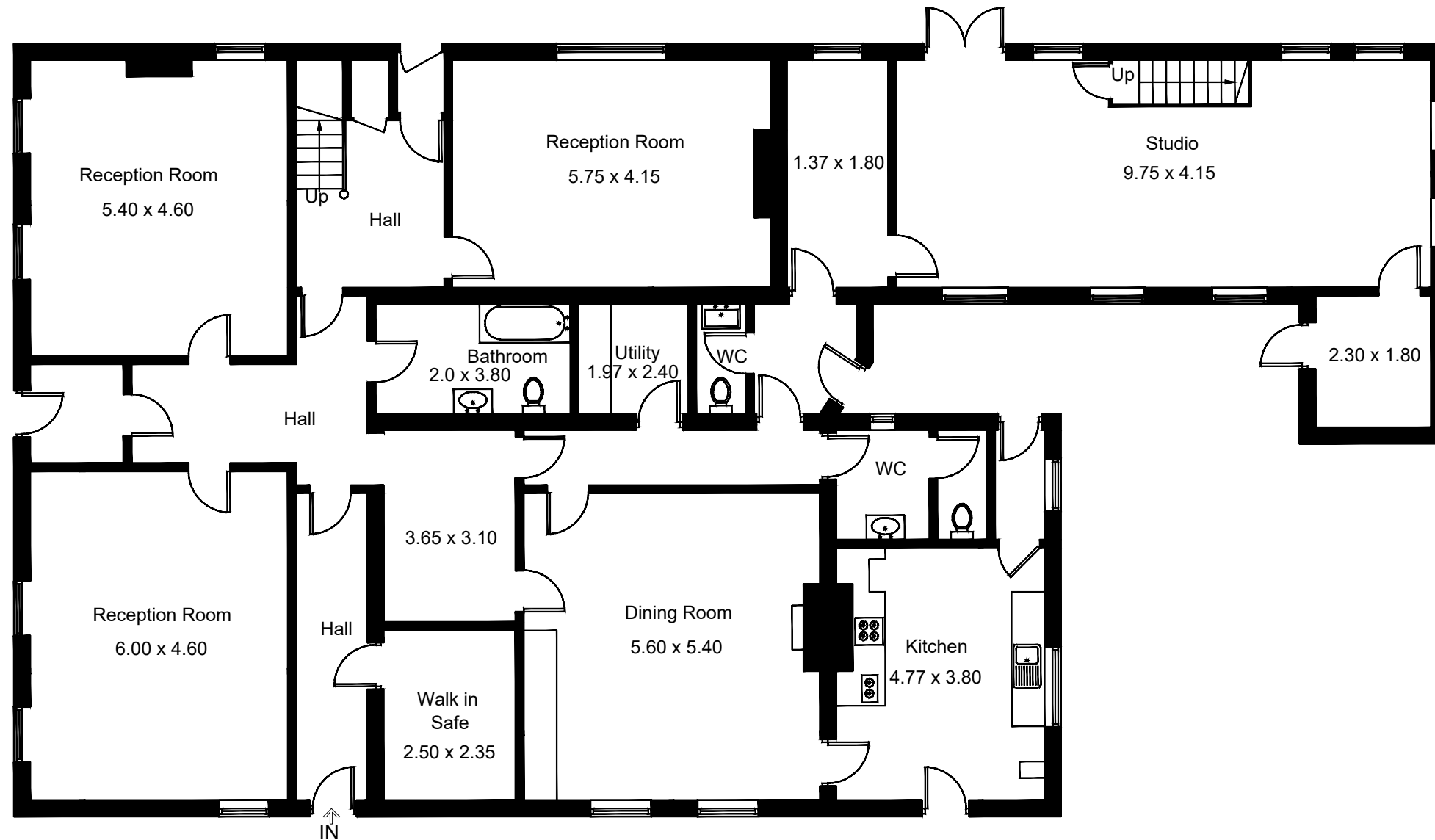
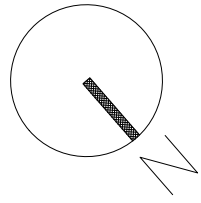
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**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Side 2 Elevation		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)			
13/03/23	P054	1 : 100			
Drawn by	DRAWING NUMBER		REV		
SA	P-09				
Checked by					
SA					



## Existing Ground Floor

1 : 100

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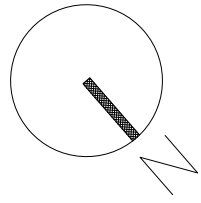
# IONIC DESIGN

