

DEVELOPMENT MANAGEMENT COMMITTEE 20th MAY 2024

Case No: 23/02123/FUL

Proposal: ERECTION OF THREE HOUSES

Location: LAND SOUTH OF HILL PLACE, BRINGTON

Applicant: CAMPBELL BUCHANAN

Grid Ref: 508317 276223

Date of Registration: 27th NOVEMBER 2023

Parish: BRINGTON AND MOLESWORTH

RECOMMENDATION – REFUSE

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

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

- 1.1 The application site is situated at the northern end of Brington, on the western side of Brington Road, with RAF Molesworth being located 500 metres to the north of the site. The site is 0.45 hectares in size and is broadly rectangular in shape.
- 1.2 The site currently comprises vacant open land fronting onto estate roads to the north, north-east and north-west, with the original plots 9-16 (occupied as 2 - 16 The Green) of the development to the south and green space and tennis courts to the south and southwest. The application site sits as a plateau with the land rising relatively gently to the northwest and falling away more significantly to the properties to the southeast.
- 1.3 The Hill Place, Brington development is complete in terms of the construction of the dwellings and follows approval of application reference 13/00679/FUL. This development comprised the erection of 56 dwellings together with associated access and landscaping works with the formation of public open spaces and facilities following the demolition of 40 existing dwellings.
- 1.4 The access road (Hill Place) provides a link from the development to the main Brington Road which provides access to RAF Molesworth to the north and the A14 to the south. The wider

development is surrounded by fields in use for agricultural purposes, with the main settlement of Brington being located south of the site.

- 1.5 There is a Public Right of Way (footpath 29/9) running immediately north within the site which then curves southwards towards Brington along the western side of the site.
- 1.6 There are no legally protected trees on or within close proximity to the site.
- 1.7 The site is not within or close to any designated Conservation Area but is approximately 250 metres north of All Saints Church which is a Grade II* listed building.
- 1.8 The site is situated in flood zone 1 according to the Environment Agency's Flood Maps for Planning and the Huntingdonshire Strategic Flood Risk Assessment (2017).

Proposal

- 1.9 This Planning permission is sought for the construction of 3 No dwellinghouses and associated works at land south of Hill Place Brington.
- 1.10 Submitted plans for this current application show a similar layout to the last refused proposal for the site (22/00951/FUL) and seeks to address the reasons for refusal with design amendments, most notably Plot 1 reducing in height so that it is now a single storey dwelling, rather than two storeys, and the removal of some fenestration to Plot 3 to minimise overlooking to No.16 The Green to the north.
- 1.11 The proposal would introduce three new dwellings to the west of the site, with the eastern part of the site comprising an orchard and the south being buffer planting. Two dwellings (Plots 2 and 3) would follow the building line established on Hill Place to the north facing into the site while the third dwelling (Plot 1) would be sited easterly opposite Plots 2 and 3.
- 1.12 Plot 1 would be a single storey pitched roof dwelling with a gable projection to the rear. This dwelling would be a two-bedroom, 4 person dwelling.
- 1.13 Plot 2 would be a two-storey pitched roof dwelling with a rear two-storey gable projection. This dwelling would be a four-bedroom, 8 person dwelling.
- 1.14 Plot 3 would be a two-storey pitched roof dwelling with a front and rear pitched-roof dormers and a rear two-storey gable projection. This dwelling would be a four-bedroom, 8 person dwelling.

- 1.15 Each dwelling would have a separate garage and drive.
- 1.16 Materials proposed in the submitted Application Form include Brick and render to match existing surrounding development, pantile and plain tile to match existing surrounding development (Plot 1 would have a thatched roof), white uPVC windows, black composite doors and both metal estate railing and close boarded fence boundary treatments.
- 1.17 During the lifetime of the application there have been amendments / confirmation received in terms of surface water drainage and Public Right of Way (both discussed later in this report). All revised details and information have been submitted and re-consultation has been undertaken accordingly with all relevant consultees.
- 1.18 This application has been accompanied by the following:
- Planning Statement
 - Proposed Site Plan
 - Proposed Site Section
 - Proposed Block Plan
 - Proposed Garages
 - Plot 1 Plans and Elevations
 - Plot 2 Plans and Elevations
 - Plot 3 Plans and Elevations
 - Proposed Garages
 - Existing Location Plan
 - Existing Site Plan
 - Existing Drainage
 - Flood Drainage Response Letter
 - Flood Risk Assessment and SUDS Statement (Updated 22.3.24)
 - Flood Risk Assessment and Outline Drainage Strategy
 - Arboricultural Impact Assessment and Tree Protection Plan
 - Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan
 - Arboricultural Impact Assessment Site Plan
 - Ecological Enhancement Scheme
 - Planting Plan
- 1.19 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (NPPF 2023) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2023 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'

- 2.2 The NPPF 2023 sets out the Government's planning policies for (amongst other things):
- delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - achieving well-designed, beautiful and safe places;
 - conserving and enhancing the natural, built and historic environment.
- 2.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.
- 2.4 For full details visit the government website [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
- LP3: Green Infrastructure
- LP4: Contributing to Infrastructure Delivery
- LP5: Flood Risk
- LP6: Waste Water Management
- LP9: Small Settlements
- LP11: Design Context
- LP12: Design Implementation
- LP14: Amenity
- LP15: Surface Water
- LP16: Sustainable Travel
- LP17: Parking Provision and Vehicle Movement
- LP24: Affordable Housing
- LP25: Housing Mix
- LP28: Rural Exceptions Housing
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows
- LP32: Protection of Open Space
- LP34: Heritage Assets and their Settings
- LP37: Ground Contamination and Groundwater Pollution

3.2 Supplementary Planning Documents (SPD) and Guidance:

- Huntingdonshire Design Guide Supplementary Planning Document (2017)
- Developer Contributions SPD (2011)
- Huntingdonshire Landscape and Townscape SPD (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2017)
- Cambridgeshire Flood and Water SPD (2017)
- LDF Developer Contributions SPD (2011)
- Annual Monitoring Review regarding housing land supply (2023)

- Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

Local policies are viewable at <https://www.huntingdonshire.gov.uk>

- 3.3 The National Design Guide (2021):
- C1 - Understand and relate well to the site, its local and wider context
 - I1 - Respond to existing local character and identity
 - I2 - Well-designed, high quality and attractive
 - B2 - Appropriate building types and forms
 - M3 - Well-considered parking, servicing and utilities infrastructure for all users
 - N3 - Support rich and varied biodiversity
 - H1 - Healthy, comfortable and safe internal and external environment
 - H2 - Well-related to external amenity and public spaces
 - H3 - Attention to detail: storage, waste, servicing and utilities.

For full details visit the government website at www.gov.uk

4. PLANNING HISTORY

- 4.1 1300679FUL - Erection of 56 dwellings (including 12 affordable units) following demolition of 40 existing dwellings, access and landscaping works and formation of public open spaces - Permitted 24.10.2014.
- 4.2 1408243COND - Condition information for 1300679FUL - All Conditions – Approved 28.8.2015.
- 4.3 15/00126/NMA - Amendment to Planning Permission 1300679FUL to list approved plans as a condition of the original planning permission - Consent 24.03.2015.
- 4.4 15/00455/S73 - Variation of Condition 27 of Planning permission 1300679FUL (added by 15/00126NMA) to substitute plans showing amended house types for those originally approved - Consent 26.08.2015.
- 4.5 15/01700/S73 - Variation of condition 27 of Planning Permission: 1300679FUL to substitute plans as listed in table, and variation of condition 4 (soft landscaping) to allow for reinforced planting along the boundary of plots 9-16 - Consent 25.02.2016.
- 4.6 17/02250/NMA - Amendment to bund and planting scheme for north and east of the development approved under 15/01700/S73 - Consent 31.10.2018.

- 4.7 18/02649/S73 - Variation of Condition 1 for application 1402201FUL for the extension of permitted period of use - Withdrawn 01.02.2019.
- 4.8 19/00302/ENBOC - Breach of conditions 4 (Soft Landscaping) and 12 (Ecological Enhancement) of 15/01700/S73 as amended by 17/02250/NMA – Notice Issued 23.12.2020.
- 4.9 19/00801/FUL - Temporary use of existing building and landscaping as a sales cabin to support the consented development 13/00679/FUL) for a period of 9 months - Permitted 25.06.2019.
- 4.10 20/00012/FUL - Full planning application for the erection of 4 new bungalows and 2 new chalet bungalows, visitor parking, landscaping and associated works - REFUSED 26/8/2020.
- 4.11 20/00039/REFUSL - Full planning application for the erection of 4 new bungalows and 2 new chalet bungalows, visitor parking, landscaping and associated works - APPEAL DISMISSED 24/5/2021.
- 4.12 20/00520/FUL - Retention of existing sales cabin and landscaping (approved under 1402201FUL) to support the consented development (approved under 1300679FUL) for a temporary period of 9 month- Permitted 11.06.2020.
- 4.13 22/00951/FUL - Full planning application for the erection of 3 dwellings, parking, landscaping and associated works – Refused 01/07/2022.
- 4.14 23/00016/ENFNOT for Appeal against 19/00302/ENBOC - Breach of conditions 4 (Soft Landscaping) and 12 (Ecological Enhancement) of 15/01700/S73 as amended by 17/02250/NMA – Awaiting Planning Inspectorate decision.

5. CONSULTATIONS

- 5.1 Brington and Molesworth Parish Council – 2 responses received:

Response dated 11th December 2023:

“Please can BMPC have confirmation that this planning application has been referred to the Cambridgeshire County Council Local Lead Flood? There is a complex mix of surface water flood issues at Hill Place / The Green. Please can all parties look at Neighbour Comments particularly from The Green households and their comments on surface water. Please ensure the applicant has covered all surface water issues in their FRA and Outline Drainage Strategy.”

Response dated 20th December 2023: No objections, subject to conditions. Summary Comments:

“Further to your letter of 23rd November 2023, Brington and Molesworth Parish Council (BMPC) have reviewed the planning documents 23/02123/FUL. BMPC has reviewed the applicants’ drawings, held a public meeting to understand parishioners’ views and therefore made the following recommendations:

The Parish Council notes that there is an outstanding Planning Inspectorate case — APP/H0520/C/23/3322025 regarding the land that forms part of this application. In normal circumstances, we would have liked to have reviewed the Planning Inspector’s findings before commenting, as some Hill Place residents believe this land should be an orchard as outlined in the original 2013 planning application (1300679FUL). However, we understand the frustration of many residents of Hill Place / The Green, that they want to see the estate completed without further delay and to a high standard as the original construction works.

In principle, BMPC is in favor of this application. The new layout of the three homes goes a long way to resolve many of the previous application issues. This application does help mitigate the loss of privacy at 14 and 16 The Green. We believe it is important that any fenestration is of adequate height to prevent loss of privacy, particularly whilst the tree belt takes time to mature. The Orchard Area and Area of buffer planting should be planted before the first occupation, with mature trees of adequate height to prevent loss of privacy.

BMPC is aware through conversation and neighbour letters published as part of the planning process, that both 14 and 16 The Green have suffered from surface water flooding in the past few years. 16 The Green highlights three occasions when the property has suffered water damage. Most recently in October 2023, surface water ingress into the house has damaged carpets. We would hope that the LPA and LLFA will work with the Applicant to resolve any surface water appearing within the gardens of particularly 14 & 16 The Green, along with any other property.

The Parish Council also notes the HDC Call for Sites application — cfs310 — Land West and East of Hill Place, Brington. Campbell Buchanan has applied for thirteen homes, eight plus five affordable. We hope in a spirit of goodwill to the village and particularly The Hill Place / The Green homeowners, that this application will now be withdrawn. BMPC would hope that the original offer by the senior management team of Campbell Buchannan at a public meeting in June 2022, to give this land to the Parish Council for community use, will be honoured.

Suggested Planning Conditions:
-3 year expiry

- Plans
- Materials
- Construction Hours
- Highway Maintenance
- Protection of footpath 29/9
- Finished Floor Levels (pre-commencement)
- Hard and Soft Landscaping (Pre-commencement)
- Surface Water run-off details (Pre-commencement)
- Drainage details (Pre-commencement)
- Removal of Permitted Development Rights
- Access Construction

5.2 Cambridgeshire County Council's Highway Authority – No objections and no recommended conditions.

5.3 Cambridgeshire County Council's Lead Local Flood Authority (LLFA) – Originally objected to the proposals due to lack of allowance for urban creep and consistency and clarity on plans. After a further consultation with additional information (Flood Risk and Drainage Strategy, EAS, Ref 2530/2019, Rev: F, dated 22nd March 2024, the LLFA provided the following summary comments:

“Based on the above document, the LLFA have no objection in principle to the proposed development. The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving, swales and an attenuation basin, restricting surface water discharge to 2/s.

The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides clear quality treatment which is of particular importance when discharging into a watercourse. The swale and attenuation basin also provide biodiversity benefits.

Water quality has been adequately addressed when assessed against the Simple Index approach outlined in the CIRIA SuDS Manual.

Recommended conditions:

- Detailed design of Surface Water Drainage to be submitted to and approved in writing by the Local Planning Authority and shall thereafter be maintained and managed in accordance with the approved management and maintenance plan to ensure adequate drainage and to ensure that there is no increased flood risk on or off the site.

- Pre-commencement additional surface water run-off avoidance during construction to be submitted to and approved in writing by the Local Planning Authority to ensure surface water is managed appropriately during the construction phase.

Recommended informatives:

- Neighbour concerns relating to internal property flooding.
- Ordinary Watercourse consent.
- Pollution Control.

- 5.4 Huntingdonshire District Council's Environmental Protection Officer – No objections and no recommended conditions. Summary Comments:

"I note there is a tennis court in close proximity, however I can see there is another property at a closer distance and the main play area and play equipment is located beyond the tennis court at a greater distance. There does not appear to be any floodlighting associated with the tennis court and looking at the land gradient it appears the tennis court is cut into the ground, effectively bunding the area. I therefore have no issues to raise."

- 5.5 HDC Trees Officer -No objection subject to a condition to ensure tree protection is undertaken in accordance with submitted plans.

- 5.6 Huntingdonshire District Council's Urban Design Team – OBJECTS. Summary comments:

"The proposal would significantly harm the character and appearance of the area in conflict with HLP Policies LP2, LP9(c), LP11, LP12 and LP32 through the erosion of the planned orchard land as amenity land for the wider development, and would erode the spatial separation of Hill Place and The Green through infilling adjacent to the rural countryside edge with development, and segregation of part of the orchard land with fencing and artificial ground levels. The proposal is also contrary to the HDC Design Guide 2017 section 1.6 Design Principles, 3.6 Landscape, and 3.7 Building Form, and gives rise to unacceptable overlooking from plot 3 to the rear garden of 16 The Green, contrary to HLP Policy LP14(b)."

- 5.7 Cambridgeshire County Council's Definitive Maps Team – Objects to the proposals, Summary Comments:

"Proposed Site Plan 2018 -38-20k shows a 'footpath' and it does not show the alignment of the public footpath within the site. We note that the proposed shared access road to all 3 dwellings will cross the public footpath which means the applicant is proposing to change the surface of the public footpath. It is not clear from the documents submitted whether the applicant also proposes to change the surface of the public footpath in any other locations within the site. We ask that the applicant clarifies this.

All proposals that would involve a change to the surface of any part of a public right of way in Cambridgeshire are now required to follow an authorisation process. The new process applies to all landowners and scheme promoters, both internal and external to the County Council, where it would involve change to the surface

of an existing right of way. Promoters are expected to consult statutory user groups and key stakeholders, and they are strongly encouraged to complete and submit the form prior to submitting planning applications, in order to avoid objections and to help to facilitate the smooth processing of applications.

To view the guidance and the authorisation form, please refer to the County Council's webpage 'Rights of Way' which can be found here - [Rights of way - Cambridgeshire County Council](#).

The County Council has not received a completed authorisation form, and so authorisation from the Assistant Director Highways Maintenance has not been received to the change of surface proposals. As a result, the Definitive Map team is not currently able to provide a response to the change of surface proposal within this planning application.

The Definitive Map team therefore **object** to the change of surface proposal as this work is required to enable the County Council to provide its fully considered response.

The application is also proposing 'new estate fencing' between the Orchard Area and the public footpath and 'indicative new tree planting' such as between plots 1 and 2 and the public footpath. The proposed fencing and planting will need to be set back from the boundary in accordance with the County Council's boundary policy which is available to view in the guidance for planners and developers document available here [Public Rights of Way - Guidance for Planners and Developers v4 \(cambridgeshire.gov.uk\)](#).

Should you be minded to grant planning permission, the County Council's Definitive Map Team requests the following conditions be applied to any permission granted.

- No fencing shall be erected on or within 0.5m of the current or any proposed public rights of way.

Reason: In the interests of the amenity of the public.

- No planting shall be erected on or within 2m of the current or any proposed public rights of way.

Reason: In the interests of the amenity of the public.

Please can you also include the following informatives

- Public Footpath No. 9, Brington and Molesworth must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).

- The Public Footpath must not be used to access the development site unless the applicant is sure they have lawful authority to do so (it is an offence under S34 of the Road Traffic Act 1988 to drive on a Public Footpath without lawful authority)
- No alteration to the Public Footpath's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).
- Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).
- The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).
- Members of the public on foot have the dominant right of passage along the public footpath; private vehicular users must 'give way' to them.
- The Highways Authority has a duty to maintain Public Rights of Way in such a state as to be suitable for its intended use. (S41 Highways Act 1980 and S66 Wildlife & Countryside Act 1981). If the surface of the Public Footpath is damaged as a result of increased motorised vehicle usage, the Highways Authority is only liable to maintain it to a Public Footpath standard. Those with private vehicular rights will therefore be liable for making good the surface of the Public Right of Way.

Furthermore, the applicant may be required to temporarily close public rights of way whilst construction work is ongoing. Temporary Traffic Regulation Orders (TTROs) are processed by the County Council's Street Works Team and further information regarding this can be found on the County Council's website at <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highway-licences-and-permits/>.

5.8 HDC Affordable Housing Officer – Objects due to the lack of affordable housing provision.

5.9 HDC Open Spaces Officer – No response.

6. REPRESENTATIONS

6.1 24 third party neighbour comments were received, comprised of 19 letters of support and 5 letters of objection. All third-party responses are available to view on HDC's Public Access Site.

6.2 In summary objections received relate to:

- Concern that the proposal represents cramped development.

- Concern that the developer would be in breach of their Biodiversity Net Gain obligations, should planning permission be given.
- Developer should plant / deliver the buffer zone / orchard as set out in the previous planning permission.
- The area should be landscaped according to previous plans and planted as an orchard area which would benefit the environment as well as the residents.
- Concern that the proposed trees would be implemented to the area between the new properties and Nos. 12 and 14 The Green.
- Overlooking to Nos. 12 The Green and 16 The Green.
- Developer needs to rectify the surface flooding caused by dumping spoil to the rear of 12 The Green, 14 The Green, 16 The Green and The Hill Place House which has raised the ground levels.
- Concern that the proposal would increase flooding to 12 The Green, 14 The Green, 16 The Green and The Hill Place House as there is a slope into these dwellings' rear gardens.

6.3 In summary letters of support received relate to:

- The proposal will finish the development in a realistic way to the high aesthetic standard we currently enjoy / is currently wasteland and an eyesore
- The proposed houses are unobtrusive and in keeping with the wider development
- The Proposal will improve security and privacy.
- The proposal will acceptance of this plan will make this large area of ground more practical to maintain and therefore more affordable for residents.
- The upgraded drainage system will benefit the village as a whole by slowing the natural geographical downhill flow of water into the lower part of the village in times of heavy rain fall.
- Maintenance costs would be lower with a smaller orchard area.
- The proposal would allow for green spaces and ecological benefits to be delivered.
- A 2023 village survey of the residents of The Green & Hill Place was undertaken. Of the 55 properties, (this figure disregards one empty property), we achieved a 65% response. Of those responding, 91% were in favour of a 3-house development + orchard area on the application site.
- The proposal appears to accord with National Planning Policy Framework paragraph 130.
- Support subject to flooding risks being addressed.

7. ASSESSMENT

7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in

order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

- 7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within the NPPF (2023). The development plan is defined in Section 38(3)(b) of the 2004 Act as “the development plan documents (taken as a whole) that have been adopted or approved in that area”.
- 7.3 In Huntingdonshire the Development Plan (relevant to this application) 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.

Background

- 7.5 Officers feel it necessary to do a detailed background section before the main assessment part of the application, given the complex history of the site and to highlight the main issues impacting the proposal.
- 7.6 The original wider site incorporated a former MOD site, with a former sewage works / open countryside to the south, with the current site comprising central land part of a wider orchard as approved under application 1300679FUL which approved the “Erection of 56 dwellings, (including 12 affordable units), following demolition of 40 existing dwellings, access and landscaping works and formation of public open spaces” approved in 2014. The application was submitted and assessed in-part (the 16 units on the southern section of the wider site) as a Rural Exceptions Site, delivering 12 affordable housing units and 4 market housing dwellings.
- 7.7 This central land on the development, which is subject to this current proposal was to be retained / planted as an open space / orchard with dwellings to the north and south, which was secured by a Section 106 legal agreement which set out at paragraph 1.6.6

that: *“prior to the occupation of the last residential unit on Area One, the Owner shall provide and make available for use the multi-use games area, children’s play space, orchard land and open space within Area One”*. The central area within the development, was largely bound by hedgerows / planting, being undeveloped land and did not contain the MOD dwellings which was to the immediate north.

