

DEVELOPMENT MANAGEMENT COMMITTEE 15th JULY 2024

Case No: 23/00814/FUL

Proposal: To divide existing ground floor shop unit into two small shop units fronting the high street, together with an executive car showroom within the existing building to the rear. Provision of 31 short stay hotel rooms to first floor with new windows set into existing side and rear elevations behind street frontage building, together with a first-floor infill extension over existing flat roof between existing buildings

Location: 111 High Street, Huntingdon

Applicant: Ms Loretta Budai

Grid Ref: 523853 271850

Date of Registration: 05.05.2023

Parish: Huntingdon

RECOMMENDATION - REFUSE

This application is referred to the Development Management Committee (DMC) as Officers recommendation goes against that of Huntingdon Town Council.

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

- 1.1 No. 111 High Street is a Grade II Listed Building and is located within the Huntingdon Conservation Area. The property is also in close proximity to a number of other Grade II Listed Buildings as well as the Grade I Listed Building of All Saints Church and the Grade II* Listed Building of the Town Hall. The site is located within the town centre and primary shopping area of Huntingdon.

Proposal

- 1.2 This application seeks approval to subdivide the existing ground floor retail unit into two alongside the provision of a car showroom to the rear and 31 short-stay hotel rooms at first-floor level alongside various internal and external alterations at No. 111 High Street, Huntingdon.

- 1.3 The Local Planning Authority is also considering a Listed Building Consent application for the same development proposal (23/00815/LBC) which is reported to this Committee.
- 1.4 Officers contacted the Agent advising of the concerns regarding the application, but they considered that the information supplied with the application was acceptable/sufficient given the works proposed.
- 1.5 The application is supported by the following documents:
 - Heritage, Design and Access Statement
- 1.6 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 Sections 66 and 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.

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

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
 - LP1: Amount of Development
 - LP2: Strategy for Development
 - LP4: Contributing to Infrastructure Delivery
 - LP5: Flood Risk
 - LP6: Waste Water Management
 - LP7: Spatial Planning Areas

- LP11: Design Context
- LP12: Design Implementation
- LP13: Placemaking
- LP14: Amenity
- LP15: Surface Water
- LP16: Sustainable Travel
- LP17: Parking Provision and Vehicle Movement
- LP21: Town Centre Vitality and Viability
- LP25: Housing Mix
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows
- LP34: Heritage Assets and their Settings
- LP36: Air Quality

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

3.2 Huntingdon Neighbourhood Plan 2018-2026 (Adopted September 2019)

- E1: Opportunities for Employment
- E2: Business Investment
- TC1: Retail Development
- TL1: Tourism Development
- BE1: Design and Landscaping
- BE2: Local Distinctiveness and Aesthetics
- BE3: Heritage Assets
- TT1: Sustainable Travel

3.3 Supplementary Planning Documents (SPD) and Guidance:

- Huntingdonshire Design Guide Supplementary Planning Document 2017
- Developer Contributions SPD 2011
- Huntingdonshire Landscape and Townscape SPD (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2017)
- Cambridgeshire Flood and Water SPD 2017
- LDF Developer Contributions SPD (2011)
- Annual Monitoring Review regarding housing land supply (2020)
- Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

3.4 The National Design Guide (2021):

- C1 - Understand and relate well to the site, its local and wider context
- I1 - Respond to existing local character and identity
- I2 - Well-designed, high quality and attractive
- B2 - Appropriate building types and forms

- M3 - Well-considered parking, servicing and utilities infrastructure for all users
- 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

4. PLANNING HISTORY

- 4.1 Given the heritage and use of the property there is a wide planning history associated with it. The history from November 1974 onwards is available to view on HDC's Public Access Site. The most recent, relevant history is detailed below:
- 4.2 23/00815/LBC - To divide existing ground floor shop unit into two small shop units fronting the high street, together with an executive car showroom within the existing building to the rear. Provision of 31 short stay hotel rooms to first floor with new windows set into existing side and rear elevations behind street frontage building, together with a first-floor infill extension over existing flat roof between existing buildings – Pending consideration.
- 4.3 1000334LBC – Internal walls removed, new stud partitioning added and new signage to shop front – Consent
- 4.4 1000335ADV – Display of fascia and projecting sign to shopfront – Consent