No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Ground Floor		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)		REV	
21/06/23	P054	1 : 100		A	
Drawn by	DRAWING NUMBER			REV	
SA	EX-02			A	
Checked by					
SA					



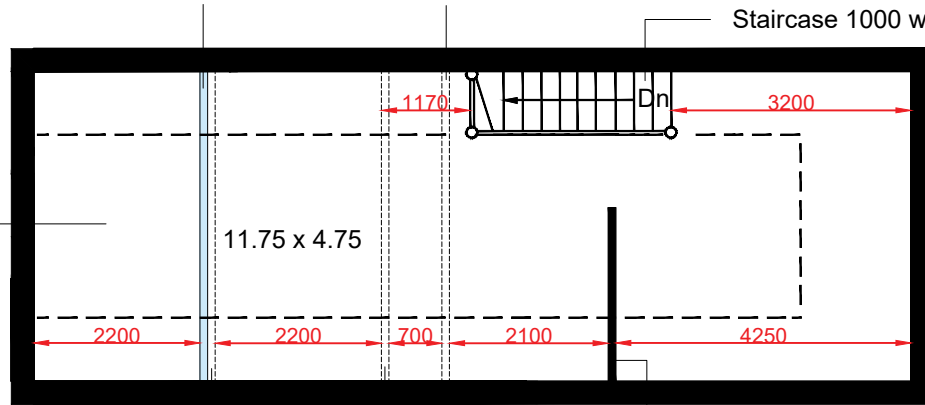


Internal Brick wall 700mm high, forming storage area upstand

Tie beam collar approx 1850mm to underside from floor

Staircase 1000 w x 2700mm

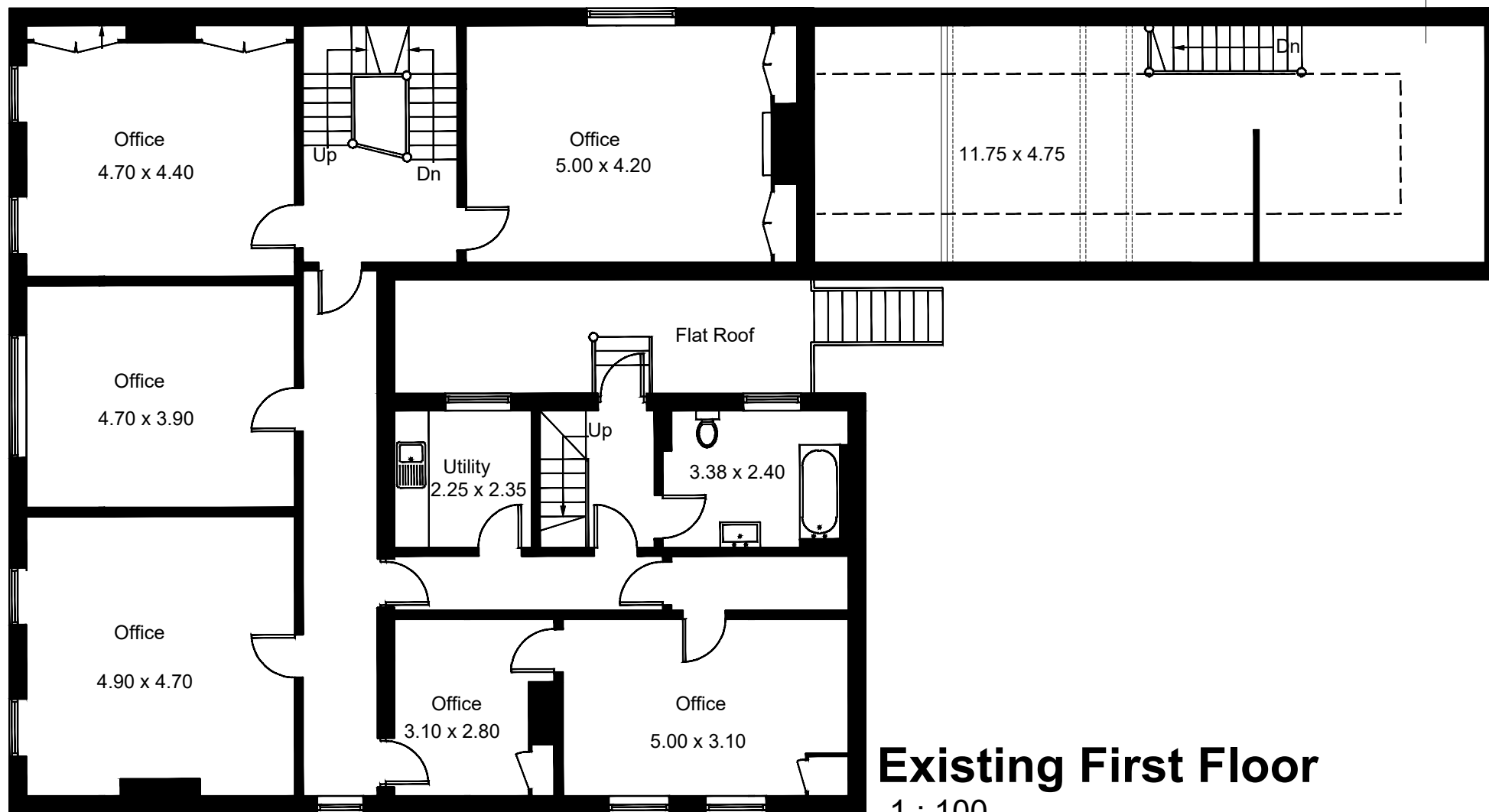
Raised platform 700mm above floor  
Boarded over, storage, accessible from ground floor ceiling below