- 7.8 A second deed of variation was signed on 5 February 2016 following 15/17000/S73, which inserted the following as a new paragraph 1.6.7: *“The following variations shall be made to the First Schedule to the Principal Agreement (as varied by the First Deed of Variation):- (iii) The insertion of a new paragraph 1.6.7 to read as follows: “Not to Occupy more than 50% (fifty per cent) of the Market Dwellings in Area Three until the orchard land within Area One has been made available for use”*.
- 7.9 However, it must be acknowledged that neither documentation defined what was meant by ‘orchard land’. As noted in the Officer Report for application 20/00012/FUL application which was determined on 17 August 2020 Development Management Committee (for six dwellings on the site), whilst the orchard land was not clearly defined in the S106, this orchard land is intrinsically linked to the wider planning permission itself and the plans approved under application references 1300679FUL, 15/00455/S73 and 15/1700/S73. It must also be noted by Members that as set out in the officer report for 20/00012/FUL, given the over provision of open space on the site as originally approved, was not deemed *necessary* (in terms of the statutory tests) to make the 2013 proposals acceptable in planning terms. However, it was proposed assessed and approved on the basis that the site under consideration under this current application as open space / orchard land.
- 7.10 Condition 4 of the parent 2013 planning permission set out the approach to soft landscaping and within the discharge of condition application submission dated July 2015 (application reference 1408243COND), where the site was annotated as an orchard with the inclusion of orchard trees. There was clear reference that planting would be carried out in the first planting season post commencement, along with details of the orchard planting. The approved Softwork Specification approved under the condition stated that “Planting within the development site to be carried out during the first available planting season following the construction works”. It is noted that to date, Campbell Buchanan have not planted the orchard on site.
- 7.11 Planning Application 15/00126/NMA approved an amendment to Planning Permission 1300679FUL to list approved plans as a condition of the original planning permission. 15/00455/S73 approved design amendments to Plots 1-14 and 50 (15 Units). Permission 15/01700/S73 added reinforcement boundary

treatment to the north of Plot 9 to plot 16. Permission 17/02250/NMA approved an amendment to bund and planting scheme for north and east of the development approved under 15/01700/S73.

- 7.12 In 2019 HDC's Enforcement team raised a Breach of Condition enforcement notice case (LPA ref:19/00302/ENBOC) against the developer against failure to comply with conditions 4 (Soft Landscaping) and 13 (Ecological Enhancement Measures of the permission 15/01700/S73 as amended by 17/02250/NMA to restore the original land levels (as a soil heap had been placed on site), implement the soft landscaping scheme and complete the orchard planting, which according to the officer report for 20/00012/FUL was agreed by the applicant to be carried out subject to determination of the 2020 application. This work has not been carried out. 19/00302/ENBOC is currently being appealed by the applicant (23/00016/ENFNOT) and is pending consideration and yet to be determined by the Planning Inspectorate.
- 7.13 HDC planning reference 20/00012/FUL was submitted for the erection of 4 new bungalows and 2 new chalet bungalows, visitor parking, landscaping and associated works on the site, filling most of the site central and eastern end of the orchard land with residential development. This application was refused by Members at July 2020 Planning Committee on the basis that the proposed development would result in the loss of a previously approved orchard that was to serve as a buffer in this prominent location upon entering the site. The reasons for refusal also included wider design concerns, residential amenity and omission of a signed Section 106 Agreement which would fail to deliver the required infrastructure and social benefits, specifically Affordable Housing, Orchard Land or Waste Management.
- 7.14 This refusal decision was appealed by the applicant (Planning Inspectorate reference APP/H0520/W/20/3262053) and was subsequently dismissed. This is explored in detail in proceeding sections of this report, however, worthy of note is that the Inspector includes in his conclusion that the loss of planned open space is a material factor in the dismissal.
- 7.15 Then in 2022, a further application was submitted to the Planning Authority (ref: 22/00951/FUL) for the erection of 3 dwellings, parking, landscaping and associated works on the planned orchard site. This 2022 permission was refused under delegated powers by officers on the basis of loss of planned buffer orchard and design, residential amenity, inadequate surface water drainage, omission of affordable unit and harm to trees, in line with the Council's Scheme of Delegation which allows officers to determine applications where the officers recommendation aligns with that of the Parish Council.

- 7.16 Therefore, the main issues to consider in the determination of this application are:
- Discussion of recent refusals and Planning Inspectorate Dismissal
 - Principle of Development
 - Design and Visual Amenity
 - Impact On Heritage Assets
 - Amenity
 - Highway Safety
 - Flood Risk and Surface Water
 - Biodiversity
 - Impact on Trees
 - Accessible and Adaptable Homes
 - Water Efficiency
 - Developer Contributions

Discussion of recent refusals and Planning Inspectorate Dismissal

7.17 A 2020 application 20/00012/FUL for “Erection of 4 bungalows and 2 new chalet bungalows, visitor parking landscaping and associated works”, on the eastern and central section of the orchard land separating the two areas of development was dismissed at appeal (LPA Reference 20/00039/REFUSL, dismissed on 24.5.2021). The Planning Inspectors report is a material consideration in the determination of the current application.

7.18 The current application overlaps in part with the appeal site and forms the western end of the central area of open space. Of particular note in the consideration of the current application are the following points identified by the Inspector:

7.19 Part of Para 6 of Inspectors report states:

“The appeal site is currently planned to form part of this network of open space with the approved site layout plans showing the area as soft landscaping interspersed with trees. According to the Council, the area is intended to be a community orchard.”

7.20 Part of Para 7 of Inspectors report goes on to state:

“It does not follow however that the proposal is necessarily acceptable in principle because the site forms part of the planned landscaped context of the overall development and other policies apply.”

7.21 Part of Para 8 of Inspectors report also states:

“The village is thus not a single, concentrated built-up area but rather groups of housing separated by areas of undeveloped land. The appeal site, by separating Hill Place and The Green with an area of landscaped tree planting as planned, would complement

the built form of the village whereas the proposal would create an unduly large continuous built-up area out of character with the rest of the village.”

7.22 Para 9 of Inspectors report continues:

“On approaching the Hill Place/The Green development from Brington Road the appeal site, once laid out, would form an attractive feature separating the two groups of houses, emphasising the rural, more dispersed built-up nature of the area rather than presenting as a single, relatively isolated housing estate in the countryside which would result if the site is infilled with more buildings. The site, once laid out, would also provide a pleasant route for the public right of way, an attractive outlook for Nos 45-53 Hill Rise and avoid a sense of built-up enclosure behind Nos 2-16 The Green. The overall concept of the development is of two high quality groups of housing set in extensive areas of open space within an overall rural setting and the proposal would unduly compromise this spacious layout.”

7.23 Para 11 of Inspectors report:

“The appellant argues that the overall scheme included an ‘overprovision’ of open space and thus the loss of the appeal site would be acceptable, a view shared by the Council’s operations team. However, the open space standard is not a maximum and a scheme may quite properly include a generous level of provision to improve its overall attractiveness and to be more in character with its rural setting as in this case.”

7.24 Para 13 of Inspectors report:

“For these reasons the proposal would significantly harm the character and appearance of the area in conflict with HLP Policies LP2, LP9(c), LP11, LP12 and LP32. These seek to protect the character of existing settlements, only allow development in the built-up area of Brington that protects the character of the immediate locality and the settlement as a whole, seek to ensure distinctive, high quality and well designed places, require proposals to successfully integrate with adjoining buildings and only allow the loss of an area of open space of public value where there would be no significant adverse impact on the character of the surrounding area.

7.25 The Inspector concludes in Paragraph 17:

“The proposal would provide six additional dwellings, including two affordable dwellings, which would make a useful contribution towards local housing needs and would offer social and economic benefits for the village. In addition, there would be a larger orchard and a net gain in biodiversity. However, these material considerations do not outweigh the adverse impact on the

character and appearance of the area as a result of the loss of the planned open space and tree planting, whether or not laid out as a community orchard, nor the resulting conflict with the development plan when considered as a whole.

- 7.26 It is noted that the most recent application 22/00951/FUL (Full planning application for the erection of 3 dwellings, parking, landscaping and associated works), was refused for a number of reasons including the following design reason below:
1. The proposed development of this site would result in the partial loss of a previously approved orchard that was to serve as a buffer in this prominent location upon entering the site and the proposed dwellings by reason of their form and position would be out of keeping and fail to successfully integrate with the surrounding development.
- 7.27 As stated in paragraph 7.12, It must be noted that there is a live appeal application 23/00016/ENFNOT for Appeal against 19/00302/ENBOC - Breach of conditions 4 (Soft Landscaping) and 12 (Ecological Enhancement) of 15/01700/S73 as amended by 17/02250/NMA. The appeal documentation can be found under Planning Inspectorate reference APP/H0520/C/23/3322025 and is yet to be determined.
- 7.28 The enforcement notice requires the applicant to:
- (i) Restore the Land to its original levels as shown on drawings CL01 and CL03 submitted on 30th October 2014 under reference 1408243COND and complete all soil preparation according to the soft landscaping scheme approved under Condition 4 of Planning Permission 15/01700/S73 as amended by 17/02250/NMA.
 - (ii) Complete all planting on the Land in accordance with the soft landscaping scheme approved under Condition 4 of Planning Permission 15/01700/S73 as amended by 17/02250/NMA.
 - (iii) Complete planting on the land to the rear of plots 9-16 as shown on drawing 317-02 received on 4th February 2015 under reference 1408243COND approved under Condition 13 of Planning Permission 15/01700/S73.
- 7.29 The appeal relates only to part i of the enforcement notice. At the time of writing this report, this appeal has not been decided by the Planning Inspectorate.

The Principle of Development

- 7.30 The wider development for the 56 dwellings known as Hill Place and The Green is now regarded to be located within the built-up area of Brington, which the adopted Huntingdonshire Local Plan to 2036 identifies as a Small Settlement. This acknowledged within the previous officer and Planning Inspector reports for residential development on the site (namely 20/00012/FUL and associated appeal determination alongside the most recent 22/00951/FUL

application). As such, Policy LP9 is considered relevant in determining whether the principle of development is acceptable.

7.31 Policy LP9 of the adopted Local Plan states that *‘a proposal that is located within a built-up area of a Small Settlement will be supported where the amount and location of development proposed is sustainable in relation to:*

(a) the level of service and infrastructure provision within the settlement;

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

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

7.32 Comments in support of the proposal in principle from neighbouring dwellings and Brington and Molesworth Parish Council relating to local desire for the proposal to be implemented to complete the wider development given that the land continues to be undeveloped are noted. However, this does not mean that development contrary to local and national policy would be acceptable in this case. A thorough assessment of the proposal is provided in the proceeding sections of this report.

7.33 With regard to Parts a. and b. of Policy LP9, it is recognised that there are available services and facilities in Brington to meet this criteria, including All Saints Church and Brington C of E Primary School and Public Right of Way footpaths 29/9 and 29/32 and other various bridlepaths and footways linking the village to a number of surrounding villages. Therefore, the proposal is considered broadly sustainable with regards to the accessibility to services, facilities and infrastructure.

7.34 In regard to criterion (c), which considers the *effect on the character of the immediate locality and the settlement as a whole*, given the recent appeal decision on the site, the effect on the character of the immediate locality is discussed below under Design, Visual Amenity and impact upon the Character of the Area section of the report, and in summary is considered to be unacceptable. The proposal fails to meet the criterion (c) of Policy LP9 of the Local Plan. The principle of development is therefore considered to be unacceptable for the reasons below.

Design, Visual Amenity and impact upon the Character of the Area

7.35 Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context. Policy LP12 states that new development will be expected to be well designed and that a proposal will be supported where it can be demonstrated that it contributes positively to the

area's character and identity and successfully integrates with adjoining buildings and landscape.

- 7.36 Additionally, Policy LP32 of the Local Plan (Protection of Open Space) supports proposals that would lead to the whole or partial loss of an area of open space of public value where there would be no significant adverse impact on the character of the surrounding area, and the loss is minimised where possible and compensatory measures are put in place that provide a net benefit to the community that is served by the space, which will be judged in terms of availability, accessibility, quality and quantity.
- 7.37 Section 12 of the NPPF (2023) 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.
- 7.38 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.
- 7.39 The HDC Design Guide (2017) is 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 built 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.
- 7.40 It is acknowledged that letters of support have been received from neighbouring dwellings and Brington and Molesworth Parish Council stating that the proposal would be an improvement of the existing site, with the proposed dwellings in-keeping with the wider development, allowing a green space to be delivered and allow for ecological provision.
- 7.41 It is also acknowledged that third parties including Brington and Molesworth Parish Council (BMPC) have raised concerns relating to the design and implementation of previous approvals including concern that the proposal represents cramped

development, and that the area should be landscaped according to previous plans (including levels) and planted as an orchard area which would benefit the environment as well as the residents. BMPC have explicitly expressed that the proposal is only acceptable subject to all planting being completed before first occupation, which should be secured within a hard and soft landscaping condition, alongside conditions securing confirmation of levels and contours and materials.

- 7.42 The application site forms part of the linear central public open space secured as part of the previous 1300679FUL planning permission as noted above.
- 7.43 The formation and layout of the open space within the development reinforces the settlement pattern of Brington which is sporadic and interspersed resulting in a natural and organic rural character and appearance of the area. The 20/00012/FUL application, subsequent appeal and later 22/00951/FUL proposals were refused on the grounds that the loss of the open space would erode this character by undermining the original design rationale resulting in significant harm.
- 7.44 As outlined in the previous application on site (22/00951/FUL), on approach into the wider development, the existing area of open space provides an uninterrupted vista across the open space, to the open countryside beyond to the west and provides a clear distinction between the two groups of housing known as Hill Place to the north, and The Green to the south, that make up the wider development. The provision of additional dwellings at the western end of this area of open space adjacent to the countryside would interrupt this important vista and openness and reduce the actual and perceptible gap between the two areas of development to the detriment of the character and appearance of the area.
- 7.45 Given the similarities in the previously refused scheme and this current proposal, this assessment remains valid. Therefore, in this regard, the previous reason for refusal and the concerns raised by the Inspector in dismissing the appeal have not been considered to be overcome or be sufficiently addressed. It is also noted that there is a vista across the central open space from the western end and edge of the site adjacent to the Public Right of Way. This vista to the east connects with the countryside along Brington Road.
- 7.46 Overall, the proposal is regarded to result in an adverse impact on the character and appearance of the area due to the loss of the planned open space and tree planting irrespective whether or laid out as a community orchard or not as well as the development site forming part of the public open space secured as part of previous planning permission reference 1300679FUL. The proposed development would erode this separation of the two distinct groups of dwellings and create the joining and coalescence of the

two groups of dwellings at the western end of the wider site. In addition, the development at the western end of the site and the enclosing of part of the open land to the west / side of 16 The Green would further erode the spacious character at the western edge of the wider site generally which connects the central open space (the subject of this application) with the open space to the side 16 The Green and the feature public open space within The Green and associated play equipment towards the western edge. This area of open space provides a buffer to the built development within the wider site and the countryside to the west which provides contains a Public Right of Way adjacent (footpath 29/9). Development on this land would be incongruous to the wider development.

- 7.47 The development of the central area of land within the 2013 application would sever the undeveloped land from the countryside beyond to the east and west of the wider site.

Layout relating to plots 1-3

- 7.48 In comparing the Proposed Site Plan with the Proposed Site Plan as submitted in the previous application, it is noted that the siting and layout remain the same.
- 7.49 Plot 1 fronts the proposed new orchard to the east, and Hill Place to the north with an access drive to the west also serving plots 2 and 3, with the garage to plot 1 located to the rear. The proposed side elevation of the garage will be visible from the shared drive of the plots / and public footpath from Hill Place to the north. It is also noted that the western gable is only a minimum of 1m to the private drive which limits separation / landscaping and boundary treatments.
- 7.50 Plot 2 is approximately 1.5m from the proposed boundary with the adjacent public right of way to the north which enters the site from the countryside to the west. Plot 17 on Hill Place, further to the north has a greater separation distance to the path of a minimum of approximately 3.2m. The proposed dwelling is cramped in comparison and erodes the spacious character of the area when entering the site from the west via the public right of way.
- 7.51 In addition, the northern elevation illustrates a utility door on the northern gable. The proposed Planting Plan does not illustrate the path connecting to the utility door, just an area of plants adjacent to the side gable. Notwithstanding this point, it is questioned if there is sufficient space for a path to the side of the dwelling and soft landscaping to the proposed boundary. Beyond to the side gable, a 1.8m close board fence is proposed parallel to the public right of way along the side of the plot. This is set back from the public right of way by approximately 0.84m. To the front of the fence is soft landscaping. It should be noted that this does not comply with the proposed condition from Cambridgeshire County

Council Definitive Map team who have requested “No planting shall be erected on or within 2m of the Public Right of Way“. On this basis the proposed side boundary and soft landscaping arrangements conflict and an alternative arrangement would be required to create the 2m separation from the public right of way should the application be approved.

- 7.52 Plot 2/3 contain a shared quadruple width drive with a large expanse of hard surface, accessed via the private drive serving the garage of plot opposite.
- 7.53 Plot 3 is located to the north of the existing MUGA and is proposed to be separated by soft landscape planting.
- 7.54 The approved but not yet implemented pedestrian path linking Hill Place to The Green adjacent to the MUGA / children’s play area across the orchard has not been constructed as approved by application 1300679FUL. The route is proposed within the new proposals, albeit adjacent to a driveway and residential development, rather than through the approved open orchard and moved further to the west away from plot 9 under the original approval. The public route connecting both parcels of residential development is now proposed through a residential development, rather than the landscaped orchard, which changes the character and sense of separation between the two groups of development.
- 7.55 It should also be noted that due to the proposed enclosure of open space to the west and north of No 16 The Green with 1.8m high close boarded fencing, that there is no direct view across nor open space in the site which connects Hill Rise to The Green and vice versa along the footpath. This does not aid in the creation of high quality placemaking, or in terms of legibility of the wider site.
- 7.56 The approved soft landscaping to the central orchard area approved under application 1408243COND – C4 – soft landscape scheme utilised all of the land between Hill Place and the rear of dwellings on The Green and Hill Place.
- 7.57 Application 15/01700/S73 was granted which included ‘variation of condition 4 (soft landscaping) to allow for reinforced planting along the boundary of plots 9-16’. ‘Detailed Planting Plan - boundary reinforcement’ (drawing 317-04) submitted 9.10.15.
- 7.58 Condition 2(v) of application 1408243COND agreed ‘finished floor levels and threshold details and levels of roads, gardens, paths and gradients’. The spot levels for the orchard land are illustrated on the approved plans (Phase 1 External Works General Arrangement Plan – 131406-CL01 Rev P7, and Phase 2 External Works General Arrangement Plan Sheet 2 of 2 – 131406-CL02 Rev P4. This illustrates a gradual fall from Hill Place to the north across the orchard land to the south where the rear gardens of plots 9-16 are located.

- 7.59 It is noted under the previous application 22/00951/FUL that an Existing Site Topo plan has been submitted with the current application drawing MGL 24/07/2019, this illustrates notable engineering works on the orchard land compared to previous site levels. Essentially the site has been artificially levelled to provide a flat area fronting Hill Place to the north, with a steep embankment being created to the south backing onto dwellings to The Green which is part of enforcement appeal. As a result an artificial steep embankment down to the rear garden boundaries of dwellings on The Green has been created with higher ground levels at the top of the bank than originally approved.
- 7.60 The Inspectors comments (para 16) under application 20/00012/FUL that with suitable landscaping of the area to the rear of The Green together with suitable site management there is no reason why there is security and potential antisocial behaviour concerns. The proposal to fence off (with 1.8m close boarded fence) the embankment reduces the area of the site originally intended for the orchard, and it is noted that under the previous S73 application 15/01700/S73 that additional landscaping was permitted. This was without boundary treatments segmenting the land. A fence (indicated as 1.8m in height on drawing 2018/38-28b Proposed Site Sections and as a 1.8m close boarded fence on drawing 2018/38-20k Proposed Overall Site Plan) results in this space being excluded from the wider POS land of the original orchard.
- 7.61 The steep gradient has been artificially created. If the site was regraded with a more natural slope (as previously existed on the site) the requirement to fence off this area would be omitted. The western end of the proposed 1.8m close boarded fenced area adjacent to the footpath link to the MUGA has limited / if any soft landscaping to soften it, creating an incongruous feature. Such a feature around the open landscaped side and rear of plot 9 The Green would also reduce the visual separation of Hill Place and The Green. The open character of the site would be eroded which is detrimental and unacceptable.
- 7.62 A hard and soft landscaping plan has been submitted which provides details of soft landscaping to the plots and the orchard land, as well as boundary treatments. The dwellings are proposed to be bound by 1.8m high close boarded fencing to the side and rear boundaries. There is concern that there are prominent areas of fencing without sufficient soft landscaping to screen them, notably to the west of plot 1 and the fenced off area of public open space adjacent to 16 The Green.

Dwellings

- 7.63 Plot 1 – is a single storey thatched cottage located on a prominent position. The western gable which fronts the private shared drive

and pedestrian link, does not contain a ground floor window(s) to provide surveillance over the drive / public footpath and break up the blank public gable.

- 7.64 Plot 2 – is designed as a corner turning dwelling, with a frontage to the private drive facing east, and a second frontage to the north adjacent to the Public Right of Way. The front elevation is unbalanced with different brick proportions between openings / end of the dwelling and creates an unbalanced composition of openings on the front elevation, it is noted that there are similar dwellings however on the wider development. No surveillance is provided over the drive which is essential for surveillance and also important to breakup the brick mass given the wide quadruple driveway width proposed.
- 7.65 Plot 3 – this dwelling has been redesigned (from application 22/00951/FUL) to remove overlooking to 16 The Green (plot 9) to the east through the removal of 2 of the 3 proposed first floor opening on the eastern elevation, retaining 1 dormer style window through the eaves line. Whilst there are similar building on the wider development, these contain 2 /3 dormer windows. The appearance of the dwelling is now roof heavy. No surveillance is provided over the drive which is essential for surveillance at ground floor given the wide quadruple driveway width proposed with plot 2.
- 7.66 The garages satisfy the requirements from the Hunts Design Guide and can accommodate cycle storage.
- 7.67 Details of bin collection or storage have not been provided, however could be secured via condition upon any approval.
- 7.68 Although the proposal seeks a reduction in dwellings (from 6 in the 20/00012/FUL application) to three (22/00951/FUL application), the reasons for refusal in these applications, as well as the Planning Inspectorate's decision on the 22/00951/FUL application are a material consideration in the determination of this current scheme.
- 7.69 The principle of development is therefore considered to be unacceptable in terms of the impact to the *effect on the character of the immediate locality and the settlement as a whole.* and therefore the proposal fails to meet the criterion (c) of Policy LP9 of the Local Plan. Notwithstanding the conflict with LP9 part c, in relation to the principle of development on the site, HDCs Urban Design Officer has considered the proposals regarding the proposed layout, design and landscaping of the scheme and raised concerns as detailed above.
- 7.70 The proposal would significantly harm the character and appearance of the area in conflict with HLP Policies LP2, LP9(c), LP11, LP12 and LP32 through the erosion of the planned orchard

land as amenity land for the wider development, and would erode the spatial separation of Hill Place and The Green through infilling adjacent to the rural countryside edge with development, and segregation of part of the orchard land with fencing and artificial ground levels. The proposal is also contrary to the HDC Design Guide 2017 section 1.6 Design Principles, 3.6 Landscape, and 3.7 Building Form, and gives rise to unacceptable overlooking from plot 3 to the rear garden of 16 The Green, contrary to HLP Policy LP14(b). The proposal would therefore have an unacceptable effect on the character of the immediate locality and the settlement as whole, contrary to criterion (c) of Policy LP9 Huntingdonshire Local Plan. Subsequently, the principle of development is not supported.