5. CONSULTATIONS

- 5.1 Huntingdon Town Council – Recommends approval. Although members did raise concerns on the following:
- Fire safety of the hotel rooms, including the width of doorways, the single exit for guests and the car showroom located on the ground floor.
 - Accessibility of the hotel rooms for disabled users.
 - Would there be any parking concerns especially to the rear of the building where the loading dock was located?
 - Lastly concerns were raised about in keeping with the heritage of the High Street and whether there was a market for an executive car showroom in Huntingdon.
- 5.2 Cambridgeshire County Council's Highway Authority – No objections to the proposal. No significant adverse effect upon the Public Highway should result from the proposal. However, makes the following comments:

The building will have three areas:-

1– Two shop fronts fronting the High Street. Deliveries can be made via High Street within the hours permitted by the Pedestrian Zone, or St Germain Street at other times.

2– 31 Short Stay hotel rooms – there is no parking associated with the building, however, there are public car parks nearby and on-street parking in the non-pedestrian section of High Street.

3- Executive Car Showroom – no details have been provided to indicate where the cars will be driven into the showroom. There is an existing loading bay which is elevated from ground level and an existing entrance on the north western elevation which presumably could be widened if needed. Both of these are in an acceptable location.

Also no detail have been provided to indicate how the cars will be delivered to the showroom. If they are going to be delivered on a multi-vehicle transported then the applicant should ensure that it is able to manoeuvre and turn within the available area.

5.3 Huntingdonshire District Council’s Conservation Officer – Objects. The proposal contains insufficient, accurate information to make an assessment and the drawings are incorrect.

5.4 Huntingdonshire District Council’s Environmental Protection Team – Concerns regarding the potential sound levels within the hotel bedrooms. Looking at images of the area there appears to be a number of items of plant located in the immediate vicinity. I would therefore advise that a Noise Impact Assessment is required to demonstrate that internal sound levels within the hotel rooms will be acceptable and what mitigation (for example the glazing specification / provision of alternative ventilation etc) is required.

The location falls just within a designated Air Quality Management Area and therefore an Air Quality Assessment is required to be submitted in accordance with LP36.

6. REPRESENTATIONS

6.1 No third party representations were received during the course of the application.

7. ASSESSMENT

7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan’s policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990

(Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as “the development plan documents (taken as a whole) that have been adopted or approved in that area”.

- 7.3 In Huntingdonshire the Development Plan (relevant to this applications) consists of:
- Huntingdonshire’s Local Plan to 2036 (2019)
 - Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
 - Huntingdon Neighbourhood Plan 2018-2026 (2019)
- 7.4 The statutory term ‘material considerations’ has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: *Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor* [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.
- 7.5 The main issues to consider in the determination of this application are:
- The Principle of Development
 - Design, Visual Amenity and Impact on Heritage Assets
 - Residential Amenity
 - Parking Provision and Highway Safety
 - Flood Risk and Drainage

The Principle of Development

- 7.6 The site is located within the town centre and primary shopping area of Huntingdon, which the adopted Huntingdonshire Local Plan to 2036 identifies as a Spatial Planning Area (Policy LP7).
- 7.7 Policy LP7 states that a main town centre use development, which is additional to those allocated in the Local Plan, will be supported where it is appropriately located within a built-up area of an identified Spatial Planning Area settlement. Furthermore, a proposal which includes a mix of uses will be supported where each use accords with the applicable requirements detailed within Policy LP7.
- 7.8 Policy LP21 (Town Centre Vitality and Viability) of the adopted Local Plan to 2036 states a proposal for a shop will be supported within a primary shopping frontage to encourage uses which

support the vitality and viability of the location whilst maintaining its essential retail nature.