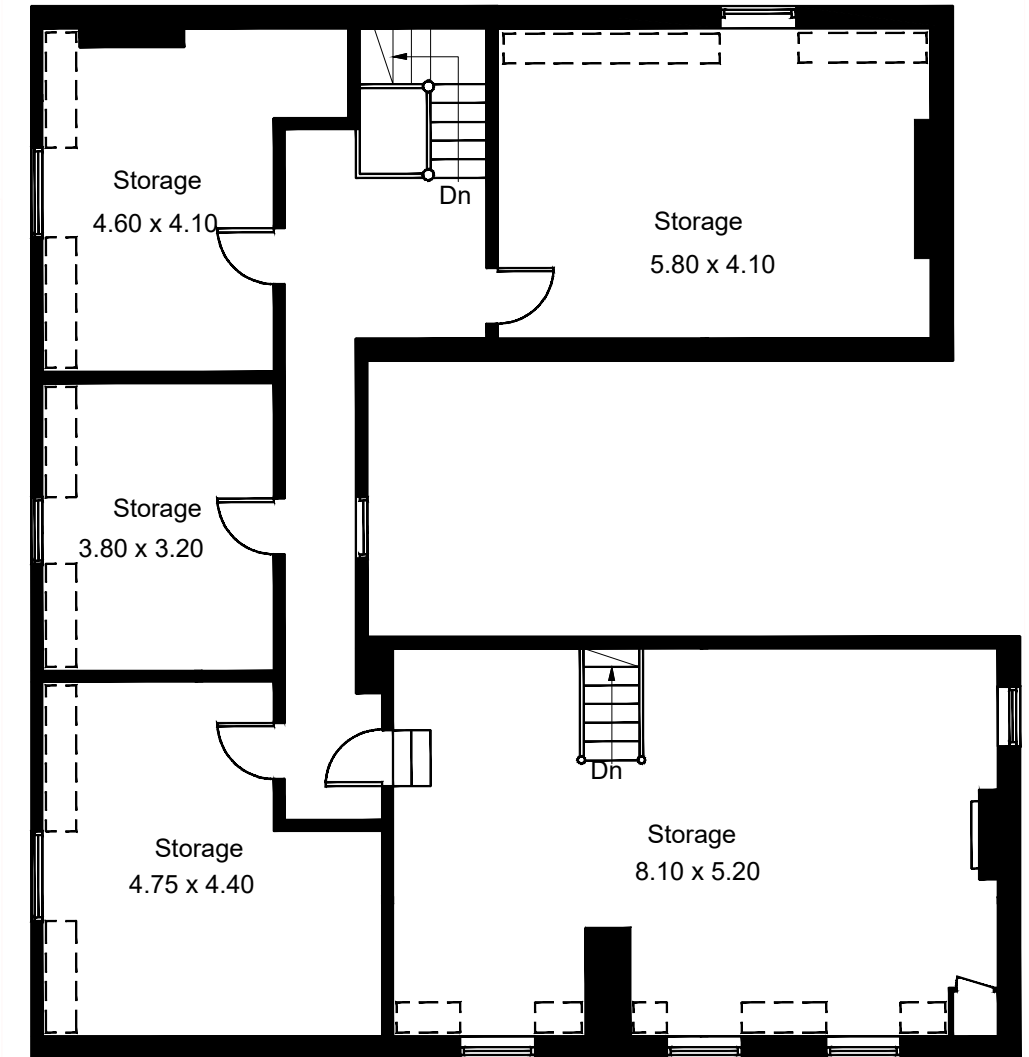
Beam approx. 100x175mm  
700mm above floor