Impact on Heritage Assets

- 7.71 The proposal does not fall within any designated Conservation Area but is approximately 250 metres north of All Saints Church which is a Grade II* Listed Building.
- 7.72 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.
- 7.73 Paras 195 - 204 of the NPPF provide advice on proposals affecting heritage assets and how to consider different levels of harm. Para. 206 states 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'. Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice. It is also noted that Local Plan Policy LP2, which sets out the overarching development strategy for Huntingdonshire through the plan period, includes the main objectives of conserving and enhancing the historic environment within the district.
- 7.74 Paragraph 205 of the NPPF (2023) sets out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Paragraph 206 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'

- 7.75 As set out in the previous application for three dwellings on the site (22/00951/FUL), due to the distances and the scale of the proposed additional development within the wider site, it is not considered that any harm would befall the setting of this listed building and it is considered consequently that its heritage significance is preserved.
- 7.76 The proposal therefore complies with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 195-214 of the National Planning Policy Framework 2023 and Policies LP2 and LP34 of Huntingdonshire's Local Plan to 2036.

Amenity

- 7.77 Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

Public Right of Way

- 7.78 It is acknowledged that the site includes a designated Public Right of Way (footpath 29/9) to the northern boundary which then runs south abutting the western boundary where it meets Bridleway No. 29/10, and splits southwards and westerly to Catworth Village.
- 7.79 Brington and Molesworth Parish Council have suggested a condition requiring that Brington and Molesworth public footpath 29/9 is protected and remains available for the public to use at all times during and after the development.
- 7.80 The Cambridgeshire County Council's Public Rights of Way Officer (PRoW) was formally consulted on the proposals and raised an objection as the proposed Site Plan fails to show the alignment of footpath 29/9, noting that the proposed shared access road to all 3 dwellings will cross the public footpath, indicating that the applicant is proposing to change (at least part-way) the surface of the assigned public footpath. Clarification was therefore sought as changes of surfacing of footpaths are subject to a formal process which includes consultation. The PRoW team state that no application to begin this process had been received, but nevertheless recommend conditions and informatives be applied to any consent given to the application, *in the interests of the amenity of the public*, including fencing and planting siting. A number of informatives are also recommended, as provided in Chapter 5 'Consultations' section of this report (specifically paragraph 5.7).
- 7.81 Over the course of the application, in response to this consultation comment from the PRoW team, the applicant confirmed to the Local Planning Authority that a change of surface authorisation request has been submitted to Cambridgeshire County Council.

Comments regarding the relationship of the side boundary of plot 2 and the PRoW are addressed above under paragraph 7.53.

- 7.82 Therefore it is considered that the proposal would have a satisfactory impact to the Public Right of Way and subject to conditions and informatives recommended by the PRoW team which align with the Parish Council's suggested condition, would meet the overall aims and objectives of Policy LP14 and LP16 (which encourages sustainable travel modes) of the Huntingdonshire Local Plan (2019) in this instance.

Residential Amenity

- 7.83 Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.
- 7.84 It is acknowledged that the previous 20/00012/FUL (for six dwellings on the site) and 22/00951/FUL (for three dwellings on the site) were both refused on residential amenity issues relating to overlooking resulting from the higher levels of land on the site compared to the lower levels to the south. While the current application seeks to remedy overlooking concerns, concern remains regarding overlooking impacts between Plot 3 and 16 The Green (annotated as Plot 9 on the submitted 'Proposed Overall Site Plan, DWG: 20k).

Amenity for future occupiers

- 7.85 Having regard to the amenity of future occupants of the proposed dwellings, all Plots would all be served by private amenity space in the form of private garden areas and bin and cycle stores areas would be located in suitable locations so to not impact unduly upon neighbouring amenity.
- 7.86 The internal floor area (GIA) of Plot 1 would be 157 sqm, comprised of a 2-bedroom, 4 person dwelling, exceeding the 70 sqm requirement for single storey dwellings. Plots 2 and 3, which would be 183 sqm GIA, comprising 4-bedroom, eight person dwellings would also exceed the requirement as set out the Nationally described space standards (NDSS) of 124 sqm. The proposal therefore accords with NDSS. Accordance with the NDSS is not a policy requirement within the Huntingdonshire Local Plan to 2036 but provides some context in terms of living space. In this instance, the proposed internal space is considered appropriately functional and acceptable such that future occupiers would experience a good standard of amenity in this regard.
- 7.87 The Council's Environmental Health Officer has been consulted on the impact of the proposed separation relationship between the mixed use play area (MUGA) and Plot 3 to the north in terms of

potential noise and disturbance, which at its closest is approximately 7.5m to the southern gable. This falls below the Fields in Trust Guidance of 30m minimum separation between the actively zone and boundary of the nearest dwelling.

- 7.88 However, the Environmental Health Officer accepts that there is another property at a closer distance to Plot 3 and the MUGA, with no floodlighting associated with the tennis court and considering the land gradient, it appears the tennis court is cut into the ground, effectively bunding the area. Consequently the Environmental Health Officer raises no issues with the distance of the MUGA and the proposed residential dwellings and can therefore have no issues to raise.
- 7.89 It can therefore be concluded that the proposal is acceptable in terms of impact to future occupiers of the three dwellings.

Amenity of neighbouring properties

- 7.90 Reason 2 of refusal application 22/00951/FUL related to significant overlooking from plot 3 to the rear of 16 the Green (formerly plot 9). This reason was worded as follows:

“Due to the topography of the site with levels sloping down to the south, the proposed development would result in significantly harmful overlooking from the front elevation windows of plot 3 causing a loss of privacy to the private garden area of no 16 The Green. The tree planting proposed along the linear orchard to the south of the proposed dwellings would not sufficiently mitigate against the harmful overlooking which has been identified. The proposal would therefore be contrary to policy LP14 (b) of Huntingdonshire’s Local Plan to 2036 (2019), the guidance of the Huntingdonshire Design Guide Supplementary Planning Document (2017) and the National Planning Policy Framework 2021 particularly paragraph 130(f) and part H1 of the National Design Guide (2019), all which seek a high standard of amenity for existing and future place users.”

- 7.91 The Huntingdonshire District Design Guide at page 143 sets out guidance on overlooking, stating that: ‘A general rule of thumb of 21m distance between properties ensures privacy for residential use.’
- 7.92 The proposed plan indicates a 1.8 metre-high close-boarded timber fencing separating the proposed area of buffer and screen planting running east-west of the site and forming the rear and eastern side garden boundary of Plot 1, which would form a back-to-back arrangement with Nos. 12-16 The Green to the south.
- 7.93 It is acknowledged that Nos. 12 and 16 The Green have raised concern with overlooking and the impact that the proposed trees to the area between the new properties and Nos. 12 and 16 The

Green. Brington and Molesworth Parish Council (BMPC) have expressed that the proposed design amendments help mitigate the loss of privacy at 14 and 16 The Green, accepting that fenestration must be acceptable and that the proposed tree belt takes time to mature. Subsequently, BMPC put forward that that a condition that the Orchard Area and Area of buffer planting should be planted before the first occupation, with mature trees of adequate height to prevent loss of privacy and a construction hours condition to maintain residential amenity.

- 7.94 It is notable that Plot 3 has been amended with a different internal room configuration and only contains 1 front dormer window to the roof, rather than 3 as previously proposed within the 22/00951/FUL application. A sectional drawing has also been provided showing the relationship of Plot 3 and the rear garden of 16 The Green, however, no finished floor / ground levels are illustrated on this drawing that fully demonstrates the precise floor or ground levels within this part of the site. It is acknowledged, however that the first floor front dormer would be approximately 15 metres from the private rear amenity area of No.16 The Green and approximately 20.6 metres from No.14 The Green.
- 7.95 The positions of Plots 2 and 3 as proposed would be orientated so that the front elevations would have an easterly aspect towards to side boundary of 14 and 16 (plots 9 and 10) The Green. The distance and oblique relationship between the existing dwellings and plot 2 would not give rise to any opportunity for unacceptable overlooking, overbearing or result in a loss of privacy. Similarly, it is not considered that the relationship with plot 17 to the north would result in any harm to amenity for either the existing or future occupiers. Furthermore, the relationship between plots 1 and 2 would not give rise to any unacceptable overlooking or overbearing.
- 7.96 The Plot 3 section drawing illustrates that the high-level roof lights on Plot 3 will give a view of the sky. Whilst not illustrated on the section, overlooking onto the rear amenity area of No. 16 The Green from the first-floor dormer window serving Plot 3's landing will occur (but could be mitigated by being obscurely glazed). This could be secured by condition in the event an approval decision is made on the proposals, however given the height difference in levels on the site compared to the lower-set existing dwellings on The Green, there are concerns that Plot 3 could also cause overlooking from the front-facing ground floor windows of Plot 3.
- 7.97 Overlooking from the ground floor front habitable rooms of Plot 3 is proposed to be prevented through the siting of a 1.8m fence located between the footpath and the area of public open space to the west and northern side of 16 The Green. There is a significant difference in levels between the dwellings and as detailed in the above design and visual amenity section above (paragraph 7.61) the principle of the erection of a fence enclosing

the area of public open space to the side of 16 The Green is unacceptable and is unsupported.

- 7.98 As such, should the proposal be approved without the 1.8 metre closed-barded fence, overlooking from the ground floor rooms of plot 3 to the rear amenity space of plot 9 (16 The Green) will result and is regarded as unacceptable. Whilst it is acknowledged that some intervening on and off-plot vegetation will provide some screening, this would not be sufficient as to avoid an unacceptable loss of privacy to the occupiers of no 16 The Green.
- 7.99 It is also noted on the section the relationship between Plot 1 and the dwelling at No.16 The Green to the south. The nearest back-to-back distance would be 33m, in excess of the minimum 21m guidance contained within the Design SPD. however, the difference in levels is a significant concern, with the site being significantly higher than the existing dwellings on The Green.
- 7.100 The position of Plot 1 would result in a back-to-back arrangement with Nos. 12-16 The Green. The nearest back-to-back distance would be 33m, in excess of the minimum 21m guidance contained within the Design SPD. Having regard for the change in ground levels (approx. 2m), this is still considered be an adequate distance to protect existing residents within The Green from unacceptable overlooking or overbearing impacts given the planted tree belt would also, in the longer term lessen any impact further. It is not considered that any other existing or proposed dwellings would be harmed in terms of residential amenity as result of the scale or layout of plot 1.
- 7.101 While there are no concerns regarding future occupiers of the proposed dwellings on the site, given the above overlooking concerns between Plot 3 and No.16 The Green to the east, and that the insufficient separation distance would result in a significant overbearing impact to the rear garden and rear elevation of No 16 The Green, it is considered on balance that the proposal would result in an unacceptable loss of privacy, and would reduce the subsequent use and enjoyment of the private garden area of this existing dwelling. In this regard, the proposal would be contrary to policy LP14 of the Local Plan to 2036.
- 7.102 Neighbour comments in support of the application in terms of the proposal improving security and privacy and would make the area more practical and cheaper to maintain, allowing for a green space to be delivered are noted. However, these elements do not outweigh the identified harm in terms of overlooking and loss of privacy and the proposal is considered to cause an unacceptable level of detriment to residential amenity significant enough to warrant a refusal of the application.
- 7.103 Should the proposal be approved by Members, it is recommended to consider appending construction hours restriction condition to

safeguard residential amenity and a condition requiring the first floor front dormer window of Plot 3 to be obscure-glazed.

Highway Safety & Parking Provision

- 7.104 Policies LP16 and LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.
- 7.105 The site would be accessed via the existing Hill Place vehicular highway access from Brington Road serving the wider site as approved in the original 1300679FUL application and the proposed dwellings would take their vehicular access from the western end of the perimeter road serving the northern part of the site with the creation of a new access and road which would extend to the middle point of Plot 3 to the south serving Plots 2 and 3.

Highway Safety

- 7.106 Cambridgeshire County Council as the Local Highways Authority (LHA) have reviewed the proposals and advised that the development is not adopted highways land and the access to the adopted highway on Brington Road has already been accepted previously for shared residential use. Therefore, no significant adverse effect upon the Public Highway should result from this proposal should it gain benefit of Planning Permission. The Local Highway Authority therefore raise no objection to the proposal and as such, the proposal is considered to have an acceptable impact on highway safety and is in accordance with Policy LP17 of Huntingdonshire's Local Plan to 2036, as well as the 2023 NPPF.

Parking

- 7.107 All Plots would have off-road parking provision via a double drive serving each dwelling with double garage beyond. The double garages which would have room for at least one additional vehicle space and area to store cycles complies with the standards set out within the Huntingdonshire Design Guide and LP17 of the Local Plan to 2036.
- 7.108 Brington and Molesworth Parish Council have requested standard highway conditions unusually recommended by Cambridgeshire County Highways on development schemes, including access construction maintenance and access drainage. These requests are noted, however, Cambridgeshire Highways have reviewed the submitted proposal and note that the site is within private land. Included in the tests for planning conditions is that it is enforceable, necessary, relevant and reasonable. In this case, given the absence of highways concerns, it is considered that the

proposal fails the tests for planning conditions and that it would be unreasonable to append these conditions to any consent given to the application.

Flood Risk and Surface Water

- 7.109 National guidance and Policy LP5 of the Local Plan to 2036 seek to steer new developments to areas at lowest risk of flooding and advises this should be done through application of the Sequential Test, and if appropriate the Exceptions Test.
- 7.110 The application site is situated in Flood Zone 1 Based on the Environment Agency Floods Maps and the Strategic Flood Risk Assessment (2017). However, the site is forms part of a wider large-scale development and it is therefore required that other forms of flood risk, such as surface water flooding are appropriately considered and mitigated. It is also acknowledged that a neighbour and Brington and Molesworth Parish Council supports the application subject to flooding risks being addressed, with the Parish Council requiring Surface Water drainage and runoff scheme conditions.
- 7.111 A Flood Risk Assessment, Outline Drainage Strategy and SUDS statement has been submitted in support of the application. These documents confirm that the proposed swale basin (to be implemented north of the main access to the site on Brington Road, with associated access and ditch) has been sized to accommodate rainfall events up to and including a 1 in 100 year +40% climate change storm and an additional basin is proposed as a public benefit above planning policy requirements to manage any runoff from the field to the north of the proposed swale. The basin is proposed with a 361m² surface area, 249m² base area, 0.5m deep.
- 7.112 The EA Flood Risk from Surface Water map shows that the majority of the site is at 'very low' risk of surface water flooding with some small areas at 'low risk' of surface water flooding. This is likely caused by localised low spots within the site. The provision of a SuDS drainage system will help to reduce the risk in these areas. As such the risk posed to the site by surface water has been deemed low.
- 7.113 The proposed SuDS drainage strategy will restrict the runoff from the proposed development to 2.0 l/s, matching the greenfield runoff rate as closely as practicable, whilst meeting the request for 75mm apertures at MH19 and MH21 to ensure the risk of blockages and flooding are suitably reduced. As such, the site is at low risk of flooding and the proposed SuDS features offer the opportunity to reduce flood risk downstream.
- 7.114 Third-party comments including comments from Brington and Molesworth Parish Council raise concerns regarding flooding,

particularly to Nos. 12, 14 and 16 The Green (sited to the south) and Hill Place House as there is a slope into these dwellings' rear gardens which has caused historic internal flooding are acknowledged, as is the one comment of support which identifies that the proposal would improve drainage to neighbouring properties.

- 7.115 Initially, the Cambridgeshire Lead Local Flood Authority (LLFA) objected to the proposals on the basis that insufficient hydraulic calculation and attenuation volumes data had been submitted as well as discrepancies in the proposed impermeable area and more information required to assess the projected proposal outfall.
- 7.116 Following this objection, additional information via an updated Flood Risk and Drainage Strategy) was received from the applicant to address LLFA concerns and was duly reconsulted upon. The LLFA after review removed their objection in principle, subject to conditions relating to a detailed design of Surface Water Drainage to be submitted to and approved in writing by the Local Planning Authority to be thereafter maintained and managed in accordance with the approved management and maintenance plan to ensure adequate drainage and to ensure that there is no increased flood risk on or off the site and a pre-commencement condition for additional surface water run-off avoidance during construction to be submitted to and approved in writing by the Local Planning Authority to ensure surface water is managed appropriately during the construction phase. Informative relating to Ordinary Watercourse consent and Pollution Control are also recommended to be appended to any consent given to the application.
- 7.117 Additionally, in response to the raised neighbour concerns regarding flooding, the LLFA acknowledges that "internal property flooding has been reported in the area, affecting properties laying at a lower level adjacent to the site. Mapping shows that the site is in Flood Zone 1 and at low risk of surface water flooding. The applicant proposes to use permeable paving and swales as a means of attenuating and conveying surface water on the site. The application also seeks to provide wider SuDS benefits by providing additional attenuation storage to manage surface water runoff from the field to the north of the proposed swale. This means that flood water should not be displaced outside of the site, therefore minimising any increased risk of flooding to the surrounding area.
- 7.118 This betterment of flood risk and drainage measures which include a basin to serve the wider site outside of the site plan is regarded to provide a significant benefit to the site and wider development in flood risk and drainage terms. Consequently, it is considered that the development would likely improve flooding and surface water issues on the site for neighbours and is therefore acceptable. Notwithstanding this betterment, given the in-principle support for the development by technical consultees, officers are

satisfied that the proposal is acceptable in flood risk and drainage terms subject to conditions and informatives. The proposal is therefore considered acceptable with regard to Policies LP5, LP6 and LP15 of the Huntingdonshire Local Plan to 2036 and the NPPF 2023 in this regard.

Biodiversity

- 7.119 Paragraph 180 of the NPPF (2023) states Planning policies and decisions should contribute to and enhance the natural and local environment. Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible, through the planned retention, enhancement and creation of habitats and wildlife features, appropriate to the scale, type, and location of development.
- 7.120 A neighbour has raised concern that the developer would be in breach of their Biodiversity Net Gain obligations, should planning permission be given.
- 7.121 The application is accompanied by the Council's Biodiversity Checklist which identifies no biological constraints to the site which corresponds with council data as well as a Biodiversity Metric 3.0 and Biodiversity Enhancement Plan (BEP) by ELMAW Consulting dated April 2022, which notes that the existing site is bare land with little ecological significance. Given the location of the site separating two housing developments, officers agree with this appraisal.
- 7.122 The BEP proposes a number of objectives for the proposal, including a traditional orchard comprising of 27 fruit trees over 0.147 hectares under sown grassland which would benefit invertebrates, amphibians, small mammals and birds. Additionally, a new native tree and shrub belt will be planted along the majority of the site's eastern boundary. This area will measure approximately 0.085ha and will comprise a mix of native trees and wildlife-beneficial shrubs. The lower growing shrub layer will provide shelter to small mammals and invertebrates. The early-flowering trees and shrubs will provide a vital nectar source to emerging invertebrates coming out of hibernation which need extra energy at this crucial time in their lifecycle.
- 7.123 It is also proposed to install three nest boxes for nesting birds, hedgehog boxes and insect houses with wider planting on the site to benefit all wildlife. Overall, the proposal would represent a 65.34% biodiversity net gain, however, it is acknowledged that this is a policy requirement and is not a significant benefit to the scheme which would represent to outweigh the harm that makes the proposal unacceptable in principle.

- 7.124 The proposal has been reviewed by the Council's Ecology Officer who raises no objections to the proposal subject to conditions requiring the scheme to be implemented in accordance with prescriptions detailed in Sections 2.1 and 2.2 of the Ecological Enhancement Scheme and a Habitat Management Plan to be submitted to and approved in writing by the Local Planning Authority to ensure the conservation and enhancement of on-site biodiversity in accordance with Policy LP30 of the Huntingdonshire Local Plan to 2036.
- 7.125 Officers are therefore satisfied that a biodiversity net gain would be achieved on the site, subject to conditions securing the proposed enhancement and monitoring and maintenance measures to ensure no net loss in biodiversity and to secure a net gain.
- 7.126 As such, subject to the imposition of conditions, the proposal is considered to 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.

Impact on Trees

- 7.127 Policy LP31 of the Huntingdonshire Local Plan to 2036 requires proposals to demonstrate that the potential for adverse impacts on trees, woodland, hedges and hedgerows has been investigated and that a proposal will only be supported where it seeks to conserve and enhance any existing tree, woodland or hedge.
- 7.128 The proposal is accompanied by an Arboricultural Impact Assessment and Tree Protection Plan, Tree Survey and an Arboricultural Method Statement which has been reviewed by the Council's Arboricultural Officer, who raises no objection subject to conditions.
- 7.129 Therefore, subject to the imposition of compliance conditions to ensure the proposal is carried out in accordance with the submitted arboricultural details, the proposal is considered to be in accordance with Policy LP31 of the Huntingdonshire Local Plan to 2036.

Accessible and Adaptable Homes

- 7.130 Policy LP25 of the Huntingdonshire's Local Plan to 2036 states that proposal for new housing will be supported where they meet the optional Building regulation requirement M4(2) 'accessible and adaptable dwellings' unless it can be demonstrated that site specific factors make this impractical or unviable.
- 7.131 To ensure that the development can meet these standards a condition is recommended to be imposed on any permission that

may be granted in this regard in accordance with Policy LP25 of Huntingdonshire's Local Plan to 2036.

Water Efficiency

7.132 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. It is recommended that a condition be attached to any consent to ensure compliance with the above, in accordance with Policy LP12 (j) of Huntingdonshire's Local Plan to 2036.