- 7.9 Policy TC1 of the Huntingdonshire Neighbourhood Plan states that *'Additional retail provision, including the sub-division of existing shop units or the creation of larger shop units involving two or more existing units will be favourably considered at ground floor level in the primary shopping area (as defined in the Huntingdonshire Local Plan), provided that development, without clear and convincing justification, avoids harm to, or loss of, the significance of the Huntingdon Conservation Area and any nearby listed buildings.'*
- 7.10 This application seeks approval to subdivide the ground floor retail unit into two retail units, the provision of a car showroom in the rear section of the ground floor and the creation of 31 short stay hotel rooms at first floor level.
- 7.11 The proposed subdivision of the ground floor retail unit and the provision of 31 short stay hotel rooms at first floor level are considered to be acceptable in principle as they are main town centre uses with the retail development addressing the primary shopping frontage.
- 7.12 It is worth noting that in line with Policy LP23 of the adopted Local Plan (Tourism and Recreation) a condition would be imposed on any planning permission granted to prevent occupation of the short stay hotel rooms as a person's permanent sole or main residential use.
- 7.13 With regard to the proposed car showroom (Sui Generis), the use is not considered to fall within the category of 'main town centre use' as defined by the National Planning Policy Framework. As such, the proposed use is considered to be inappropriate within the Primary Shopping Area of Huntingdon with no support in the adopted Local Plan nor the Huntingdon Neighbourhood Plan. It is also worth noting, as discussed in the following section of this report, that the Local Planning Authority consider that bringing the building back into use (last in use September 2021) would not outweigh the potential harm of the proposal and the provision of a car showroom would offer a limited contribution to the overall vitality and viability of the Huntingdon Town Centre.
- 7.14 Overall, the proposed car showroom would represent an inappropriate use within the Primary Shopping Area and Town Centre of Huntingdon and therefore would be contrary to Policy LP21 of the adopted Huntingdonshire Local Plan to 2036, Policy TC1 of the Huntingdon Neighbourhood Plan and Section 7 of the National Planning Policy Framework. As such, the principle of development is unacceptable and planning permission should be refused in this instance.

Design, Visual Amenity and Impact on Heritage Assets

- 7.15 No. 111 High Street is a Grade II Listed Building and is located within the Huntingdon Conservation Area. The property is also in close proximity to a number of other Grade II Listed Buildings as well as the Grade I Listed Building of All Saints Church and the Grade II* Listed Building of the Town Hall.
- 7.16 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 7.17 Section 66 of the Planning (Listed Buildings and Conservation Areas) 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.
- 7.18 Para 205 of the NPPF 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.'* Para 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...'* The NPPF goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use.
- 7.19 Para 212 states that 'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 7.20 Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.21 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, topography and landscape.

- 7.22 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.
- 7.23 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.
- 7.24 This application seeks to subdivide the existing ground floor retail until into two, the provision of a car showroom on the ground floor within the existing building, and the provision of 31 short-stay hotel rooms at first floor. To facilitate the proposed short-stay hotel, the proposal also involves the erection of a first-floor infill extension and the installation of new windows on the side and rear elevations.
- 7.25 The proposed first-floor extension would in-fill the main two-storey element fronting the highway of High Street and the two-storey element to the rear, fronting the highway of St Germain Street. The proposed extension is considered to be a subservient addition to the property and would not be visually prominent from public vantage points along High Street. While the proposal would be visible from St Germain Street, it is considered to be of an acceptable design and appearance and would not result in harm to the character of appearance of the streetscene of surrounding area. Furthermore, the proposed windows are considered to be of an acceptable scale and design.
- 7.26 However, the Council's Conservation Officer has been unable to determine whether the proposed works would result in harm to the setting and significance of the Listed Building of No. 111 High Street due to inaccuracies and errors within the submitted drawings.
- 7.27 The façade and front range of the building date to the Mid 18th Century and formed the higher status elements of the Fountain Inn, a famous posting house. The Inn had an assembly room at

the first floor which the public could use to hold meetings and sales, records of which are mentioned in the National Archives. This large space sat over a coaching arch in the middle of the building and was lit by a pair of 'Venetian' windows of which only the front one now survives.