Beam approx. 150x175mm  
700mm above floor

modern partition stud wall



**Existing First Floor**  
1 : 100



**Existing Second Floor**  
1 : 100

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**IONIC  
DESIGN**

No.	Description	Date

PROJECT

Montagu House

SHEET

Existing First & Second Floor

CLIENT

M. Smith

Date  
21/06/23

Project number  
P054

Scale (@ A3)  
1 : 100

Drawn by  
SA

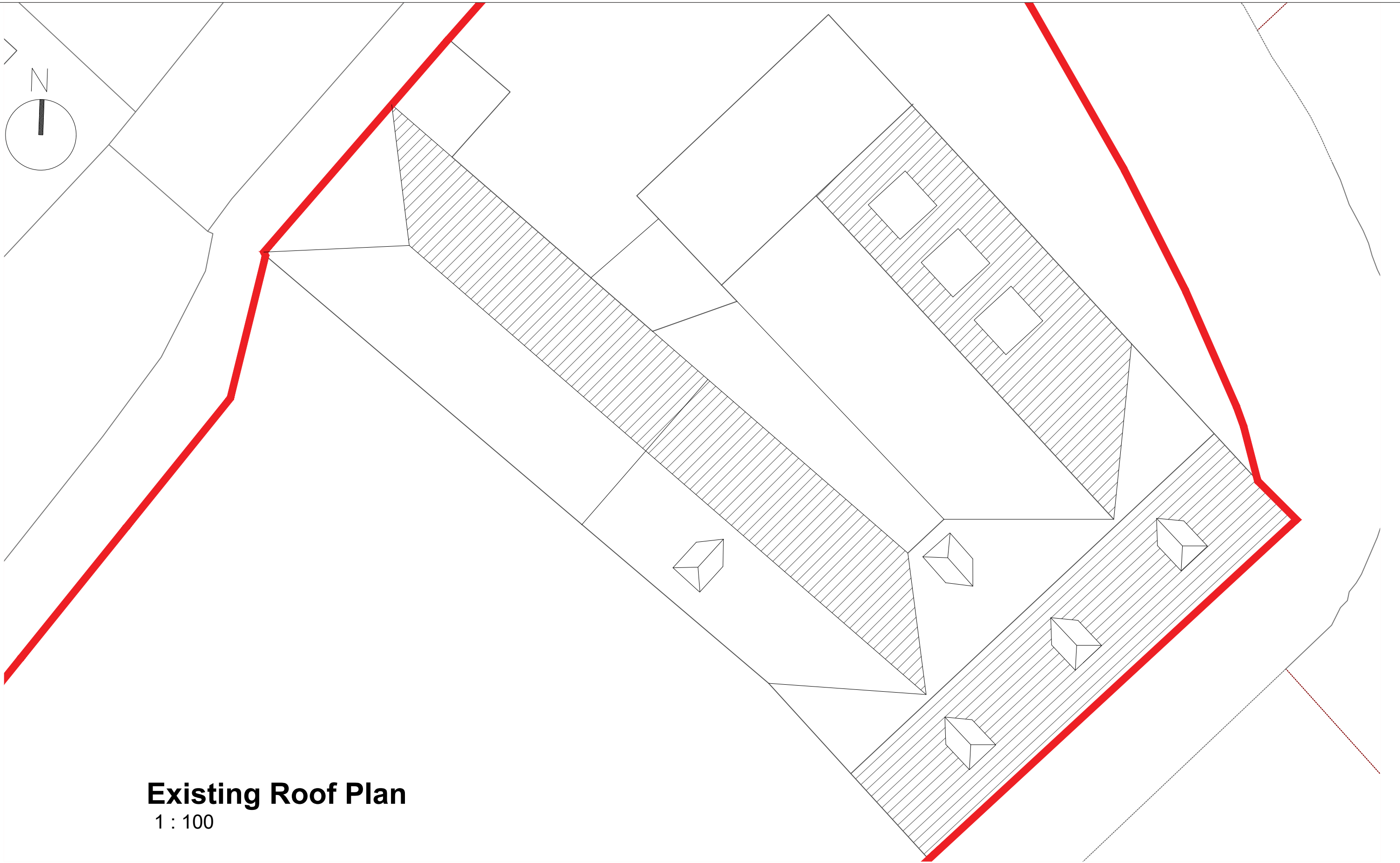
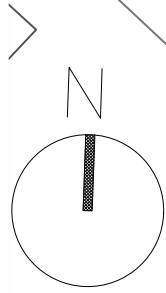
DRAWING NUMBER