Infrastructure Requirements and Planning Obligations

7.133 Community Infrastructure Levy (CIL):

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.

Affordable Housing

7.134 The applicant acknowledges within the submitted planning statement that the previous application on the site for residential development (22/00951/FUL) was refused in part due to lack of affordable housing provision. Members should also be aware that the 2020 refusal at Development Management Committee (20/00012/FUL) for six dwellings on the site was also refused due to lack of affordable housing provision.

7.135 The key reasoning for this position rests on the view that the wider originally-permitted site (13000679FUL for the erection of 56 dwellings (including 12 affordable units) following demolition of 40 existing dwellings, access and landscaping works and formation of public open spaces, permitted in 2014) includes this current parcel of land subject to determination in this application, and therefore the current proposal should be considered as part of the wider previous development. Supporting this view is that within the Inspectors determination of the 20/00012/FUL appeal statement that 'two affordable dwellings would make a useful contribution towards local housing needs.'

7.136 The submitted planning statement acknowledges this quote, but counters that the omission of the Inspector to explicitly require an affordable housing element sufficient justification that an affordable housing element is not a requirement. While this is noted, it is also the case that a Section 106 legal agreement to secure affordable housing (2 of the six proposed dwellings) had been agreed between the Local Planning Authority and the Applicant prior to determination of the 2022 appeal.

- 7.137 Furthermore, the submitted planning statement puts forward that the site should be regarded as a single planning unit rather than part of the wider site, citing the R (Westminster City Council) v First Secretary of State and Brandlford Limited [2003] case law which sets out three 'tripartite' tests to determine whether the site forms part of either a larger or smaller planning unit in instances of phased development. All three tests must be satisfied to be considered passed, and include ownership, whether the site is a single planning unit, and whether the development should be treated as a single development.
- 7.138 In terms of ownership, the submitted planning statement (PS) accepts that the site has been in the same ownership between the determination date of the original permission (1300679FUL for 56 dwellings) and the current submission, although the PS does not regard this as demonstration that the proposal does not meet this first test. However, the first 'tripartite' test is whether the two sites are in single ownership, which is clearly is. It is therefore considered that the two sites are in single ownership and therefore does not meet this first 'tripartite' test.
- 7.139 The second test relates to whether the two sites constitutes a single site for planning purposes and the third is whether the proposals can be deemed a single development. Officers put forward that the site is included within the red line of the original 1300679FUL application and therefore forms one planning unit where a Section 106 legal agreement and deed of variation was established to secure the site as open / orchard land. Moreover, the sites access is through the existing development and the proposed drainage basin as proposed in the current application would be placed and subsequently would benefit the wider site as approved.
- 7.140 The PS argues that as the original 1300679FUL application is complete, considering the scale and nature of the proposal, the nature of the existing development (which was not designed to avoid affordable housing provision or artificially subdivided), surrounding context, planning history, relative timescales and completed development, the proposal is not phased development and should be regarded as a separate planning unit. However, officers refute this as the open space requirement, secured by a Section 106 to deliver an orchard has not been delivered and therefore the development should be regarded as incomplete. This view is supported by the ongoing enforcement case and appeal against the developer against failure to comply with conditions 4 (Soft Landscaping) and 13 (Ecological Enhancement Measures of the permission 15/01700/S73 as amended by 17/02250/NMA to restore the original land levels, implement the soft landscaping scheme and complete the orchard planting.
- 7.141 Policy LP24 of the Huntingdonshire Local Plan to 2039 states:

In order to assist in meeting the identified local need for additional affordable homes, a proposal which includes housing development will be required to provide a range of affordable housing types, sizes and tenures. These should be appropriate to meet the requirements of the local community taking into account the latest evidence from the Housing Register, the Cambridge sub-region Strategic Housing Market Assessment and other local sources. The affordable housing provision may include specialist or supported housing where an identified need exists. A proposal will be supported where:

- a. it delivers a target of 40% affordable housing on a site where 11 homes or 1,001m² residential floorspace (gross internal area) or more are proposed(16);*
- b. it provides approximately 70% of the new affordable housing units as social or affordable rented properties with the balance made up of other affordable tenures;*
- c. affordable housing is dispersed across the development in small clusters of dwellings; and*
- d. it ensures that the appearance of affordable housing units is externally indistinguishable from that of open market housing.*

Where it can be demonstrated that the target is not viable due to specific site conditions or other material considerations affecting development of the site an alternative dwelling or tenure mix or a lower level of provision may be supported. Preference will be given to amending the tenure mix; only if this is still demonstrated not to be viable will consideration be given to reducing the affordable housing requirement. A development viability assessment may be required to support an alternative mix or level of affordable housing provision.

In exceptional circumstances it may be appropriate to accept off-site provision and/or commuted payments where this would offer an equivalent or enhanced provision of affordable housing.

7.142 Furthermore, the supporting text at paragraph 7.12 to Policy LP24 'Affordable Housing provision' states that: "..In deciding whether a particular site meets the size thresholds the Council will consider not only the proposal submitted but the potential capacity of the site and whether a larger site has been artificially sub-divided. Where this applies, affordable housing requirements will reflect a reasonable capacity on the whole site."

7.143 The 2013 proposals comprised the erection of 56 dwellings following the demolition of the existing 40 dwellings on the site, thereby delivering 16 net gain in dwellings. The proposals were brought forward as a part exception site / part replacement of existing dwellings and were supported by a viability assessment which confirmed that four market houses were required to support the delivery of 12 affordable dwellings, which exceeded the policy requirement for 40% of the site to be affordable housing.

- 7.144 It is acknowledged that the site, due to being part of an area with over 30 dwellings now forms part of the built-up area. Taking into account that the current proposal would deliver an additional three dwellings, bringing the net gain of dwellings to 19 dwellings, it is accepted that the 40% requirement for affordable housing of 7.6 homes has already been met and is acceptable in this instance.
- 7.145 Officers note that the on the previous application (22/00951/FUL) reason for refusal 4 related to the lack of affordable housing provision. It is unclear how officers arrived at this decision given that the affordable housing provision was policy compliant. Notwithstanding this, it must be acknowledged that each proposal is assessed on its own merits and in this case, does not meet the policy threshold to deliver additional affordable housing. Nevertheless, should any more development proposals come forward on the site, an assessment of affordable housing provision would be required, and appraised using Local Plan Policy LP24 on its own merits.
- 7.146 It is therefore concluded that the proposed development is policy compliant and as such, would accord with Policy LP4 and LP24 of Huntingdonshire's Local Plan to 2036, the National Planning Policy Framework 2023 and the Huntingdonshire Developer Contributions Supplementary Planning Document (2011).

Unilateral Undertaking for the Provision of Wheeled Bins

- 7.147 Part H of the Developer Contributions SPD (2011) requires a payment towards refuse bins for new residential development. A Unilateral Undertaking to secure the provision of wheeled bins has been submitted as part of the application, which includes the provision of wheeled bins for three dwellings at £170.00, which would equate to £510.00. On this basis the proposal would provide a satisfactory contribution to meet the tests within the CIL Regulations. The proposal would therefore accord with Policy LP4 of the Huntingdonshire Local Plan to 2036 and the Developer Contributions Supplementary Planning Document (2011).

Other Matters

- 7.148 It is noted that Brington and Molesworth Parish Council would prefer to have reviewed the outcome of 23/00016/ENFNOT for Appeal against 19/00302/ENBOC - Breach of conditions 4 (Soft Landscaping) and 12 (Ecological Enhancement) of 15/01700/S73 as amended by 17/02250/NMA before providing comments. However, while the enforcement appeal is a material consideration, the application submitted to the Local Planning Authority must be assessed as submitted on its own merits using up-to-date local and national policies.
- 7.149 Brington and Molesworth Parish Council also suggest that the HDC Call for Sites application is withdrawn (ref: cfs310) should

this current application be approved. As above, the application submitted to the Local Planning Authority must be assessed as submitted on its own merits and cannot form any prejudice on application sites that have not yet received planning appraisal.

Conclusion and Planning Balance

- 7.150 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 7.151 The 2023 NPPF has at its heart the presumption in favour of sustainable development (para 11) and requires the approval of development proposals that accord with an up-to-date development plan without delay. The presumption in favour of sustainable development requires proposals to achieve economic, social and environmental gains; as such a balancing exercise has to be undertaken to weigh the benefits of the scheme against its disadvantages.
- 7.152 The proposal is for three dwellings with provision of a landscaped open space to deliver an orchard on part of a wider site which was approved in 2014 for the erection of 56 dwellings (including 12 affordable units) following demolition of 40 existing dwellings, access and landscaping works and formation of public open spaces.
- 7.153 As outlined in detail in the above sections of this report, the wider site as originally approved included a green space / orchard area and included the land where the current proposal is sited. This green space / orchard area was secured by a Section 106 Agreement and a subsequent deed of variation. However, it is acknowledged that there was an over-provision of open space within the original permission based upon the Huntingdonshire Developer Contributions SPD 2011 and no legal definition of orchard land was established within these legal agreements.
- 7.154 Notwithstanding the fact that there was an over-provision of open space on the site, the function of this particular strip of open space/land was included within the original 2014 application for residential development was integral to the character and appearance of the area and thus was regarded as very important.
- 7.155 This is reflected in the recent planning decisions (including a Planning Inspectorate dismissal of an appeal on the site) and the ongoing enforcement appeal regarding how the planned open space / orchard has not been delivered on site, that the site had been subject to a significant rise in levels and that the approved soft landscaping scheme had not been implemented in line with approved application 1408243COND, which stated that these works would be carried out in the first season after construction

works. These are key material considerations when assessing the proposed development.

- 7.156 It should be noted by Members that not all proposed developments are entirely without harm or entirely without benefit. Therefore, in reaching a recommendation on the application, Officers have considered the potential harm of the development against the potential benefits of the development. Officers have considered what weight should be given to each material consideration. This forms the overall planning balance.
- 7.157 It is noted that three reasons for refusal from the previous 2022 (22/00951/FUL) application have been resolved within the current submission, namely affordable housing, drainage details and trees information. It is also acknowledged that the application includes a Unilateral Undertaking for the provision of wheeled bins and that the proposal is policy compliant in terms of biodiversity and highway safety.
- 7.153 It is also accepted that there would be some moderate economic benefits to the scheme, not least that the construction would create employment opportunities and the introduction of three dwellings would lead to economic growth in the village and wider district through spending on local services / facilities. There will also be additional Council Tax contributions arising from the development.
- 7.154 There are also social advantages to the scheme. The Council can demonstrate a 5 year supply of deliverable housing land, and the provision of 3 market dwellings would result in a moderate social benefit in terms of providing a greater flexibility and choice to the supply of housing.
- 7.155 In terms of environmental benefits, the proposal delivers, through the biodiversity mitigation and enhancements, a development that is acceptable from a biodiversity perspective. While it is accepted that the proposal would deliver a biodiversity net gain, this is only afforded limited weight given this is a policy requirement and also is the proposed development would be on previously identified orchard land under a previous consent.
- 7.156 A considerable benefit of the scheme would be that the applicant proposes to use permeable paving and swales as a means of attenuating and conveying surface water on the site. The application also seeks to provide wider SuDS benefits by providing additional attenuation storage to manage surface water runoff from the field to the north of the proposed swale. This means that flood water should not be displaced outside of the site, therefore minimising any increased risk of flooding to the surrounding area.
- 7.157 This betterment of flood risk and drainage measures which include a basin to serve the wider site outside of the site plan is regarded

to provide a significant social and environmental benefit to the site and wider development in flood risk and drainage terms. Consequently, it is considered that the development would likely improve flooding and surface water issues on the site for neighbours beyond what would be required to make this proposed development of 3 dwellings acceptable.

- 7.158 While the above factors are positive elements of the scheme, they do not outweigh the in-principle conflict with Criteria LP9(c) which requires proposals to have an acceptable effect on the character of the immediate locality and the settlement as a whole.
- 7.159 Officers note that there has been a change in position from the parish council from initially objecting to the scheme (in the previous 22/00951/FUL application for a similar 3 dwelling scheme) and some local residents in relation to the development. It is also noted that there are still local objections. This exemplifies that there are both advantages and disadvantages to the scheme. Nevertheless, Members should be mindful of the extensive planning history for this site and that in reaching the decision and as part of the planning balance, officers have had regard to consistent decision making.
- 7.160 In line with these previous decisions on the site, it is the view of Officers that the proposal would significantly harm the character and appearance of the area in conflict with HLP Policies LP2, LP9(c), LP11, LP12 and LP32 through the erosion of the planned orchard land as amenity land for the wider development, and would erode the spatial separation of Hill Place and The Green through infilling adjacent to the rural countryside edge with development, and segregation of part of the orchard land with fencing and artificial ground levels.
- 7.161 Due to the artificially enhanced topography of the site with levels sloping down to the south, the proposed development would result in significantly harmful overlooking from the front elevation windows of plot 3 causing a loss of privacy to the private garden area of no 16 The Green. The tree planting proposed along the linear orchard to the south of the proposed dwellings would not sufficiently mitigate against the harmful overlooking which has been identified.
- 7.162 Whilst the proposal would result in a number of benefits, the identified harm of the development is given greater weight in this instance. It is therefore the view of Officers that the proposal has significant harm that outweighs the potential benefits.
- 7.163 The development plan is considered to be up-to-date and carries substantial weight. Paragraph 12 of the NPPF 2023 advises that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted.

7.164 Having regard for 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 proposal would significantly harm the character and appearance of the area in conflict with HLP Policies LP2, LP9(c), LP11, LP12 and LP32 through the erosion of the planned orchard land as amenity land for the wider development, and would erode the spatial separation of Hill Place and The Green through infilling adjacent to the rural countryside edge with development, and segregation of part of the orchard land with fencing and artificial ground levels. The proposal is also contrary to the HDC Design Guide 2017 section 1.6 Design Principles, 3.6 Landscape, and 3.7 Building Form, and gives rise to unacceptable overlooking from plot 3 to the rear garden of 16 The Green, contrary to HLP Policy LP14(b). The proposal would therefore have an unacceptable effect on the character of the immediate locality and the settlement as whole, contrary to criterion (c) of Policy LP9 Huntingdonshire Local Plan. Subsequently, the principle of development is not supported.
2. Due to the topography of the site with levels sloping down to the south, the proposed development would result in significantly harmful overlooking from the front elevation windows of plot 3 causing a loss of privacy to the private garden area of no 16 The Green. The tree planting proposed along the linear orchard to the south of the proposed dwellings would not sufficiently mitigate against the harmful overlooking which has been identified. The proposal would therefore be contrary to policy LP14 (b) of Huntingdonshire's Local Plan to 2036 (2019), the guidance of the Huntingdonshire Design Guide Supplementary Planning Document (2017) and the National Planning Policy Framework 2023 particularly paragraph 135(f) and part H1 of the National Design Guide (2019), all which seek a high standard of amenity for existing and future place users.

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Re: 23/02123/FUL | Erection of three houses | Land South Of Hill Place Brington

Please can BMPC have confirmation that this planning application has been referred to the Cambridgeshire County Council Local Lead Flood?

There is a complex mix of surface water flood issues at Hill Place / The Green. Please can all parties look at Neighbour Comments particularly from The Green households and their comments on surface water.

Please ensure the applicant has covered all surface water issues in their FRA and Outline Drainage Strategy.

Many thanks

Gary

--



Chairman of Planning

Brington and Molesworth Parish Council

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Please save trees - only print out if necessary.

Parish Web site: www.bringtonmolesworth-pc.gov.uk

BRINGTON & MOLESWORTH PARISH COUNCIL

CHAIRMAN: Cllr David Frayatt

Ms Ramune Mimiene
Clerk to Brington & Molesworth Parish Council
8 Bernard Road
Brampton
Huntingdon
Cambs
PE28 4RW
07596 163703

20th December 2023

clerk@bringtonmolesworth-pc.gov.uk
www.bringtonmolesworth-pc.gov.uk

Senior Development Management Officer
Development Services
Corporate Delivery
Huntingdonshire District Council
Pathfinder House
St. Mary's Street
Huntingdon. PE29 3TN

For the attention of Marie Roseaman.

Dear Marie,

Parish Council Consultation: Application Ref. 23/02123/FUL - Erection of three houses - Land South of Hill Place Brington.

Further to your letter of 23rd November 2023, Brington and Molesworth Parish Council (BMPC) have reviewed the planning documents 23/02123/FUL. BMPC has reviewed the applicants' drawings, held a public meeting to understand parishioners' views and therefore made the following recommendations:

The Parish Council notes that there is an outstanding Planning Inspectorate case – APP/H0520/C/23/3322025 regarding the land that forms part of this application. In normal circumstances, we would have liked to have reviewed the Planning Inspector's findings before commenting, as some Hill Place residents believe this land should be an orchard as outlined in the original 2013 planning application (1300679FUL). However, we understand the frustration of many residents of Hill Place / The Green, that they want to see the estate completed without further delay and to a high standard as the original construction works.

In principle, BMPC is in favour of this application. The new layout of the three homes goes a long way to resolve many of the previous application issues. This application does help mitigate the loss of privacy at 14 and 16 The Green. We believe it is important that any fenestration is of adequate height to prevent loss of privacy, particularly whilst the tree belt takes time to mature. The Orchard Area and Area of buffer planting should be planted **before** the first occupation, with mature trees of adequate height to prevent loss of privacy.

BMPC is aware through conversation and neighbour letters published as part of the planning process, that both 14 and 16 The Green have suffered from surface water flooding in the past few years. 16 The Green highlights three occasions when the property has suffered water damage. Most recently in October 2023, surface water ingress into the house has damaged carpets. We would hope that the LPA and LLFA will work with the Applicant to resolve any surface water appearing within the gardens of particularly 14 & 16 The Green, along with any other property.

The Parish Council also notes the HDC Call for Sites application – cfs310 – Land West and East of Hill Place, Brington. Campbell Buchanan has applied for thirteen homes, eight plus five affordable. We hope in a spirit of goodwill to the village and particularly The Hill Place / The Green homeowners, that this application will now be withdrawn. BMPC would hope that the original offer by the senior management team of Campbell Buchanan at a public meeting in June 2022, to give this land to the Parish Council for community use, will be honoured.

Planning Conditions:

We would be grateful for the LPA to review our request for detailed planning conditions should the Applicant be successful. Our planning condition list is not exhaustive and therefore BMPC requests that the LPA ensure the final condition schedule provides adequate public safety and continued public amenities, whilst and after any development takes place. May we remind you that we believe it important that all planting should be completed before first occupation.

Yours sincerely

Cllr David Fryatt

Enc: Conditions – 23/02123/FUL

BMPC request for Planning Conditions – 23/02123/FUL - for new build applications within Brington and Molesworth. Not exhaustive and need professional review by LPA.

Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended

Condition: Construction Hours of Activity All construction activities, mechanical machinery, site radios or deliveries shall be restricted to the operational hours 07:30 to 18:00 Monday to Friday, and 08:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To maintain a quiet neighbourhood, outside of normal operational hours.

Condition: Highway Maintenance The contractor will be responsible for ensuring the highway is always kept clean and clear of mud and associated construction debris to secure the safety of Parish residents and visitors.

Reason: To maintain highway safety on local roads and footpaths.

Condition: Prior to any development works taking place the proposed on-site parking and delivery areas as defined in referenced 'Approved' planning application in conjunction with any further identified parking requirements have been laid out and demarcated in accordance with the approved plan and thereafter retained for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

Condition: That Brington and Molesworth public footpath 29/9 is protected and remains available for the public to use at all times during and after the development.

Reason: To ensure that public footpath 29/9 is available for public use at all times.

Condition: The development hereby permitted shall be carried out in accordance with the approved plans listed in the table above.

Reason: For the avoidance of doubt to ensure that the development is carried out in accordance with the approved plans.

Condition: The development hereby permitted shall be constructed in accordance with the materials specified on approved drawings unless otherwise submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

Condition: No development, demolition, clearance, or preparatory operations shall commence until details of the existing and proposed levels, floor levels and contours have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall show the relationship of proposed levels and contours to existing vegetation and surrounding landform. The development shall be carried out in accordance with the approved details.

Reason: To ensure the proposals are integrated within the street scene and to protect the visual character of the area in accordance with Policies LP11, LP12 and LP14 of Huntingdonshire's Local Plan to 2036.

Condition: Notwithstanding the submitted details, no development above slab level shall take place until full details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: *In the interests of visual amenity.*

Condition: No development above slab level shall take place in connection with the development hereby approved until full details of:

1. Hard landscape works, to include but not be limited to, full details of boundary treatments (including the position, height, design, material) to be erected and paved surfaces (including manufacturer, type, colour and size);
2. Soft landscape works based on the proposed works outlined in the submitted proposed site plan to include planting plans (which show the relationship to all underground services and the drainage layout), written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants noting species, plant sizes, proposed numbers and densities, tree pit details (where appropriate) including, but not limited to, locations, soil, volume u=in cubic metres, cross sections and dimensions;
3. The Orchard and Buffer planting is completed before first occupation.
4. Full details of landscape maintenance regimes;
5. An implementation programme for the landscape works; have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out in full in accordance with the approved details. Any trees or plants which are planted in connection with the approved soft landscape details which within a period of five years from planting, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of the same size and species as those originally approved, unless the Local Planning Authority gives written approval to any variation.

Reason: *In the interests of visual amenity and to enhance the character and appearance of the site in accordance with Policies LP11, LP12 and LP14 of Huntingdonshire's Local Plan to 2036.*

Condition: No development, including preparatory works, shall commence until details of measure indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: *To ensure water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.*

Condition: The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

Reason: *To prevent surface water discharging to the public highway.*

Condition: No development shall commence until details of the surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed in accordance with the approved details prior to the occupation of any part of the development hereby approved.