- 7.28 The removal of the rear ranges and blocking up of the coaching arch to create a large shop floor for Woolworths in the latter half of the 20th Century has taken away much of the historic context for the listed building. However, the front part of the building retains significance, particularly in its relationship with the listed Town Hall and its positive contribution to the character and appearance of the market square.
- 7.29 The plan of the first floor 'as existing' in this submission is largely a reissue of the 2010 application drawing; the second floor 'as existing' is an extract of the first floor plan. There are errors on both plans, notably missing windows, incorrect siting of windows and the line of the rear wall. In particular, the façade of the building is not flat as shown, the masonry projects forward to highlight the venetian window and a decorative architectural pediment. The internal arrangement of the second floor is not known as the submission shows the female toilets and staircase arrangement of the first floor. There are also no plans of the attic. The existing and proposed drawings are therefore incorrect.
- 7.30 The Conservation Officer requested a site visit to enable assessment of the listed building, but this has not been forthcoming. Given the inaccuracies of the submitted drawings and lack of additional information regarding potential works to enable use of the building (which is currently in a poor state of repair) it is not possible to gauge the impact of the proposals on the significance of the listed building.
- 7.31 The applicant states that the works will have no impact on the listed building as there will be no alterations to the existing rooms at the historic front of the property. The drawings show the removal of ladies toilet facilities on the first floor which may not affect the special interest of the listed building but without further details it is not possible to assess. The proposed works will also impact the modern rear extension of the building but as this area has no architectural or historic interest these works may not require listed building consent.
- 7.32 As such, it is considered that the plans have not been drawn correctly and therefore it can be argued that there is insufficient accurate information to ensure that the Local Planning Authority is able to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area.

- 7.33 While there are some matters and discrepancies that can be addressed by the implementation of suitably worded conditions, the errors in the drawings are considered to be fundamental and undermine the proposal.
- 7.34 The proposal change of use would secure a long-term viable use for the listed building and this is considered a benefit of the scheme. However, it is not possible to assess the potential impact of the development upon the heritage asset. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must therefore determine that the proposal would result in harm to the heritage asset. Such harm would not be outweighed by the benefits.
- 7.35 As such, the proposal is deemed to be contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of Huntingdonshire's Local Plan to 2036, Policies BE1, BE2 and BE3 of the Huntingdon Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2023).

Residential Amenity

- 7.36 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.

Amenity of neighbouring properties

- 7.37 Given the town centre location, proposed uses and the siting and scale of the proposed extension and external alterations, the proposal is not considered to result in any detrimental impacts on any neighbouring residential property.

Amenity for future occupiers

- 7.38 Policy LP14 states that a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development.
- 7.39 The site is located within the town centre and the surrounding area includes a number of items of plant in the immediate vicinity. Accordingly, the Council's Environmental Protection Team have concerns regarding the potential sound levels within the hotel bedrooms. They have therefore advised that a Noise Impact Assessment is required to be submitted to ensure that internal sound levels within the proposed hotel rooms would be acceptable, including any proposed mitigation measures (for example glazing specification / provision of alternative ventilation

etc). Without this it is not possible to ensure that the proposal would be acceptable in terms of the amenity of hotel users.

- 7.40 The site also falls just within a designated Air Quality Management Area. The proposal will therefore need to be accompanied by an Air Quality Assessment. Policy LP36 of the Local Plan states:

An Air Quality Assessment should be proportionate to the nature and scale of the proposal and the level of concern about air quality, but should assess:

- f. the existing state of air quality surrounding the site;*
- g. how the proposal could affect air quality during construction and operational phases;*
- h. the extent to which people could be exposed to poor air quality;*
- and*
- i. how biodiversity could be affected by changes in air quality as a result of the proposal.*

No Air Quality Assessment has been submitted and therefore the proposal is contrary to LP36.

- 7.41 As such, the Local Planning Authority are not able to satisfy themselves that the proposal would be acceptable in terms of amenity and therefore the proposal is considered to be contrary to Policy LP14 and LP36 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework in this regard.

Parking Provision and Highway Safety

- 7.42 Policy LP16 (Sustainable Travel) aims to promote sustainable travel modes and supports development where it provides safe physical access from the public highway. Policy LP17 (Parking Provision and Vehicle Movement) states a proposal will be supported where it incorporates appropriate space for vehicle movements, facilitates accessibility for service and emergency vehicles and incorporates adequate parking for vehicles and cycles.
- 7.43 The submitted application has provided limited information regarding access for deliveries for the proposed retail units as well as the movement of vehicles for the proposed car showroom. The existing property includes a loading bay to the rear, which is elevated from ground level and an existing entrance on the north-western elevation from St Germain Street.
- 7.44 Cambridgeshire County Council's Highway Authority have raised no objections to the proposal subject to alterations to widen the existing access on the north western elevation. Given the Local Highway Authority have no objections to the proposal in principle, the Local Planning Authority would impose conditions on any

planning permission granted to secure suitable access for the executive car showroom.