REV

Checked by  
SA

EX-03

A



**Existing Roof Plan**  
1 : 100

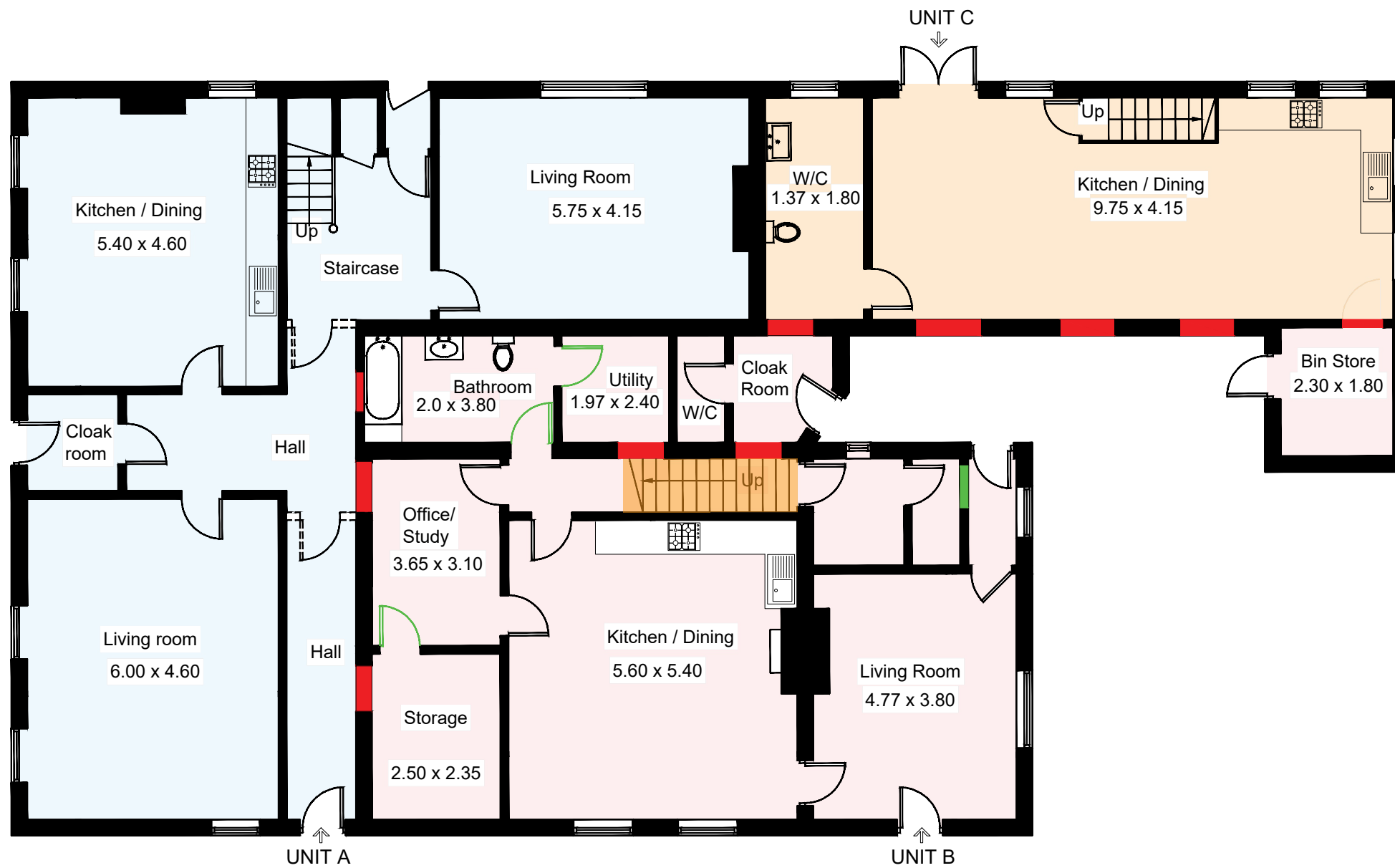
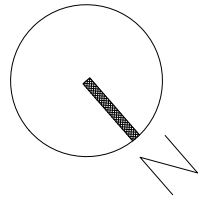
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No.	Description	Date