Reason: *To ensure appropriate surface water drainage in accordance with LP15 of the Huntingdonshire Local Development Plan.*

Condition: No development shall commence onsite until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan. The Scheme shall be based upon the principles within the approved FRA and Drainage Report and shall also include:

- a) Full results of the proposed drainage system modelling in QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance.
- b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDs Manual (or equivalent guidance that may supersede or replace it);
- c) Full detail on SuDs proposals (including location, type, size, depths, side slopes and cross sections);
- d) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants.
- e) Demonstration that the surface water drainage of the site is in accordance with DEFTA non-statutory technical standards for sustainable drainage systems.
- f) Full details of the maintenance / adoption of the surface water drainage system.
- g) Permissions to connect to a receiving watercourse or sewer.
- h) Measures taken to prevent pollution of the receiving ground water and / or surface water.
- i) Adequate measures to prevent further surface water flooding at lower properties (The Green)

Reason: *To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts meeting the requirements of Policies LP5, LP15 and LP37 of Huntingdonshire's Local Plan to 2036.*

Condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that order with or without modification), no development within Class A to F inclusive of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall be undertaken without planning permission first being obtained from the Local Planning Authority

Reason: *To enable the Local Planning Authority to retain control in the interest of amenity and to control surface water flooding, in accordance with Policies, LP9, LP11, LP12, LP14 and LP5 of Huntingdonshire's Local Plan to 2036.*

Condition: Access Construction The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent private or public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority The access shall be constructed and retained in accordance with the approved details.

Reason: In the interests of both private and public highway safety.

Development Management Committee

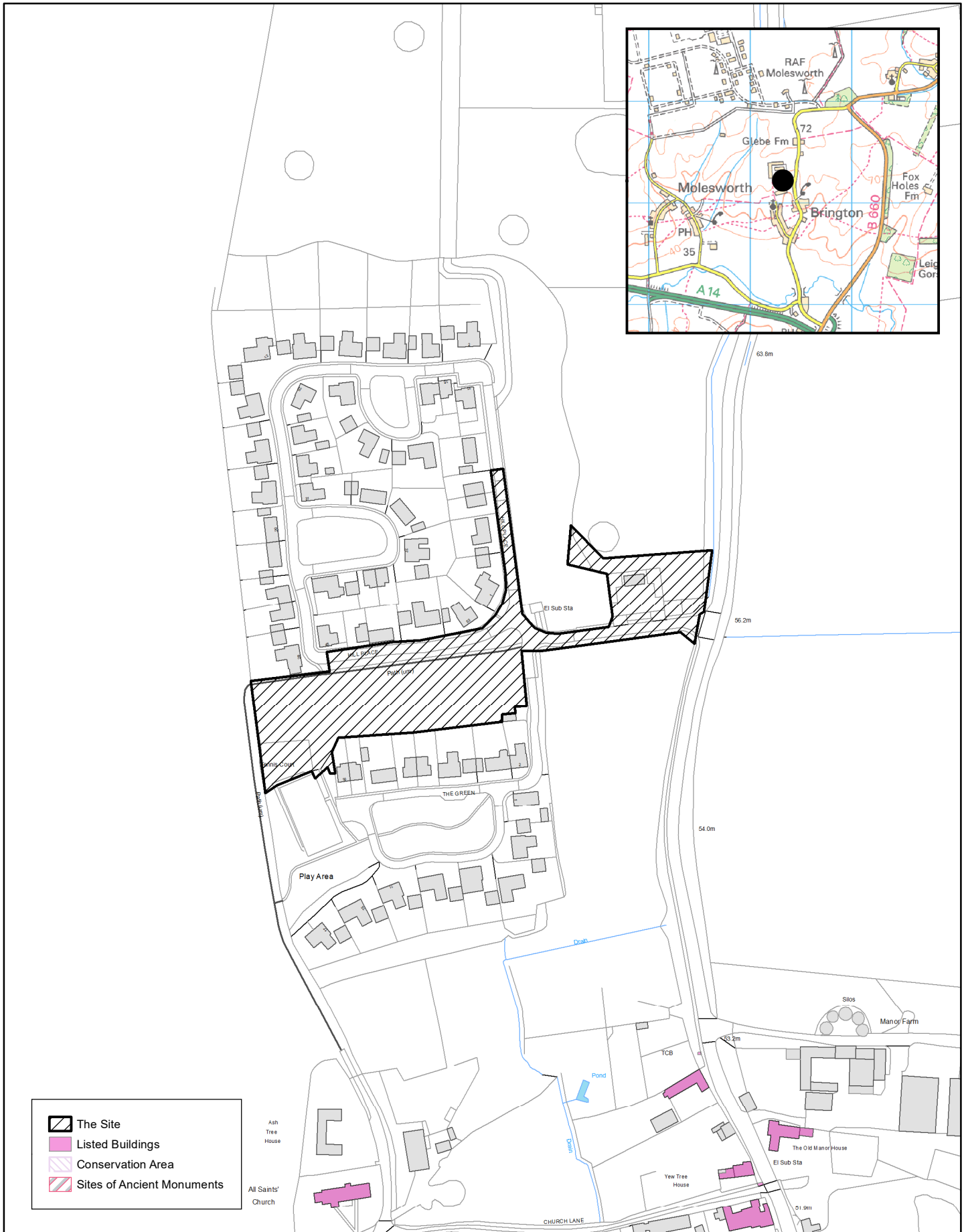


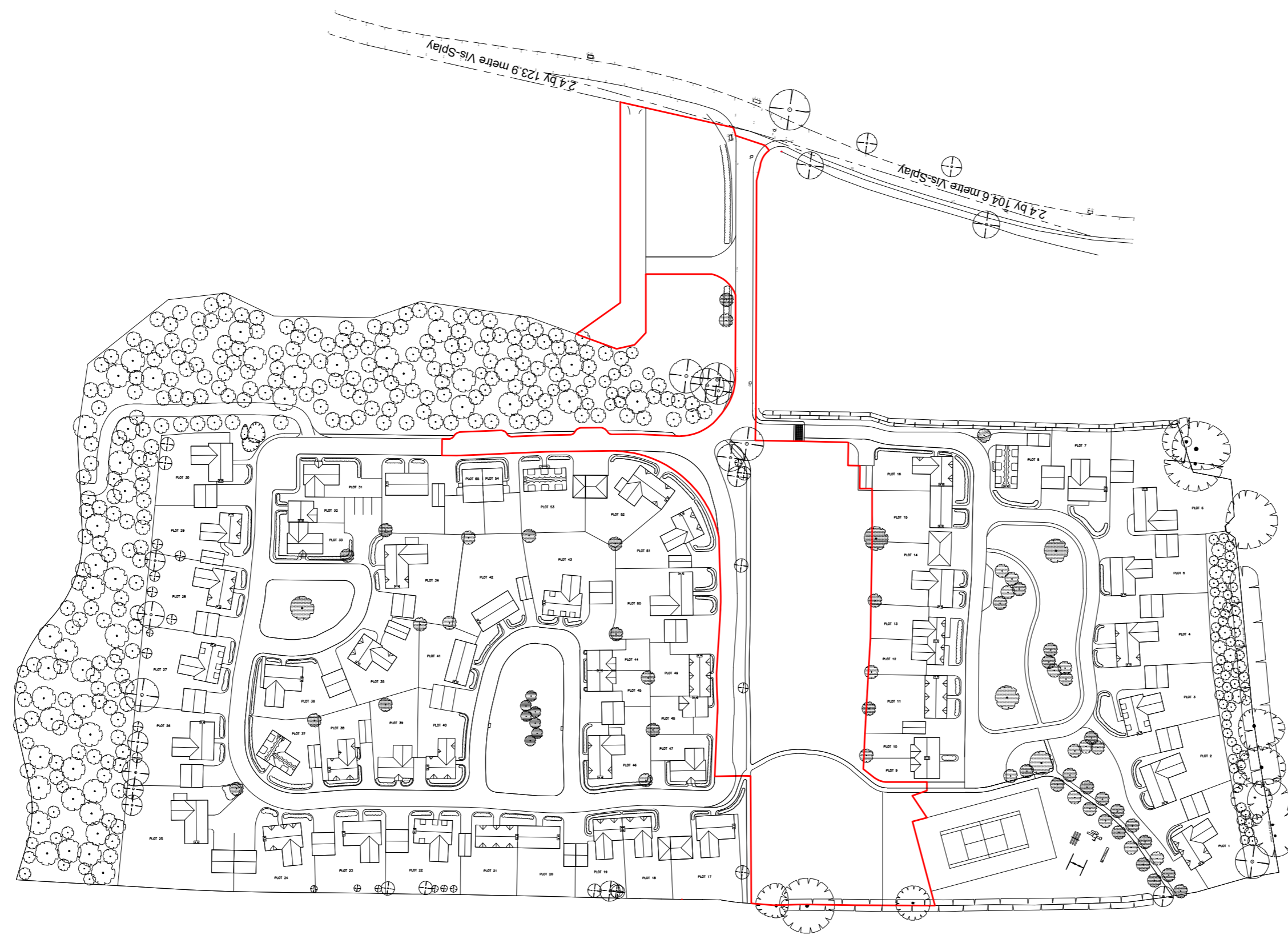
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Date Created: 07/05/2024

Application Ref: 23/02123/FUL

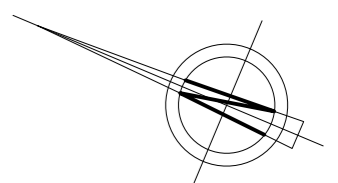
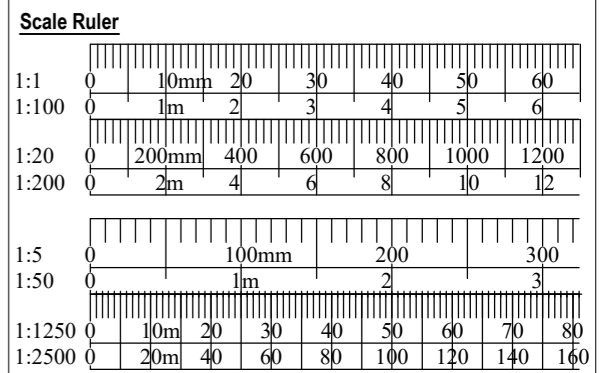
Location: Brington





**Existing Location Plan
A2 @ 1:1250**

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 - The Contractor is to check and verify with all the Statutory Authorities and the Employer the location and condition of any underground or overhead services or confirm that none exist prior to work commencing on site.
 - The Contractor shall comply with enactments regulations and working rules relating to safety health and welfare of workpeople.



a	18.07.23	Updated in line with Clients comments - TR
REVISION	DATE	DESCRIPTION

AMENDMENTS

PWArchitects

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 Web: www.peterwilmotharchitects.com

CLIENT
Campbell Buchanan

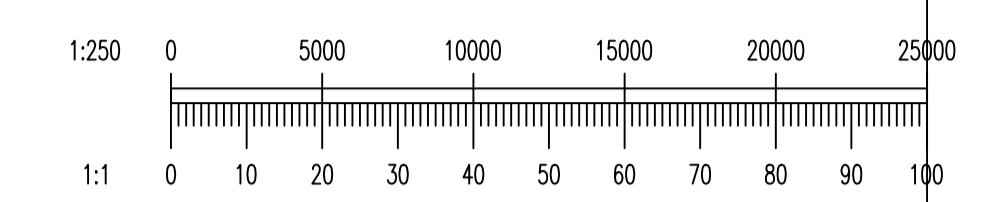
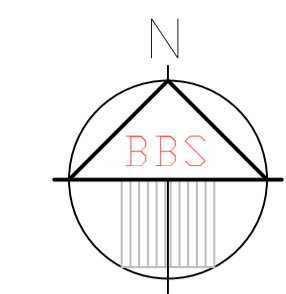
PROJECT
Residential Development;
Hill Close
Brington
HUNTINGDON
PE28 5EH

DRAWING TITLE
Existing Location Plan

DATE April 2022	SCALE 1 : 1250	PAPER SIZE A2	DRAWN TR
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PROJECT REF. 2018 / 38	DRAWING NO. & REVISION 27a
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Notes

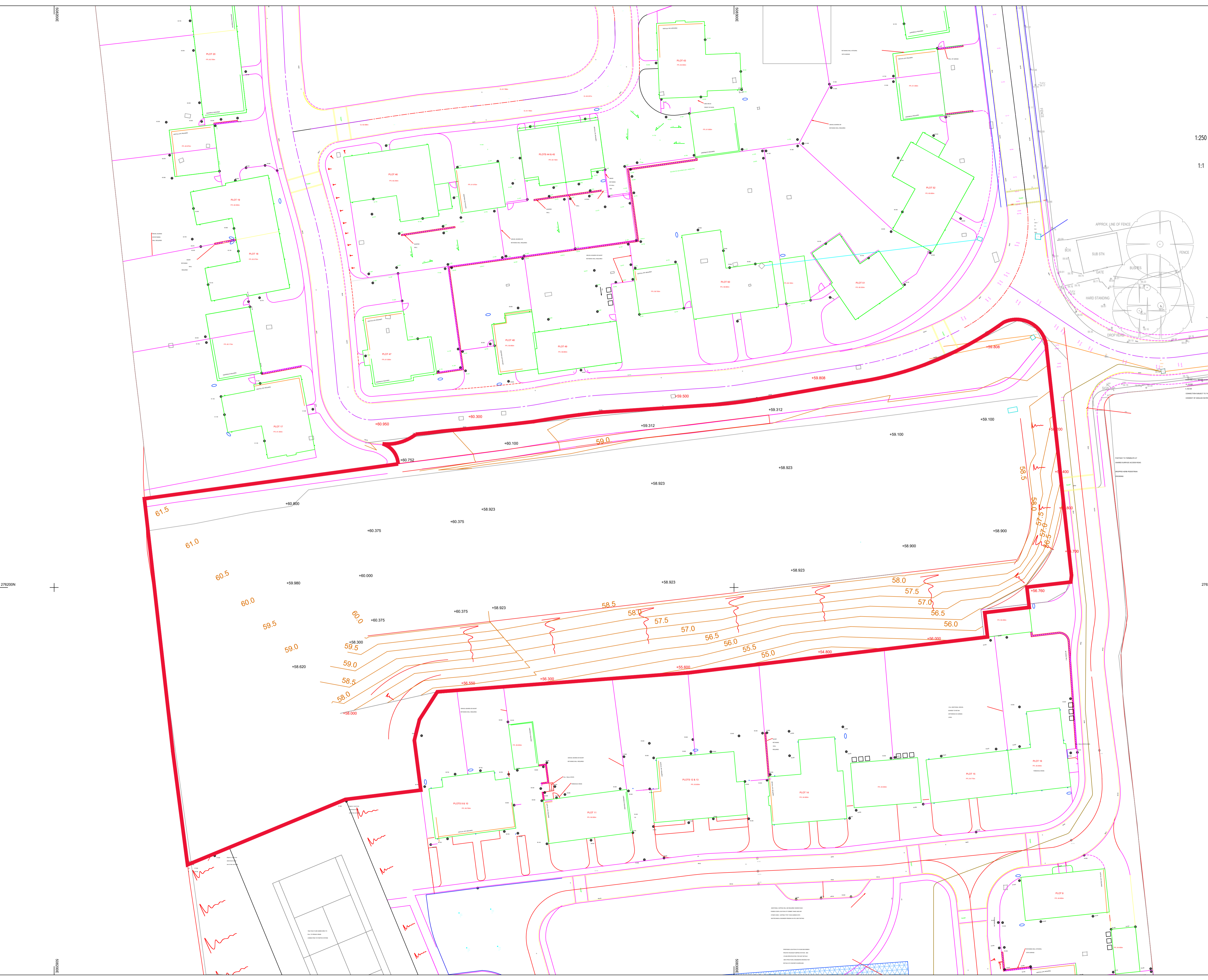


LEGEND

- PRIVATE FOUL WATER DRAINAGE
- PRIVATE FOUL WATER PUMPING MAIN
- PRIVATE SURFACE WATER DRAINAGE
- PRECAST CONCRETE FOUL MANHOLE
- RECTANGULAR BRICK FOUL MANHOLE
- PRIVATE FOUL WATER 450mm UIC
- PRIVATE FOUL WATER SIC
- PRECAST CONCRETE SURFACE WATER MANHOLE
- PRIVATE SURFACE WATER INSPECTION CHAMBER
- PRIVATE SURFACE WATER RODDING EYE
- GULLY (NOTE 'YG' DENOTES YARD GULLY)
- CELLULAR ATTENUATION TANK
- VERTICAL DPC REQUIRED
- UNDERBUILD REQUIRED
- PROPOSED RETAINING WALL
- PROPOSED FULL FACE KERB WITH 100mm UPSTAND
- PROPOSED DROP KERB WITH 25mm UPSTAND
- EF
- PROPOSED PRECAST CONCRETE FOOTWAY EDGING
- ALIGNMENT LEVEL (RAISED CARRIAGEWAY LEVEL)
- FINISHED CHANNEL LEVEL AND COORDINATE

Rev	Date	Description

<p>MICK GEORGE </p> <p>6 LANCASTER WAY ERMINE BUSINESS PARK HUNTINGDON CAMBRIDGESHIRE PE29 6XU Tel : 01480 498099 Fax : 01480 498077 www.mickgeorge.co.uk</p>		
Client		
Campbell Buchanan		
Project		
Brington - Phase 4		
Title		
Existing Site Plan		
Drawn : ADL	Approved : MEG	
Date : 04/04/2022	Scale : 1 : 250	
Drawing Number	Paper size	Rev
MGL 24/07/2019	A1	



2.4 by 123.9 metre Vis-Splay

BRINGTON ROAD

2.4 by 104.6 metre Vis-Splay

HILL PLACE

THE GREEN

15.582.45

PLOT 1

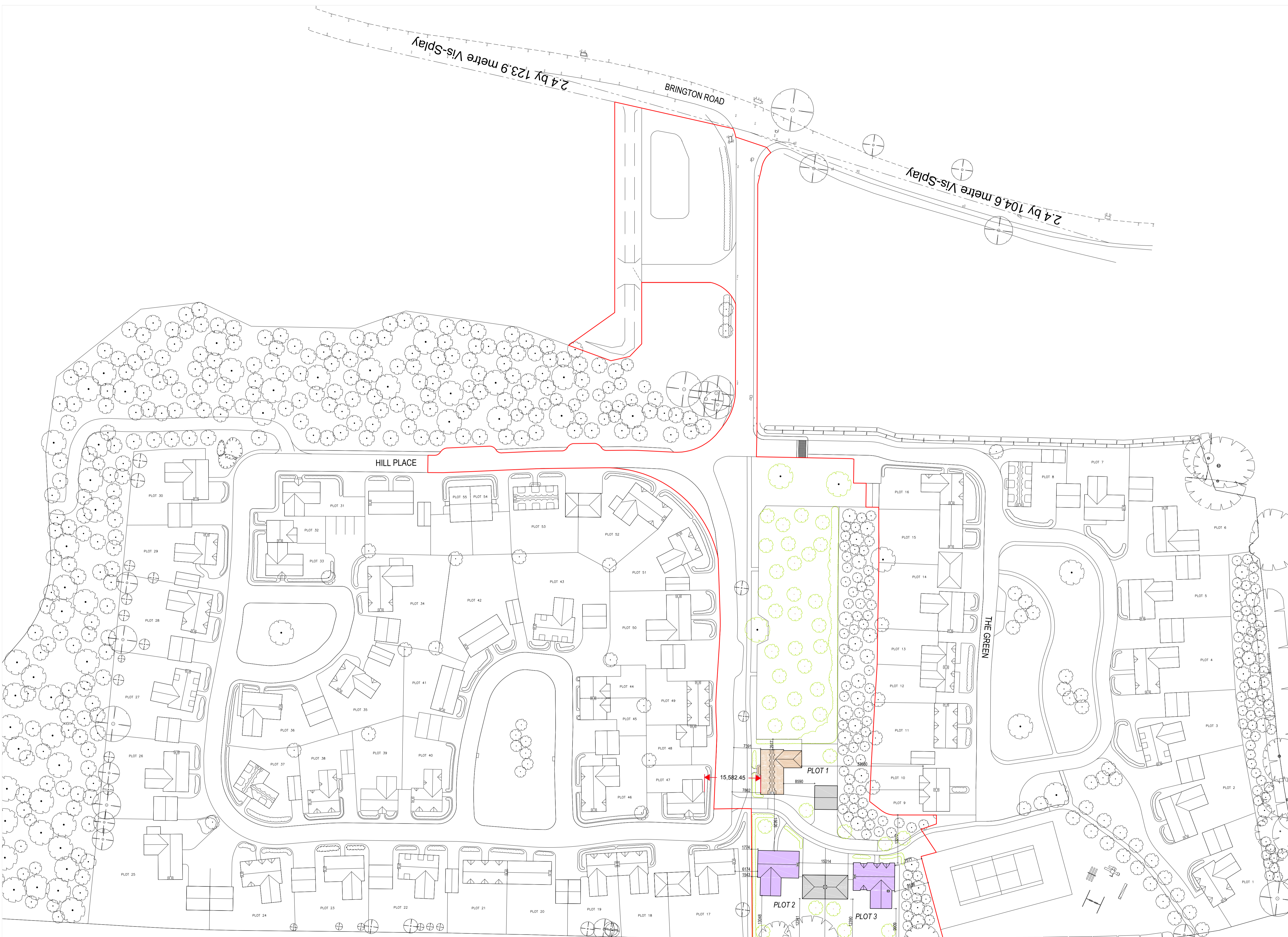
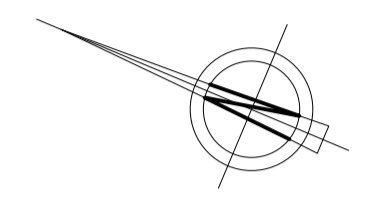
PLOT 2

PLOT 3

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Scale Ruler



REVISION	DATE	DESCRIPTION
c.	18.07.22	Updated in line with Clients comments - TR
b.	06.05.22	Dimensions added - TR
a.	05.05.22	Dimensions added - TR

AMENDMENTS

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CLIENT

Campbell Buchanan

PROJECT

Residential Development;
 Hill Close
 Brington
 HUNTINGDON
 PE28 5EH

DRAWING TITLE

Proposed Block Plan

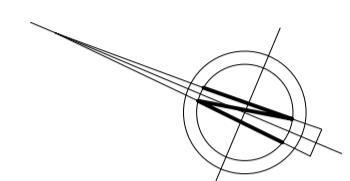
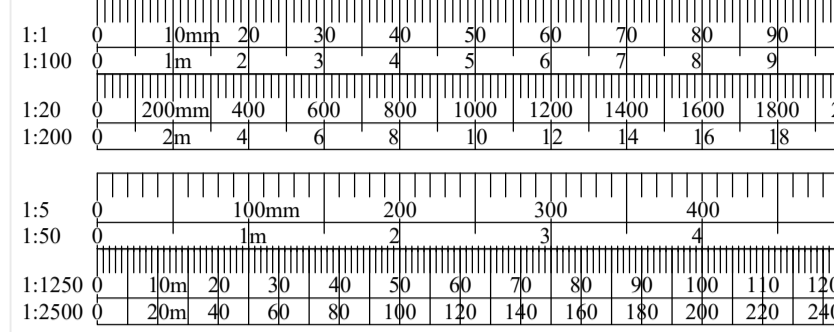
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March 2022	1 : 500	A1	TR

PROJECT REF.	DRAWING NO. & REVISION
2018 / 38	26c

Proposed Block Plan
A1 @ 1:500

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KEY:

- 1no. - 3 Bed @ 157 m² / 1689 ft²
- Plot 1
- 2no. - 4 Bed @ 183 m² / 1900 ft²
- Plots 2 & 3 (as per previous plots 23 & 24).
- New estate fencing.
- New 1.8m high close-boarded timber fencing.
- Indicative new tree planting.