- 7.45 While no off-street car parking provision would be made for the users of the proposed 31 short stay hotel rooms, the Local Planning Authority are satisfied that there is appropriate public and on-street car parking in the area as well as adequate access to sustainable modes of transport, including Huntingdon Train Station in walking distance.
- 7.46 Therefore, subject to appropriate conditions the proposal is considered acceptable in terms of its impact on highway safety and therefore accords with Policies LP16 and LP17 of Huntingdonshire's Local Plan to 2036 and Section 9 of the National Planning Policy Framework in this regard.

Flood Risk and Drainage

- 7.47 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 (as set out in paragraphs 165-175 of the NPPF (2023)).
- 7.48 In this case, the application site is situated in Flood Zone 1 based on the Environment Agency Floods Maps and the Strategic Flood Risk Assessment (2017) and is not in an area noted as susceptible to ground water flooding (<25%).
- 7.49 Given that the site is in Flood Zone 1 and comprises less than 1 hectare of land, the sequential and exceptions tests for flooding nor the submission of a flood risk assessment are considered necessary in this instance in accordance with the NPPF and NPPG.
- 7.50 The proposal seeks to dispose of foul and surface water via the main sewer. Officers are satisfied that full details of the surface and foul water drainage can be secured as part of building regulations and other relevant legislative requirements in this instance.
- 7.51 Overall, the proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore accords with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework in this regard.

Other Matters

Community Infrastructure Levy (CIL)

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

Conclusion

- 7.53 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.54 The proposed car showroom would represent an inappropriate use within the Primary Shopping Area and Town Centre of Huntingdon and therefore the principle of development would be unacceptable in this instance.
- 7.55 The application is not supported by correct or sufficient information regarding the heritage asset. The Local Planning Authority are therefore not able to determine as to whether the proposal would result in harm to the setting and significance of the Listed Building of No. 111 High Street due to inaccuracies and errors within the submitted drawings. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm.
- 7.56 Given the lack of Noise Impact Assessment, the Local Planning Authority are not able to determine whether the proposal would result in unacceptable noise impacts on users of the proposed short-stay hotel. Furthermore, the proposal has not been accompanied by an Air Quality Assessment.
- 7.57 Taking national and local planning policies into account, and having regard to all relevant material considerations, it is concluded that the proposed development is contrary to policy and not acceptable. There are no overriding material considerations that indicate that permission should be granted in this instance. Therefore, it is recommended that the application be refused.

8. RECOMMENDATION - REFUSE for the following reasons

1. The proposed car showroom element of the proposal is not considered to fall within the category of 'main town centre uses' as defined by the National Planning Policy Framework. As such the proposal would represent an inappropriate use within the Primary Shopping Area and Town Centre of Huntingdon and would be contrary to Policy LP21 of the adopted Huntingdonshire Local Plan to 2036, Policy TC1 of the Huntingdon Neighbourhood Plan, and Section 7 of the National Planning Policy Framework.

2. The plans submitted with the application have not been drawn accurately as there are significant and fundamental drawing errors. As the application is not supported by sufficient and accurate information, the Local Planning Authority is unable to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting and have due regard to the preservation and enhancement of the Huntingdon Conservation Area. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must therefore determine that the proposal would result in harm to the heritage asset. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm. As such, the proposed development is considered to be contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of the Huntingdonshire Local Plan to 2036, Policies BE1, BE2 and BE3 of the Huntingdon Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2023).
3. The application has not been accompanied by a Noise Impact Assessment and therefore the Local Planning Authority are not able to determine whether the proposal would result in unacceptable noise impacts on users of the proposed short-stay hotel. As such, the proposal would be contrary to Policy LP14 of the Huntingdonshire Local Plan to 2036, guidance within the Huntingdonshire Design Guide SPD and the National Planning Policy Framework (2023).
4. The site falls within a designated Air Quality Management Area and the application has not been accompanied by an Air Quality Assessment. As such, the proposal would be contrary to Policy LP36 of the Huntingdonshire Local Plan to 2036 and the National Planning Policy Framework (2023).