PROJECT	Montagu House		
SHEET	Existing Roof Plan		

CLIENT				M. Smith	
Date	13/03/23	Project number	P054	Scale (@ A3)	1 : 100
Drawn by	SA	DRAWING NUMBER		REV	
Checked by	SA	EX-04			



**Key**

- Unit A
- Unit B
- Unit C
- Door infilled
- New door / opening Unit B
- Staircase to be Re-instated
- Firedoors retained

# Proposed Ground Floor

1 : 100

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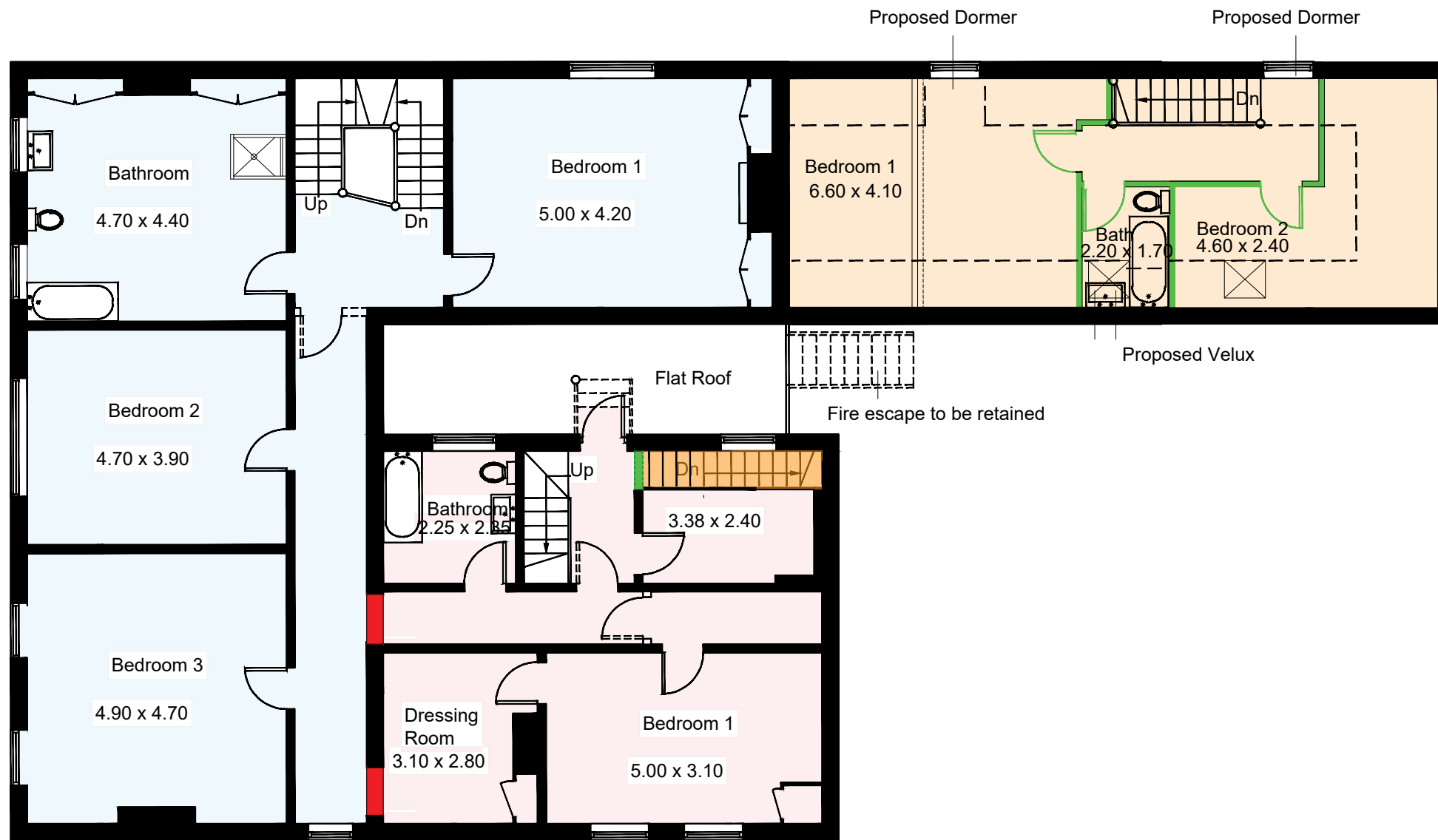
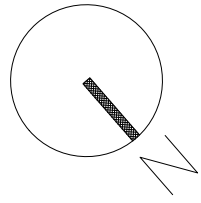
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# IONIC DESIGN