REVISION	DATE	DESCRIPTION
k.	18.09.23	Amended in line with plot 3 changes - TR
j.	18.07.22	Amended in line with Clients comments - TR
i.	05.04.22	Colour added to planting buffer by tennis court - TR
h.	30.03.22	Updated with Plot 16 parking space - TR
g.	21.12.21	Updated for planning submission - TR
f.	10.12.21	Updated for planning submission - TR
e.	04.10.21	Updated in line with Clients comments - TR
d.	19.09.21	Updated in line with Clients comments - TR
c.	16.08.21	Updated in line with Clients comments - TR
b.	19.07.21	Updated in line with Clients comments - TR
a.	12.07.21	Updated in line with Clients comments - TR

REVISION	DATE	DESCRIPTION
AMENDMENTS		

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CLIENT
 Campbell Buchanan

PROJECT
 Residential Development;
 Hill Close
 Brington
 HUNTINGDON
 PE28 5EH

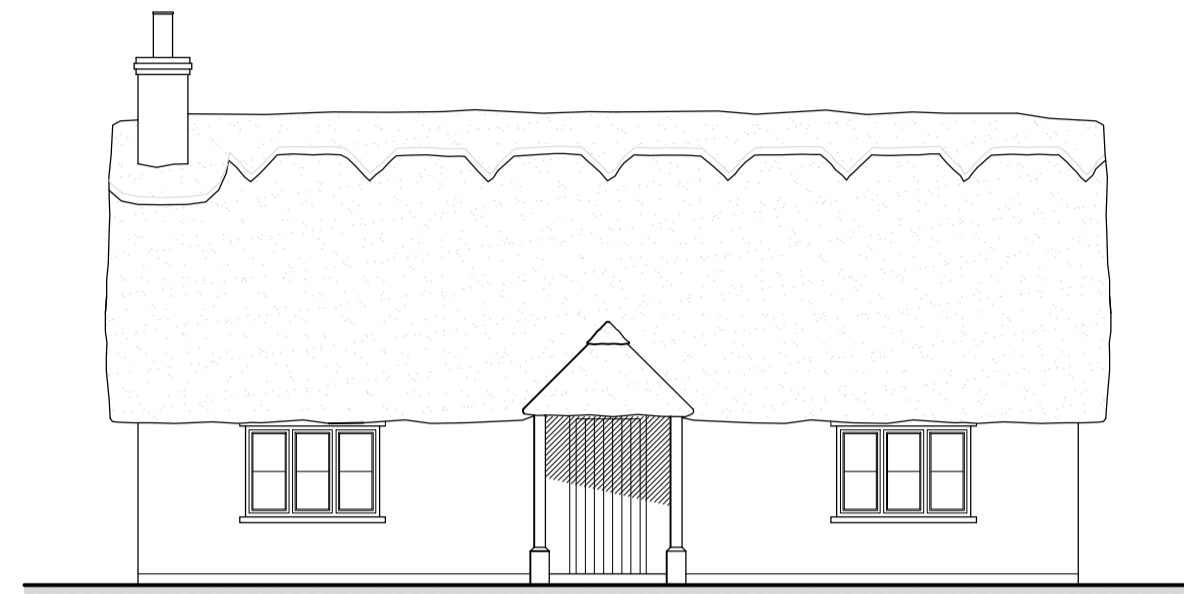
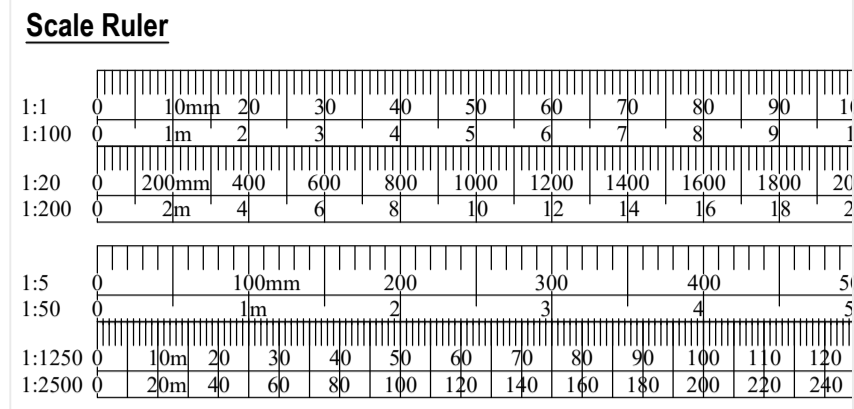
DRAWING TITLE
 Proposed Overall Site Plan

DATE	SCALE	PAPER SIZE	DRAWN
June 2021	1:500	A1	TR

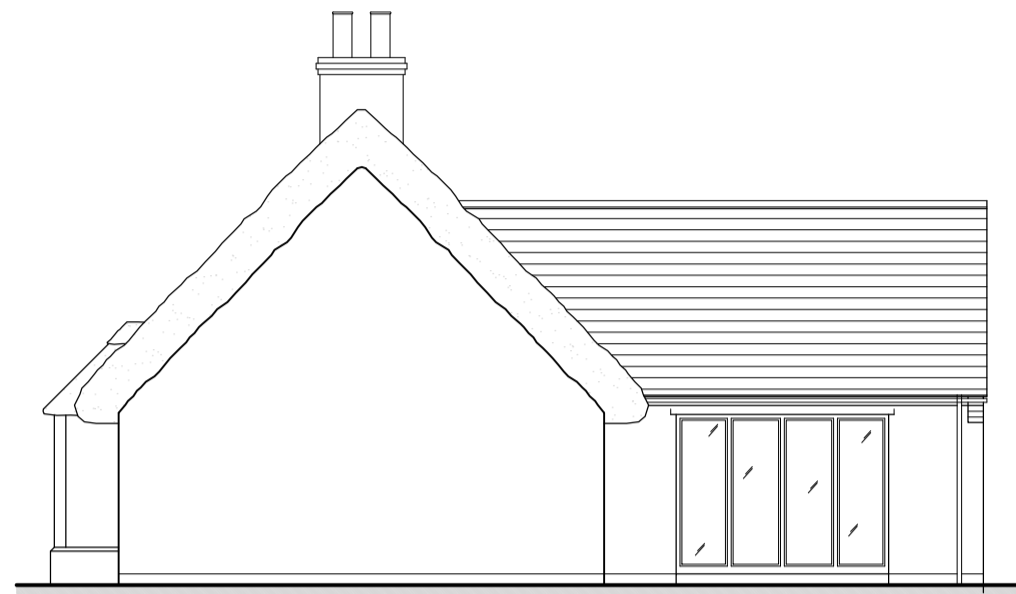
PROJECT REF.	DRAWING NO. & REVISION
2018 / 38	20k

**Proposed Site Plan
 A1 @ 1:500**

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Proposed Front (Street) Elevation
A1 @ 1:100



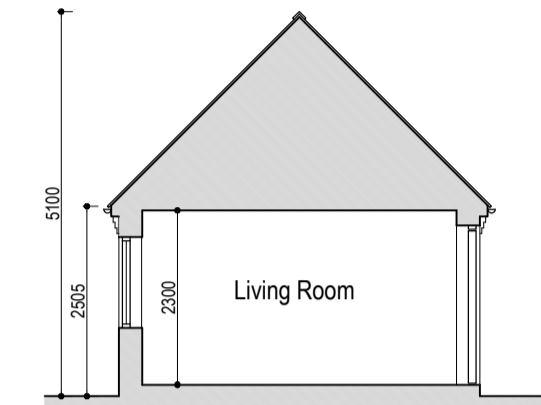
Proposed Side Elevation
A1 @ 1:100



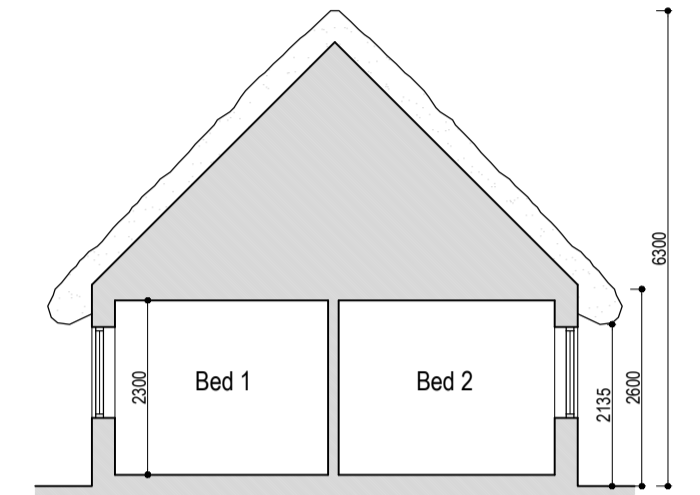
Proposed Rear Elevation
A1 @ 1:100



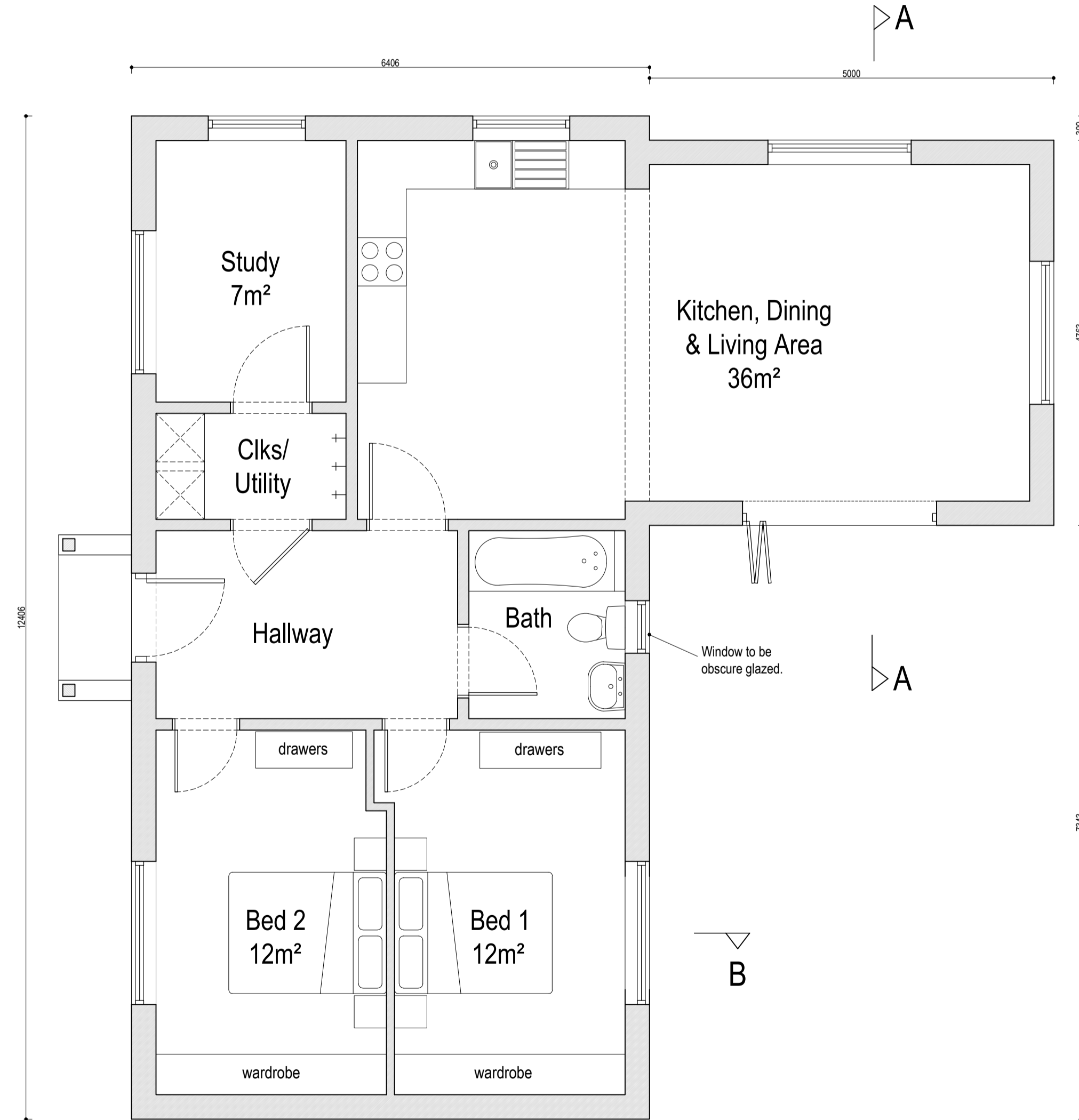
Proposed Side Elevation
A1 @ 1:100



Proposed Section A-A
A1 @ 1:100



Proposed Section B-B
A1 @ 1:100



Proposed Floor Plan
A1 @ 1:100

REVISION	DATE	DESCRIPTION
f.	18.07.23	Updated in line with Clients comments - TR
e.	02.06.23	North point amended - TR
d.	01.06.23	Updated in line with Clients comments - TR
c.	23.05.23	Altered to a bungalow - TR
b.	05.05.22	Updated with additional dimensions - TR
a.	21.12.21	Updated in line with Clients comments - TR

AMENDMENTS

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Web: www.peterwilnotarchitects.com

CLIENT

Campbell Buchanan

PROJECT

Residential Development;
Hill Close
Brington
HUNTINGDON
PE28 5EH

DRAWING TITLE

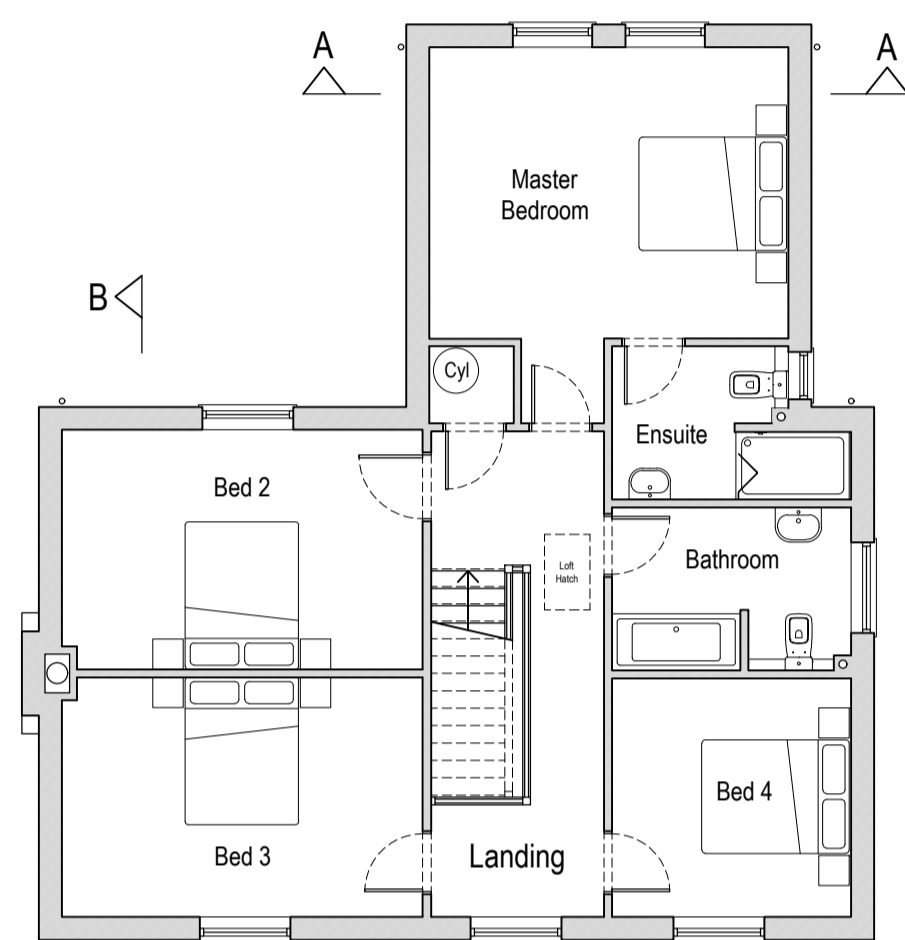
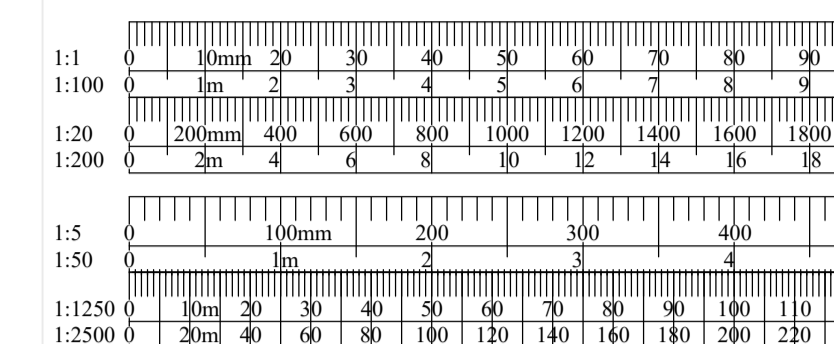
Planning Drawing;
Proposed Plot 1 Elevations, Plans & Section

DATE	SCALE	PAPER SIZE	DRAWN
Dec 2021	1:100	A1	TR

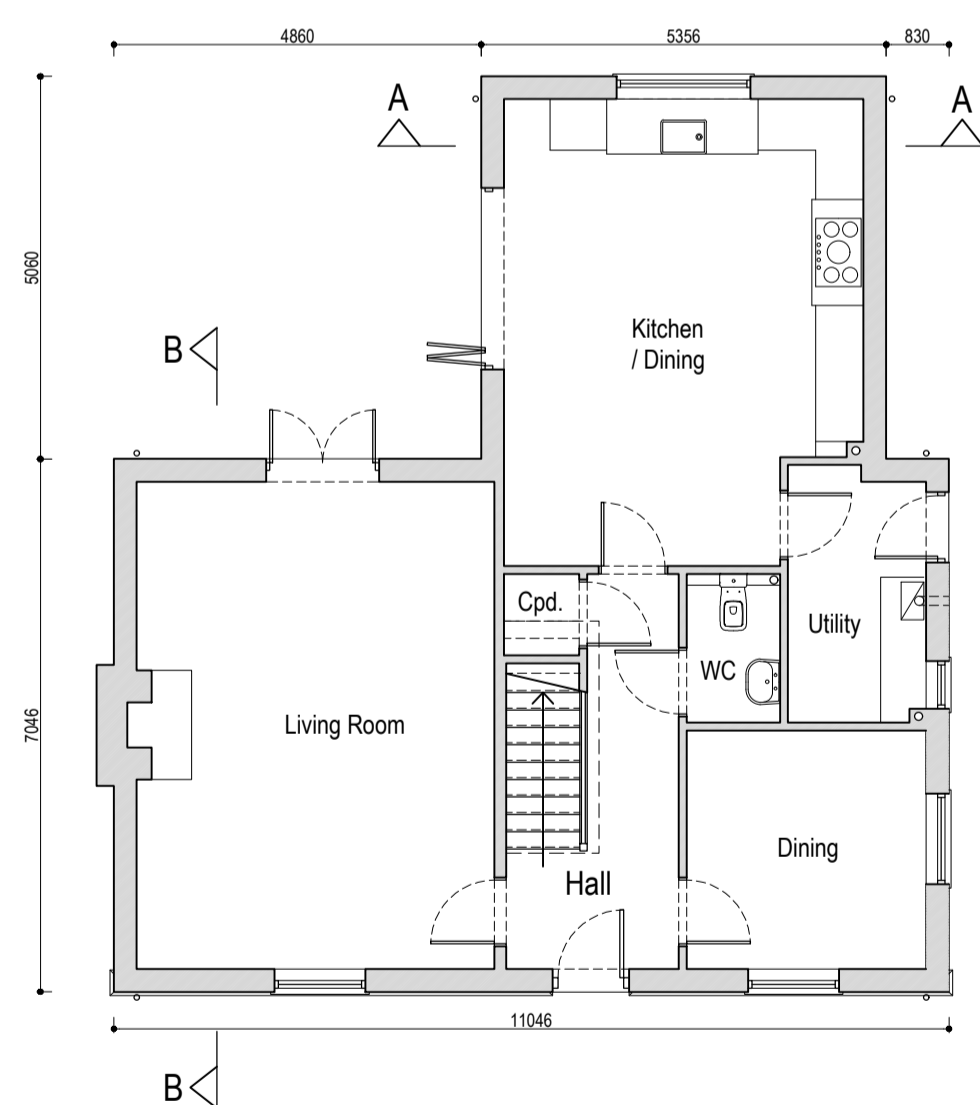
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2018 / 38	21f

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Proposed First Floor Plan
A1 @ 1:100