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs

CONTACT OFFICER:

Enquiries about this report to Christina Riley, Development Management Team Leader (South)

DEVELOPMENT MANAGEMENT COMMITTEE 15th JULY 2024

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Location: 111 High Street, Huntingdon

Applicant: Ms Loretta Budai

Grid Ref: 523853 271850

Date of Registration: 05.05.2023

Parish: Huntingdon

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Proposal

- 1.2 This application seeks approval to subdivide the existing ground floor retail unit into two alongside the provision of a car showroom to the rear and 31 short-stay hotel rooms at first-floor level alongside various internal and external alterations at No. 111 High Street, Huntingdon.

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- BE2: Local Distinctiveness and Aesthetics
- BE3: Heritage Assets

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

4. PLANNING HISTORY

- 4.1 Given the heritage and use of the property there is a wide planning history associated with it. The history from November 1974 onwards is available to view on HDC's Public Access Site. The most recent, relevant history is detailed below:
- 4.2 23/00814/FUL - To divide existing ground floor shop unit into two small shop units fronting the high street, together with an executive car showroom within the existing building to the rear. Provision of 31 short stay hotel rooms to first floor with new windows set into existing side and rear elevations behind street frontage building, together with a first-floor infill extension over existing flat roof between existing buildings – Pending consideration.
- 4.3 1000334LBC - Internal walls removed, new stud partitioning added and new signage to shop front – Approved.
- 4.4 0901315LBC - Internal walls removed, new stud partitioning added and new signage to shopfront – Refused.

5. CONSULTATIONS

- 5.1 Huntingdon Town Council – Recommends approval.
- 5.2 Huntingdonshire District Council's Conservation Officer – The proposal contains insufficient, accurate information to make an assessment and should therefore be refused.

6. REPRESENTATIONS

- 6.1 No third party representations were received during the course of the application.

7. ASSESSMENT

- 7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.
- 7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the

development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as “the development plan documents (taken as a whole) that have been adopted or approved in that area”.

- 7.3 In Huntingdonshire the Development Plan (relevant to this applications) consists of:
- Huntingdonshire’s Local Plan to 2036 (2019)
 - Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
 - Huntingdon Neighbourhood Plan 2018-2026 (2019)
- 7.4 The statutory term ‘material considerations’ has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: *Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor* [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.
- 7.5 The main issues to consider in the determination of this application are:
- Impact on Heritage Assets

Impact on Heritage Assets

- 7.6 No. 111 High Street is a Grade II Listed Building and is located within the Huntingdon Conservation Area. The property is also in close proximity to a number of other Grade II Listed Buildings as well as the Grade I Listed Building of All Saints Church and the Grade II* Listed Building of the Town Hall.
- 7.7 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 7.8 Section 66 of the Planning (Listed Buildings and Conservation Areas) 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.
- 7.9 Para 205 of the NPPF 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.' Para 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...' The NPPF goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use.

- 7.10 Para 212 states that 'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 7.11 Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.12 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, topography and landscape.
- 7.13 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.
- 7.14 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.

- 7.15 This application seeks to subdivide the existing ground floor retail until into two, the provision of a car showroom on the ground floor within the existing building, and the provision of 31 short-stay hotel rooms at first floor. To facilitate the proposed short-stay hotel, the proposal also involves the erection of a first-floor infill extension and the installation of new windows on the side and rear elevations.
- 7.16 The Council's Conservation Officer has been consulted on the application and has been unable to determine whether the proposed works would result in harm to the setting and significance of the Listed Building of No. 111 High Street due to inaccuracies and errors within the submitted drawings.
- 7.17 The façade and front range of the building date to the Mid 18th Century and formed the higher status elements of the Fountain Inn, a famous posting house. The Inn had an assembly room at the first floor which the public could use to hold meetings and sales, records of which are mentioned in the National Archives. This large space sat over a coaching arch in the middle of the building and was lit by a pair of 'Venetian' windows of which only the front one now survives.
- 7.18 The removal of the rear ranges and blocking up of the coaching arch to create a large shop floor for Woolworths in the latter half of the 20th Century has taken away much of the historic context for the listed building. However, the front part of the building retains significance, particularly in its relationship with the listed Town Hall and its positive contribution to the character and appearance of the market square.
- 7.19 The plan of the first floor 'as existing' in this submission is largely a reissue of the 2010 application drawing; the second floor 'as existing' is an extract of the first floor plan. There are errors on both plans, notably missing windows, incorrect siting of windows and the line of the rear wall. In particular, the façade of the building is not flat as shown, the masonry projects forward to highlight the venetian window and a decorative architectural pediment. The internal arrangement of the second floor is not known as the submission shows the female toilets and staircase arrangement of the first floor. There are also no plans of the attic. The existing and proposed drawings are therefore incorrect.
- 7.20 The Conservation Officer requested a site visit to enable assessment of the listed building, but this has not been forthcoming. Given the inaccuracies of the submitted drawings and lack of additional information regarding potential works to enable use of the building (which is currently in a poor state of repair) it is not possible to gauge the impact of the proposals on the significance of the listed building.