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Ground Floor		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)		REV	
21/06/23	P054	1 : 100		A	
Drawn by	DRAWING NUMBER				
SA	P-02				
Checked by					
SA					



**Key**

- Unit A
- Unit B
- Unit C
- Door infilled
- New partition wall / door - Unit C.
- New Staircase opening Unit B
- Staircase to be Re-instated
- Firedoors retained

**Proposed First Floor**

1 : 100

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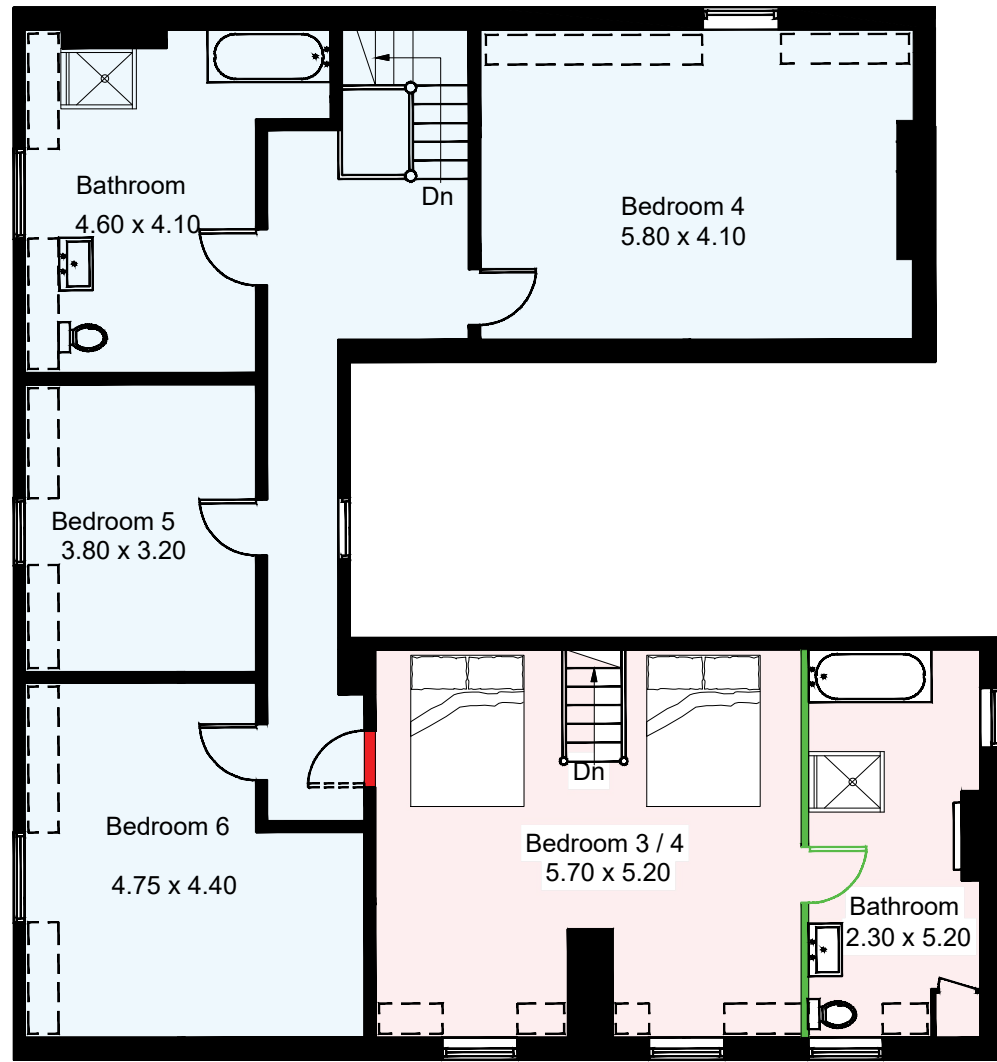
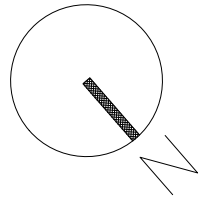
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**IONIC  
DESIGN**

No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed First Floor		

CLIENT				M. Smith	
Date	Project number	Scale (@ A3)		REV	
21/06/23	P054	1 : 100		A	
Drawn by	DRAWING NUMBER			REV	
SA	P-03			A	
Checked by					
SA					