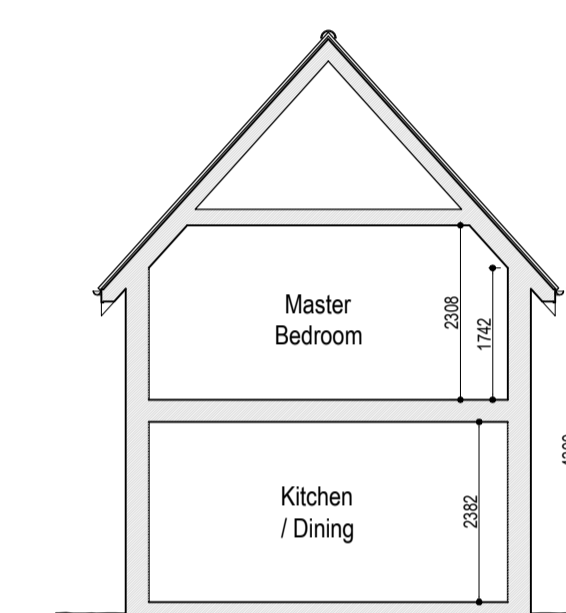
Proposed Ground Floor Plan
A1 @ 1:100



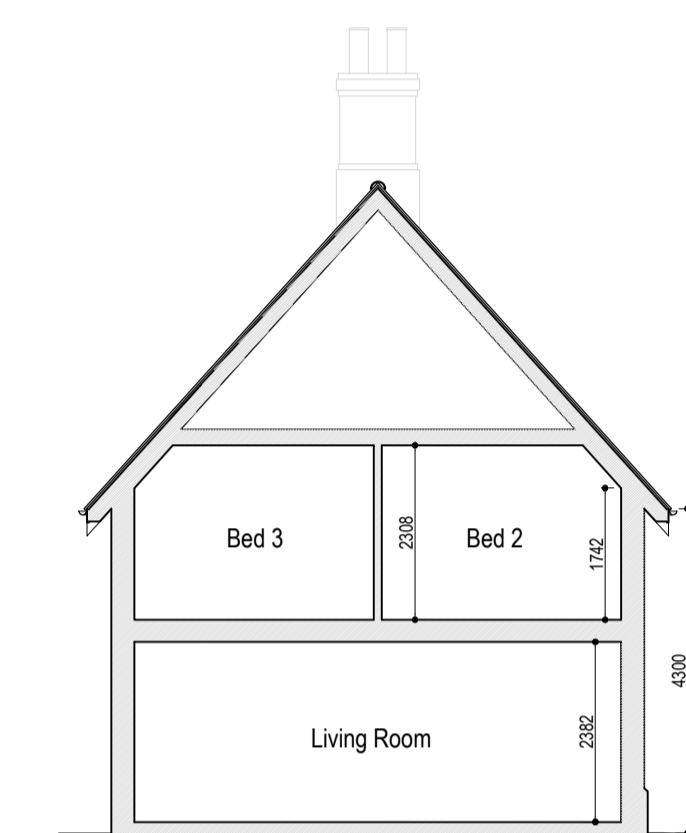
Proposed Front Elevation
A1 @ 1:100



Proposed Side Elevation
A1 @ 1:100



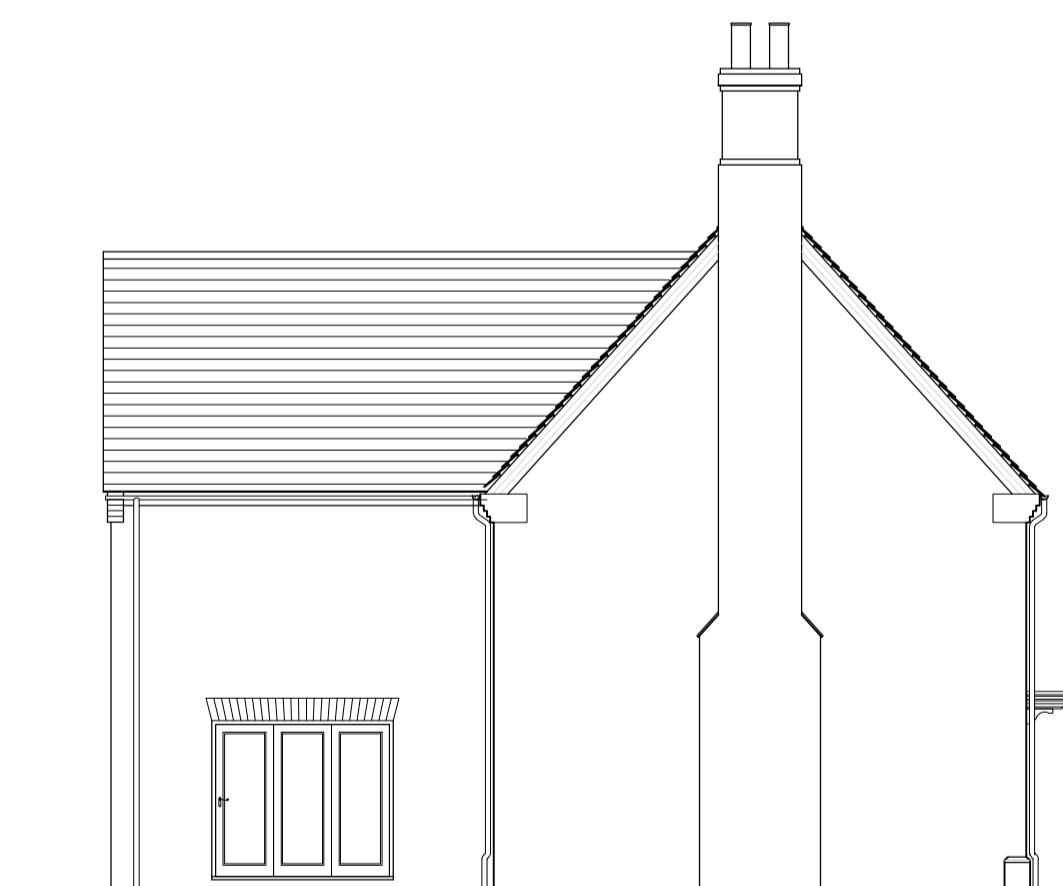
Proposed Section A-A
A1 @ 1:100



Proposed Section B-B
A1 @ 1:100



Proposed Rear Elevation
A1 @ 1:100



Proposed Side Elevation
A1 @ 1:100

REVISION	DATE	DESCRIPTION
c.	06.05.22	Updated with additional dimensions - TR
b.	05.05.22	Updated with additional dimensions - TR
a.	22.12.21	Updated in line with Clients comments - TR

PWArchitects
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CLIENT
Campbell Buchanan

PROJECT
Residential Development;
Hill Close
Brighton
HUNTINGDON
PE28 5EH

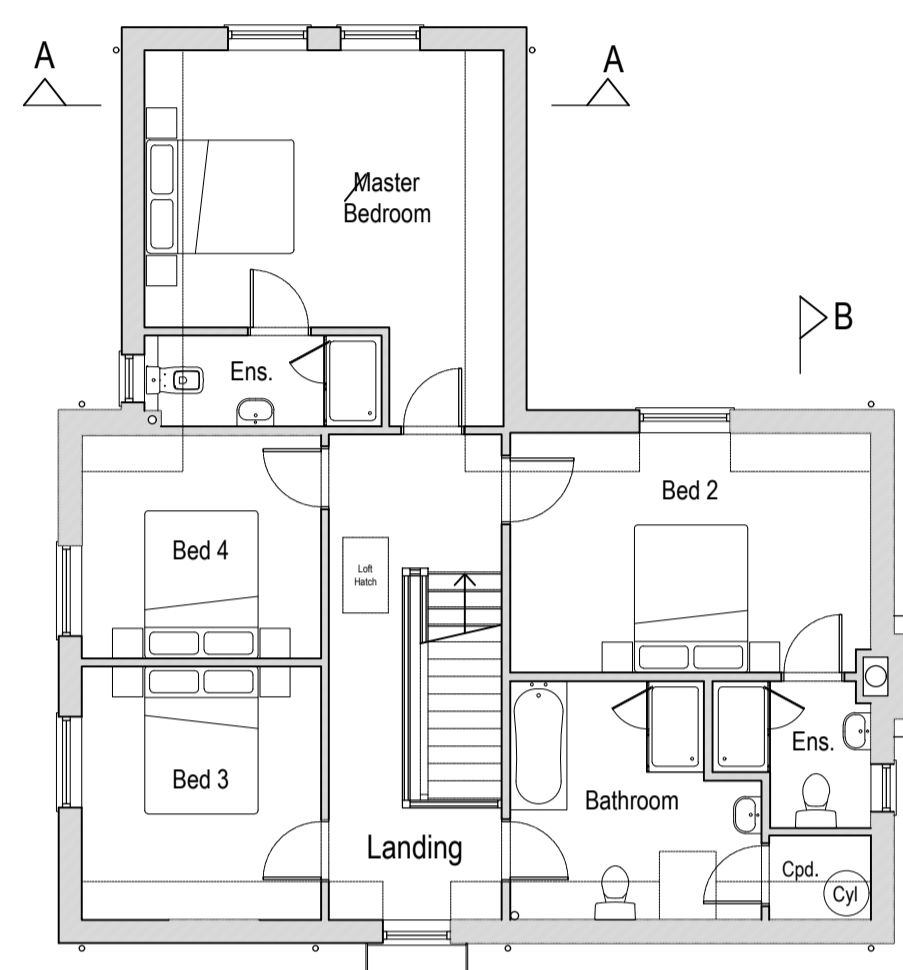
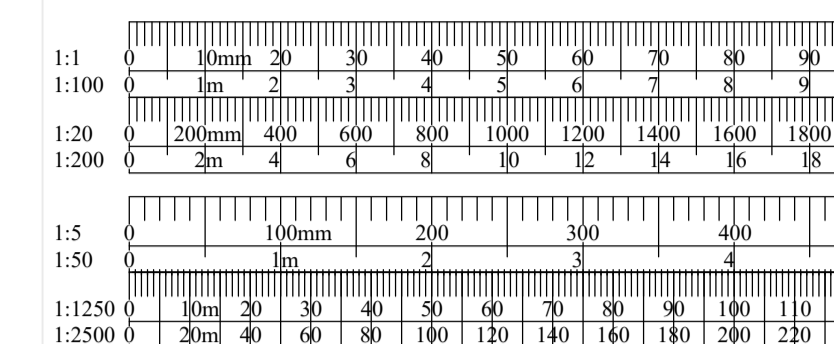
DRAWING TITLE
Planning Drawing;
Proposed Plot 2 Elevations, Plans & Section

DATE Dec. 2021	SCALE 1 : 100	PAPER SIZE A1	DRAWN TR
PROJECT REF. 2018 / 38		DRAWING NO. & REVISION 22c	

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Scale Ruler



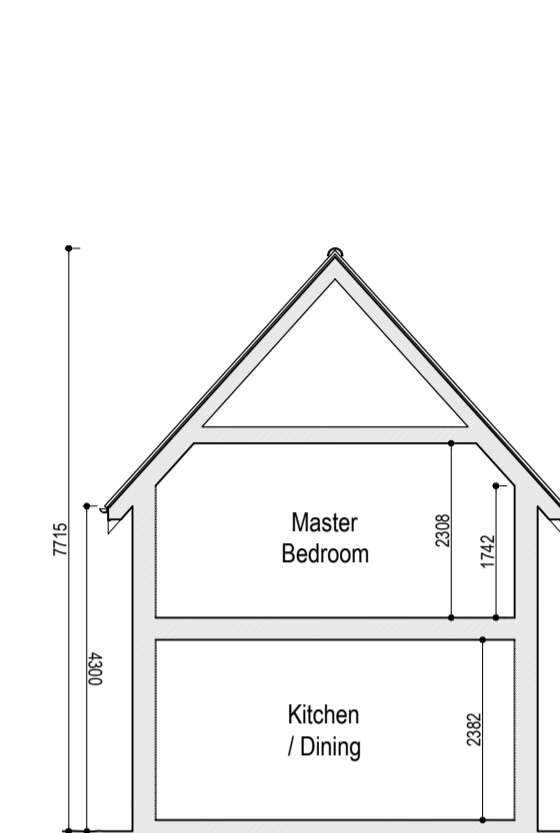
Proposed First Floor Plan
A1 @ 1:100



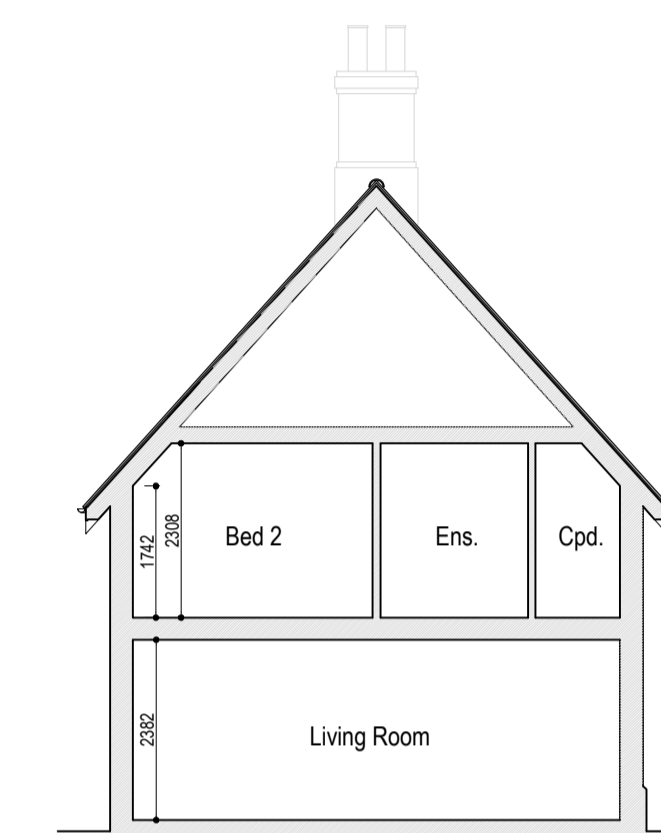
Proposed Front Elevation
A1 @ 1:100



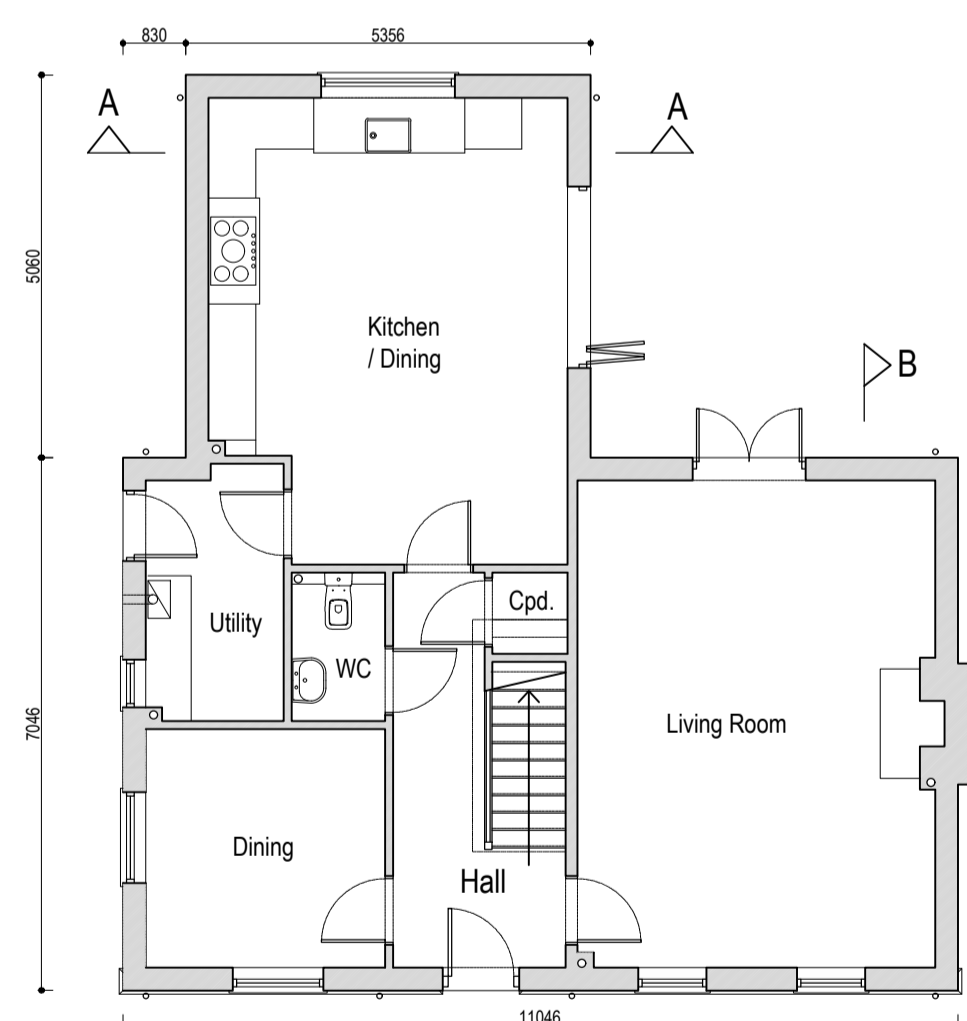
Proposed Side Elevation
A1 @ 1:100



Proposed Section A-A
A1 @ 1:100



Proposed Section B-B
A1 @ 1:100



Proposed Ground Floor Plan
A1 @ 1:100



Proposed Rear Elevation
A1 @ 1:100



Proposed Side Elevation
A1 @ 1:100

REVISION	DATE	DESCRIPTION
e.	18.09.23	Updated following clients comments - TR
d.	15.09.23	Updated following planners comments - TR
c.	06.05.22	Updated with additional dimensions - TR
b.	05.05.22	Updated with additional dimensions - TR
a.	22.12.21	Updated in line with Clients comments - TR

AMENDMENTS

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Web: www.peterwilnotarchitects.com

CLIENT

Campbell Buchanan

PROJECT

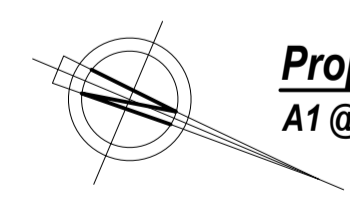
Residential Development;
Hill Close
Brighton
HUNTINGDON
PE28 5EH

DRAWING TITLE

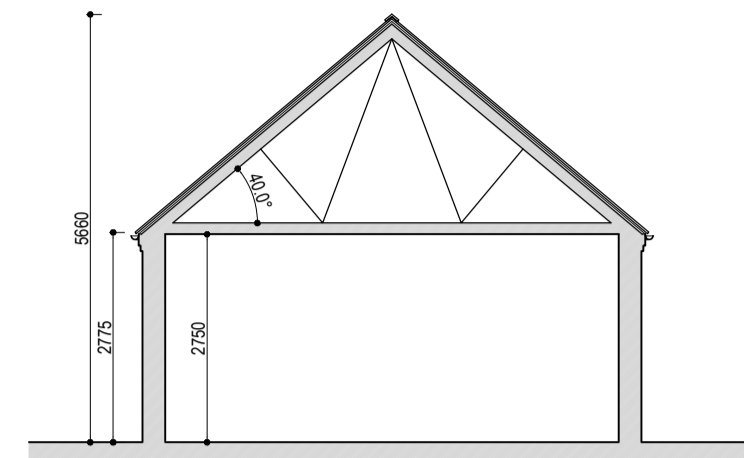
Planning Drawing;
Proposed Plot 3 Elevations, Plans & Section

DATE Dec. 2021	SCALE 1:100	PAPER SIZE A2	DRAWN TR
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PROJECT REF. 2018 / 38	DRAWING NO. & REVISION 23e
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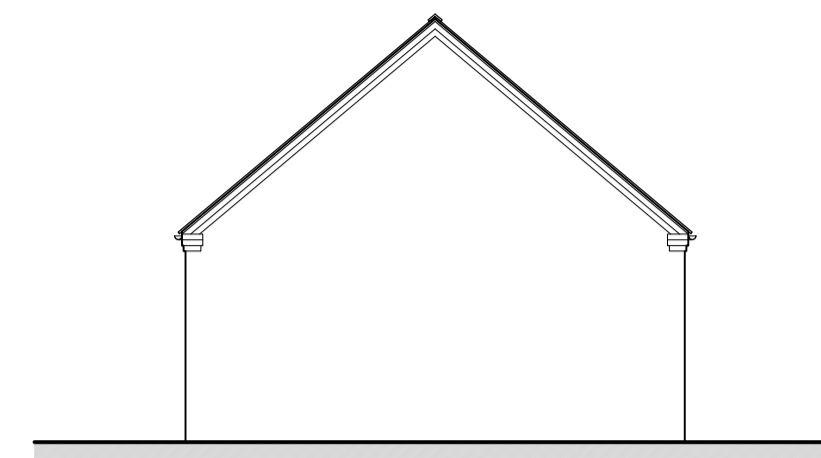
PLOT 1 GARAGE



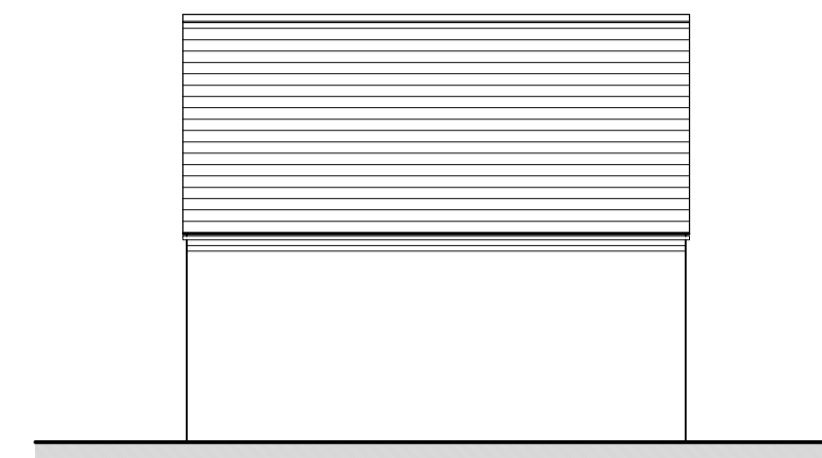
Proposed Section
A1 @ 1:100



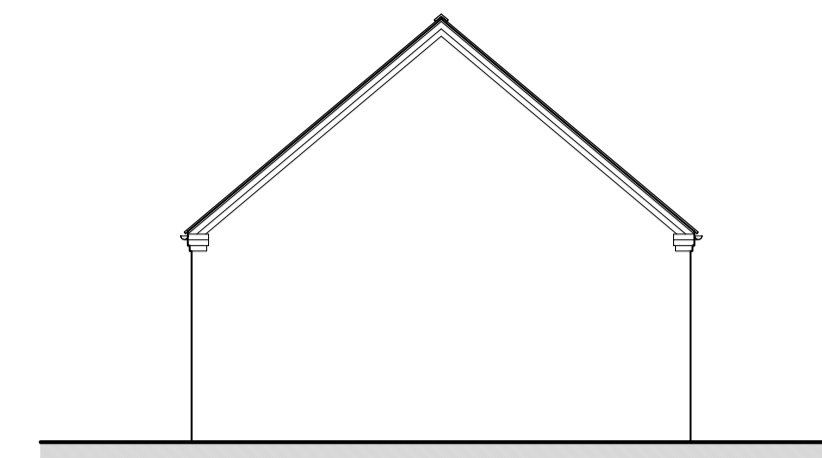
Proposed Front Elevation
A1 @ 1:100



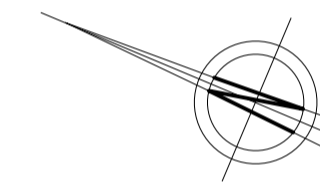
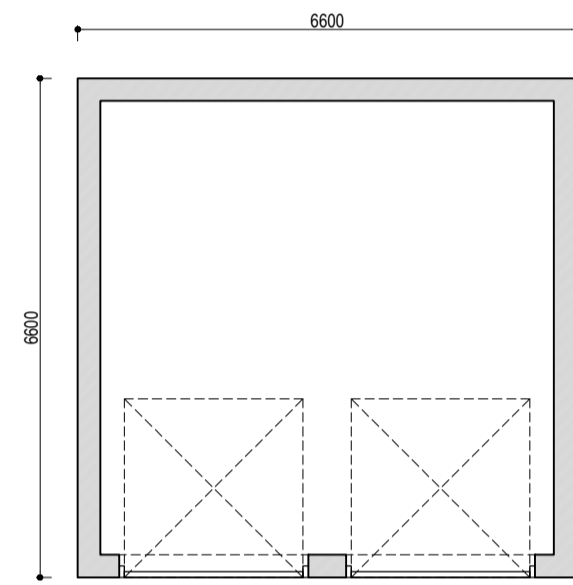
Proposed Side Elevation
A1 @ 1:100



Proposed Rear Elevation
A1 @ 1:100

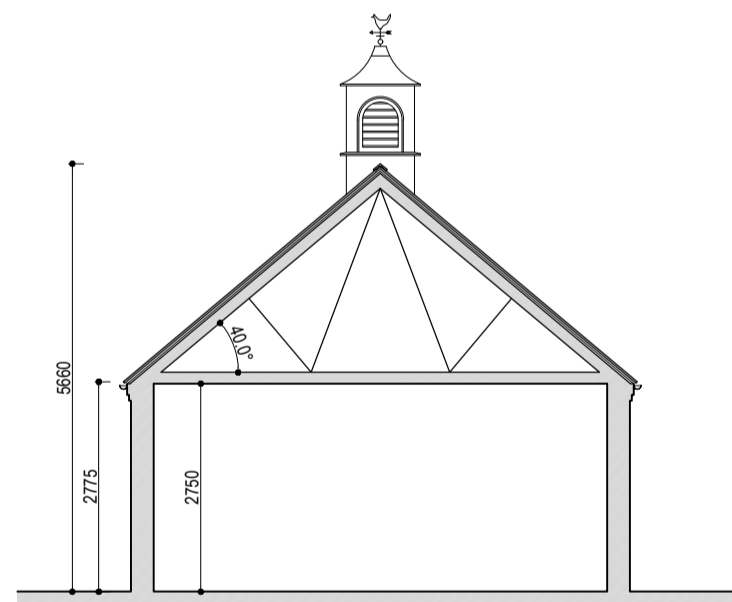


Proposed Side Elevation
A1 @ 1:100

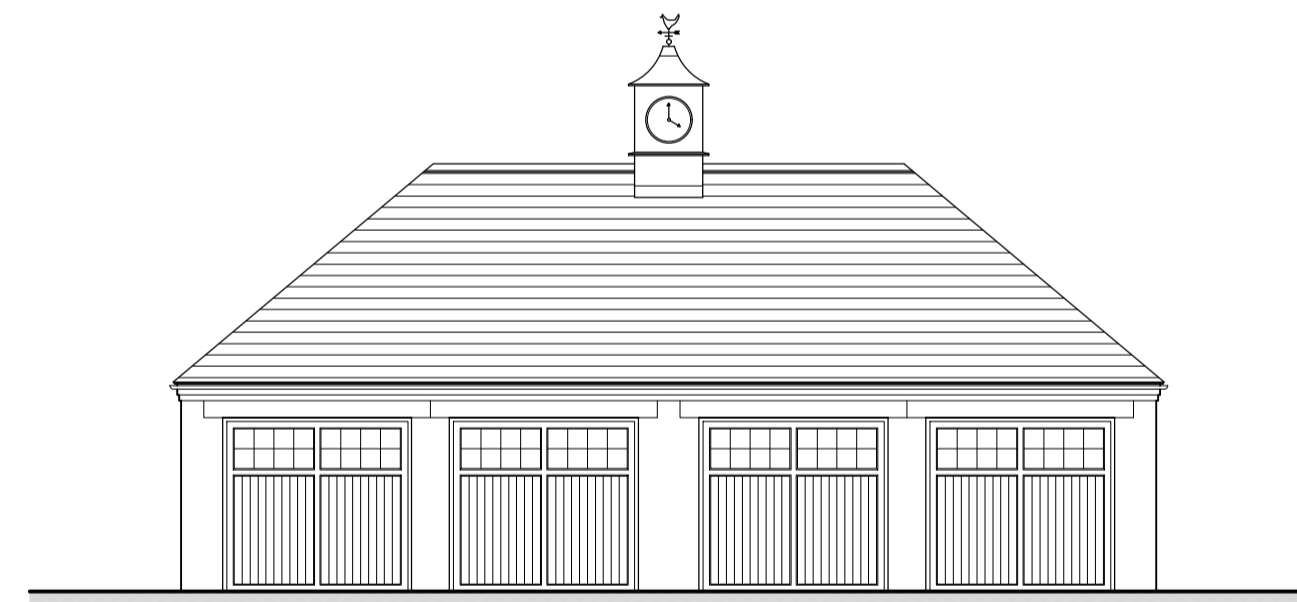


Proposed Floor Plan
A1 @ 1:100

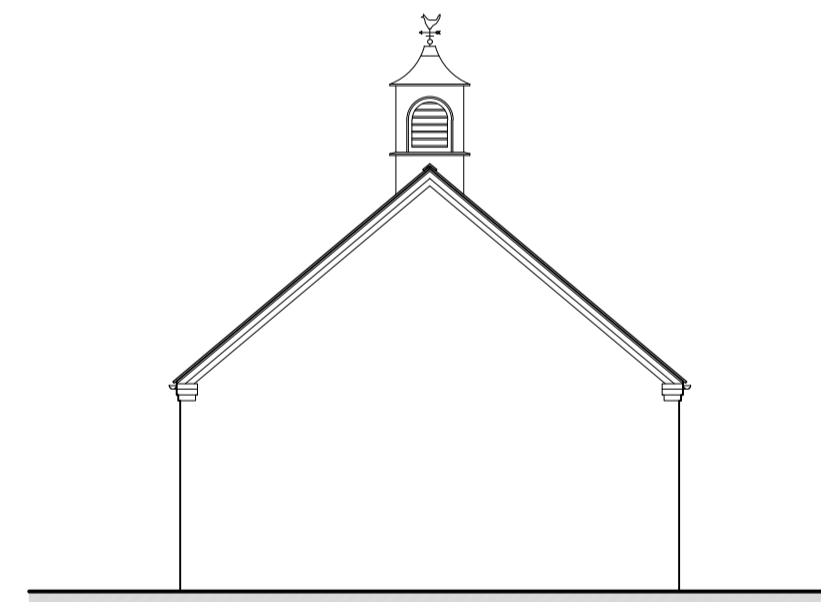
PLOTS 2 & 3 GARAGE



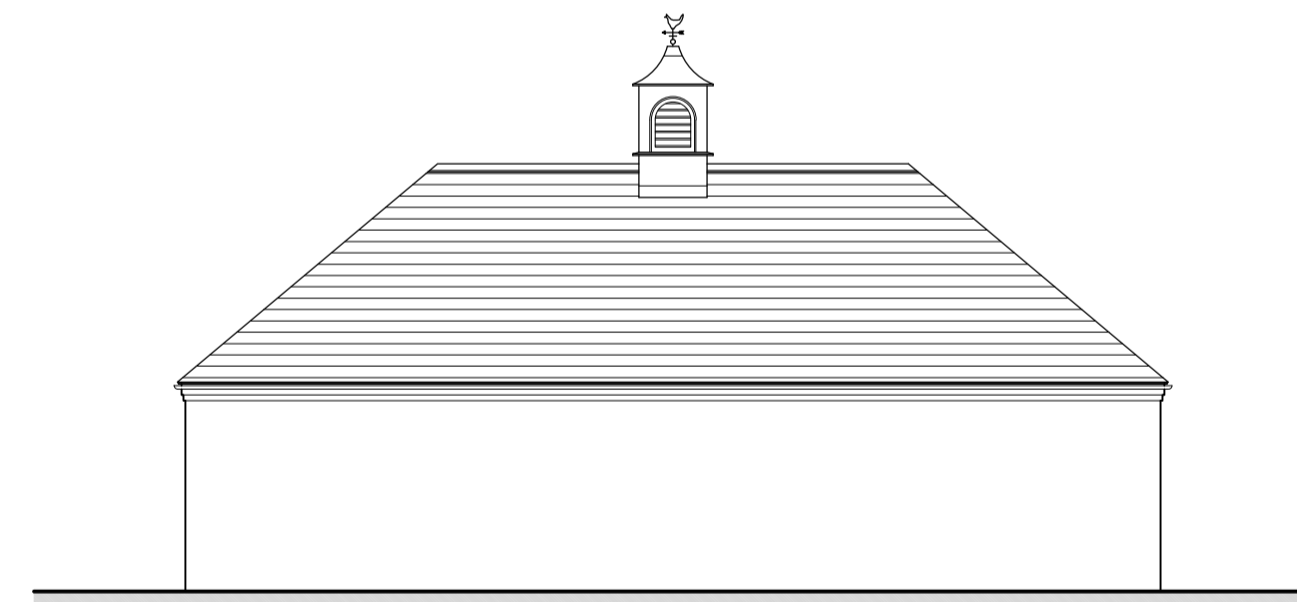
Proposed Section
A1 @ 1:100



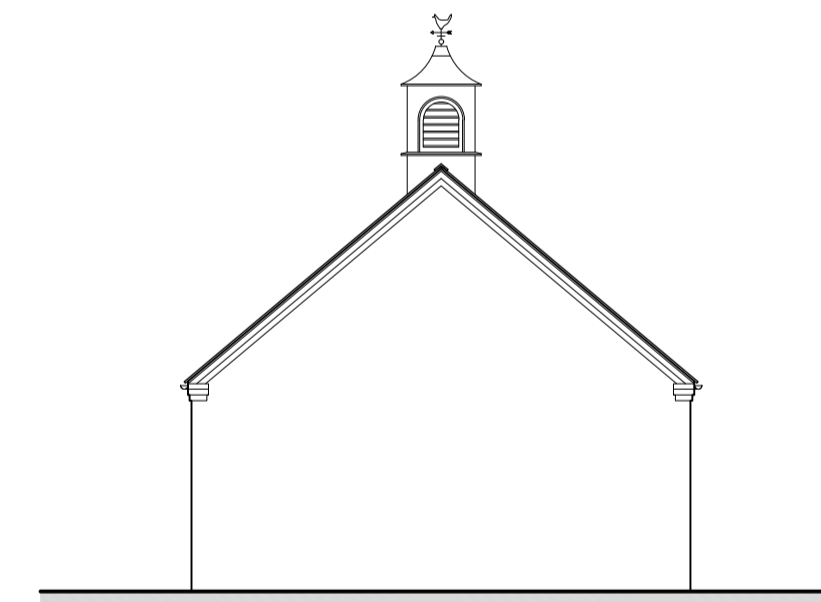
Proposed Front Elevation
A1 @ 1:100



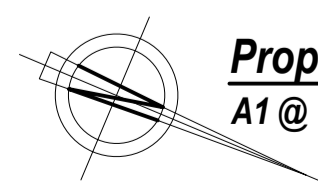
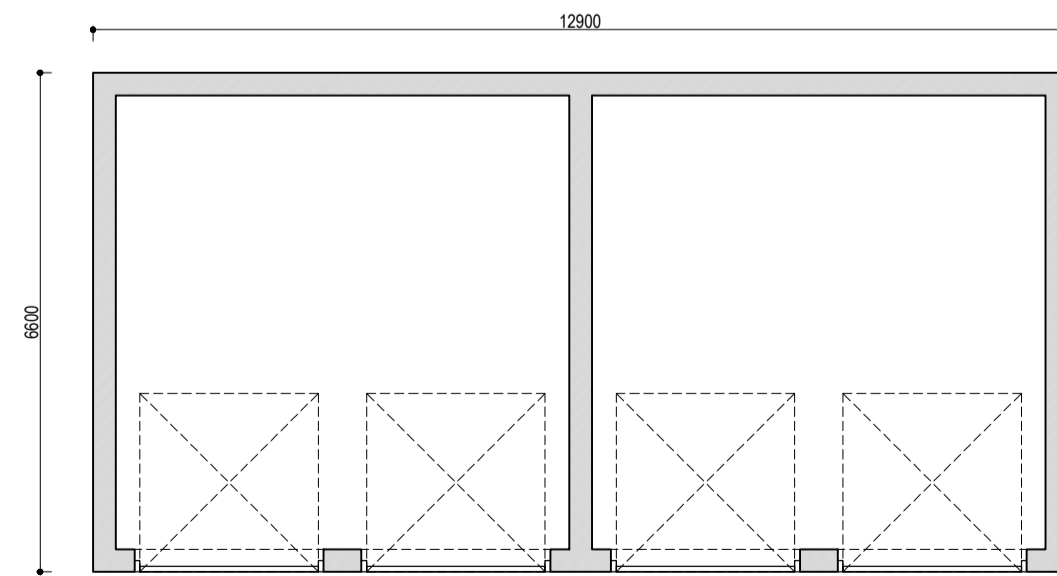
Proposed Side Elevation
A1 @ 1:100



Proposed Rear Elevation
A1 @ 1:100

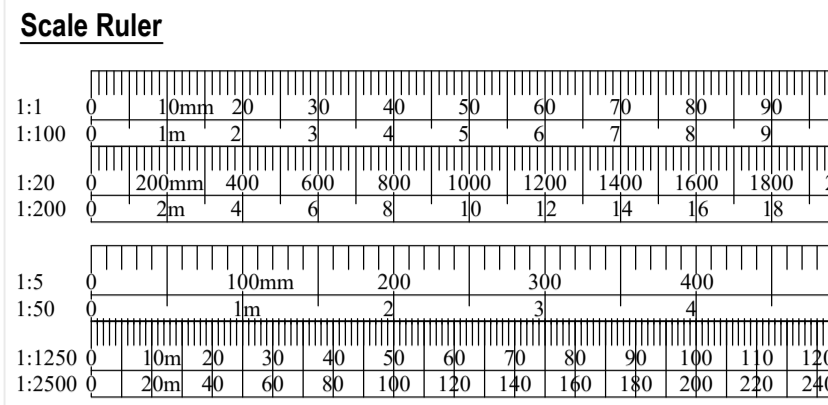


Proposed Side Elevation
A1 @ 1:100



Proposed Floor Plan
A1 @ 1:100

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REVISION	DATE	DESCRIPTION
a.	21.12.21	Hipped roof to Plots 2 & 3 garage structure - TR

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CLIENT
Campbell Buchanan

PROJECT
Residential Development;
Hill Close
Brington
HUNTINGDON
PE28 5EH

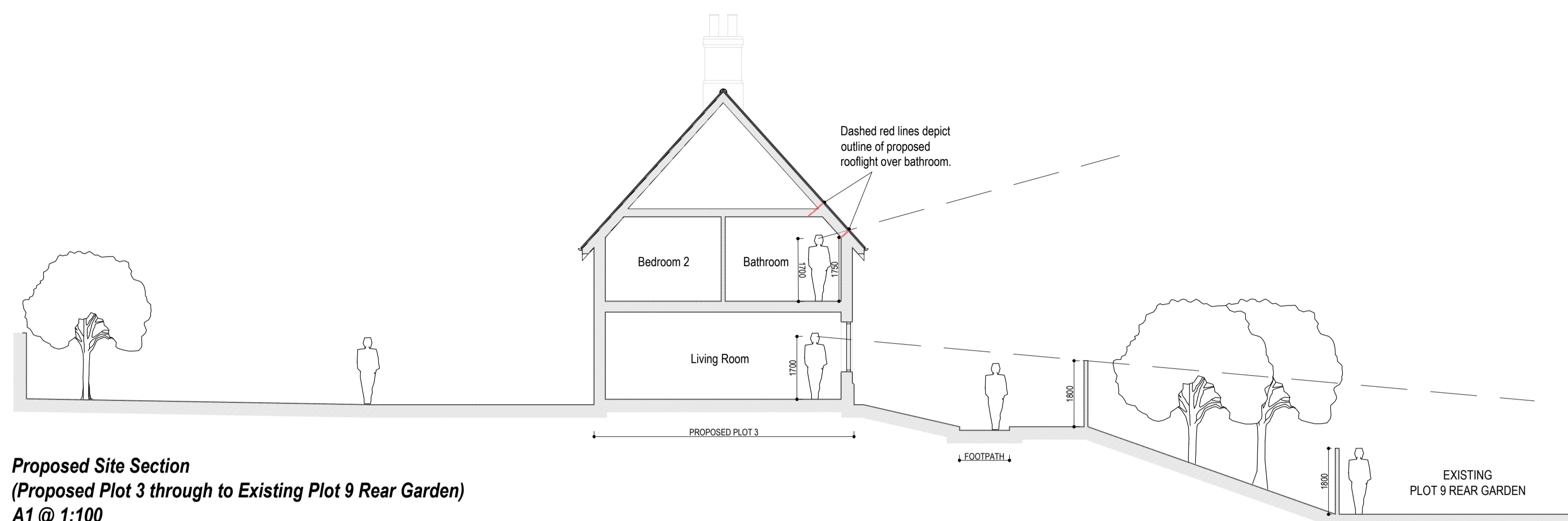
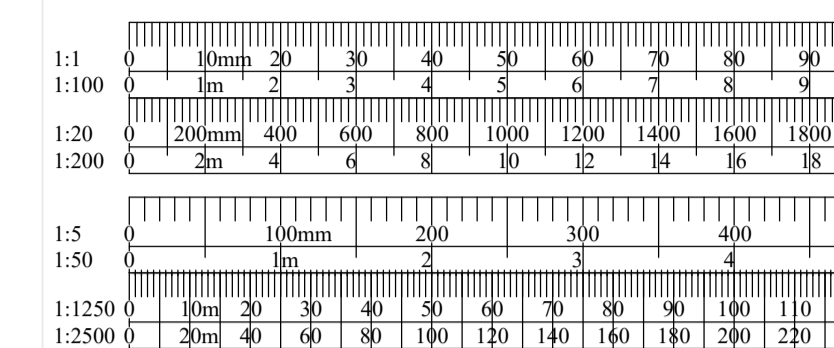
DRAWING TITLE
Planning Drawing;
Proposed Garage Elevations, Plans & Section

DATE Dec. 2021	SCALE 1:100	PAPER SIZE A1	DRAWN TR
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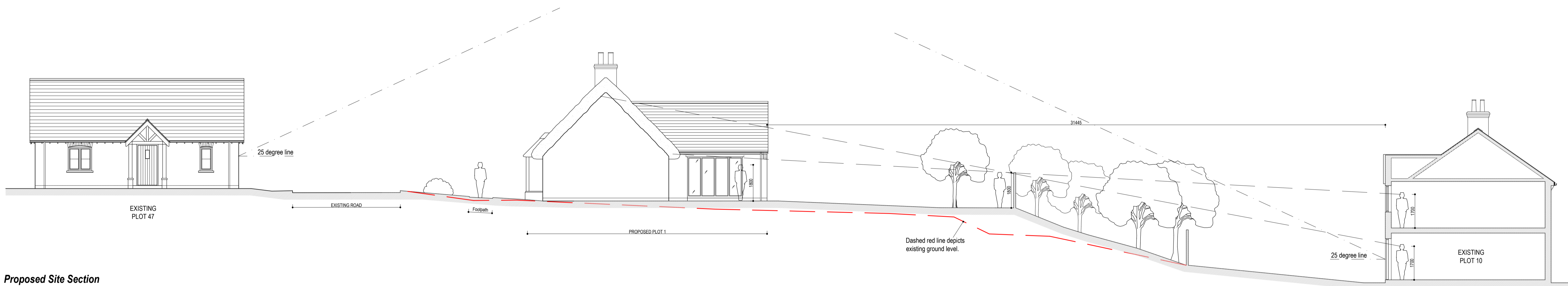
PROJECT REF. 2018 / 38	DRAWING NO. & REVISION 24a
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Scale Ruler



Proposed Site Section
(Proposed Plot 3 through to Existing Plot 9 Rear Garden)
A1 @ 1:100



Proposed Site Section
(Existing Plot 47 through to 10)
A1 @ 1:100

REVISION	DATE	DESCRIPTION
b.	19.09.23	Updated following clients comments - TR
a.	18.09.23	Updated with additional site section - TR

AMENDMENTS

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PROJECT
 Residential Development;
 Hill Close
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 HUNTINGDON
 PE28 5EH

DRAWING TITLE
Proposed Site Sections

DATE July 2023	SCALE 1:100	PAPER SIZE A1	DRAWN TR
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PROJECT REF. 2018 / 38	DRAWING NO. & REVISION 28b
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