**Key**



Unit A



Unit B



Unit C



Door / Windows infilled



New partition wall / door

# Proposed Second Floor

1 : 100

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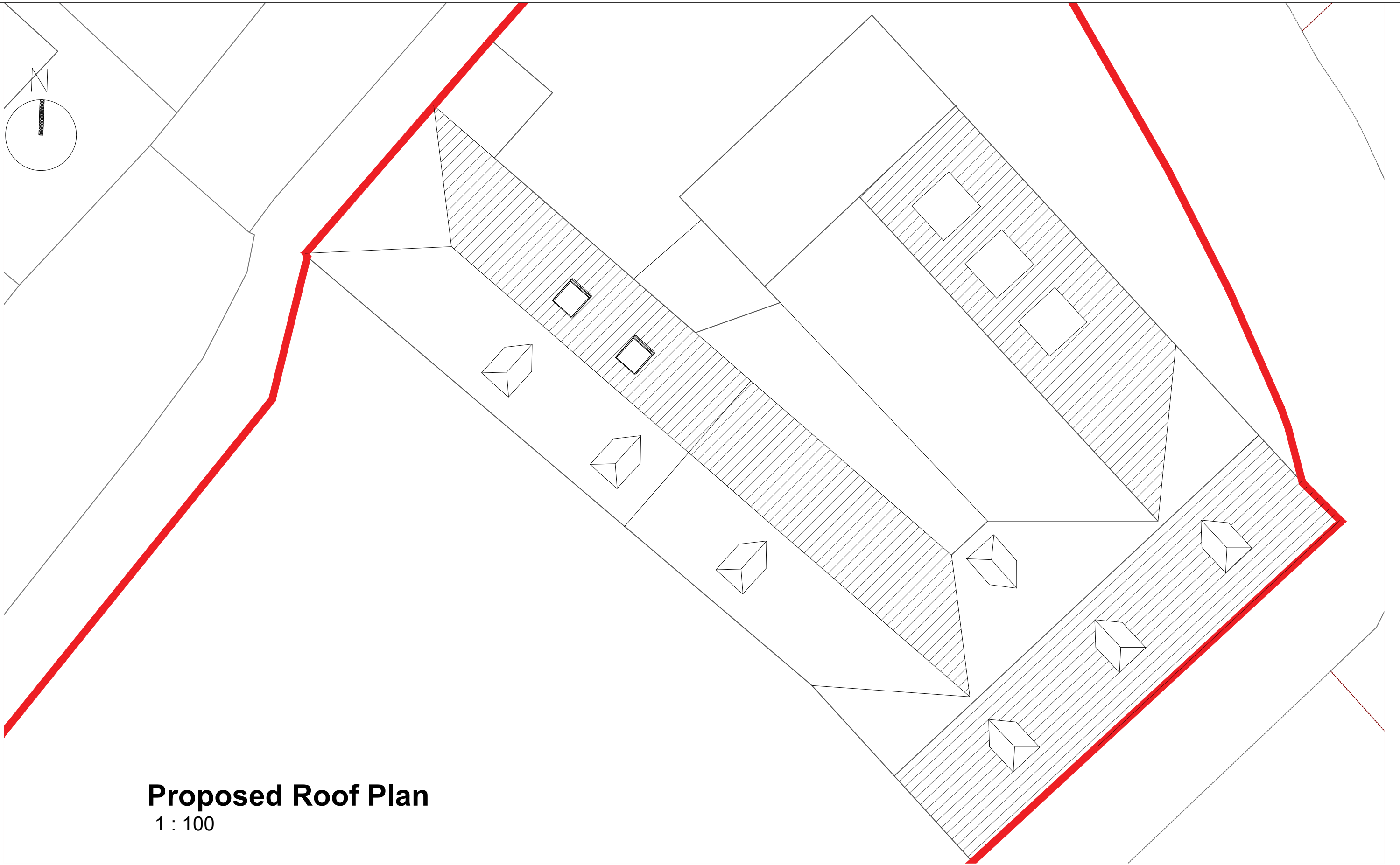
# IONIC DESIGN

No.	Description	Date

PROJECT  
**Montagu House**

SHEET  
**Proposed Second Floor**

CLIENT <b>M. Smith</b>			
Date 21/06/23	Project number P054	Scale (@ A3) 1 : 100	
Drawn by SA	DRAWING NUMBER P-04		REV A
Checked by SA			



**Proposed Roof Plan**  
1 : 100

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No.	Description	Date

PROJECT	Montagu House		
SHEET	Proposed Roof Plan		

CLIENT				M. Smith	
Date	13/03/23	Project number	P054	Scale (@ A3)	1 : 100
Drawn by	SA	DRAWING NUMBER		REV	
Checked by	SA	P-05			