- 7.21 The applicant states that the works will have no impact on the listed building as there will be no alterations to the existing rooms at the historic front of the property. The drawings show the removal of ladies toilet facilities on the first floor which may not affect the special interest of the listed building but without further details it is not possible to assess. The proposed works will also impact the modern rear extension of the building but as this area has no architectural or historic interest these works may not require listed building consent.
- 7.22 As such, it is considered that the plans have not been drawn correctly and therefore it can be argued that there is insufficient accurate information to ensure that the Local Planning Authority is able to assess the proposals appropriately and meet their statutory duty to preserve the listed building and its setting, and have regard to the preservation and enhancement of the Huntingdon Conservation Area.
- 7.23 While there are some matters and discrepancies that can be addressed by the implementation of suitably worded conditions, the errors in the drawings are considered to be fundamental and undermine the proposal.
- 7.24 The proposal change of use would secure a long-term viable use for the listed building and this is considered a benefit of the scheme. However, it is not possible to assess the potential impact of the development upon the heritage asset. In the absence of sufficient and correct information to evidence how the proposal would not result in harm, officers must therefore determine that the proposal would result in harm to the heritage asset. Such harm would not be outweighed by the benefits.
- 7.25 As such, the proposal is deemed to be contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of Huntingdonshire's Local Plan to 2036, Policies BE1, BE2 and BE3 of the Huntingdon Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2023).

Conclusion

- 7.26 The building in question is a Grade II Listed Building set within the Huntingdon Conservation Area. The Local Planning Authority has a statutory duty to preserve the Listed Building and its setting, and have due regard to the preservation and enhancement of the Huntingdon Conservation Area.
- 7.27 The application is not supported by correct or sufficient information regarding the heritage asset. The Local Planning Authority are therefore not able to determine as to whether the proposal would

result in harm to the setting and significance of the Listed Building of No. 111 High Street due to inaccuracies and errors within the submitted drawings. Whilst the proposed change of use would secure a long-term viable use for the listed building, this benefit would not outweigh the identified harm.

- 7.28 Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that Listed Building Consent be refused.

8. RECOMMENDATION - REFUSE for the following reason

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

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs

CONTACT OFFICER:

Enquiries about this report to Christina Riley, Development Team Leader (South)

HUNTINGDON TOWN COUNCILPLANNING COMMENTS : 24th July 2023

23/00814/FUL

[REDACTED] 111 High Street. PE29 3LD

To divide existing ground floor shop unit in to two smaller shop units fronting the high street,

together with an executive car showroom within the existing building to the rear.

Provision of

31 short stay hotel rooms to first floor with new windows set into existing side and rear elevations behind street frontage building, together with a first floor infill extension over

existing flat roof between existing buildings.

111 High Street Huntingdon PE29 3LD

Recommend Approve: Although members raised concerns on the following. Fire safety of the hotel rooms, including the width of doorways, the single exit for guests and the car showroom located on the ground floor. Concerns were also raised about the accessibility of the hotel rooms for disabled users. Also would there be any parking concerns especially to the rear of the building where the loading dock was located. Lastly concerns were raised about in keeping with the heritage of the High Street and whether there was a market for an executive car showroom in Huntingdon.

23/00815/LBC

[REDACTED], 111 High Street. PE29 3LD

To divide existing ground floor shop unit in to two smaller shop units fronting the high street,

together with an executive car showroom within the existing building to the rear also provision of 31 short stay hotel rooms to first floor with new windows set into existing side

and rear elevations behind street frontage building, together with a first floor infill extension

over existing flat roof between existing buildings.

111 High Street Huntingdon PE29 3LD

Recommend Approve as above

[REDACTED]

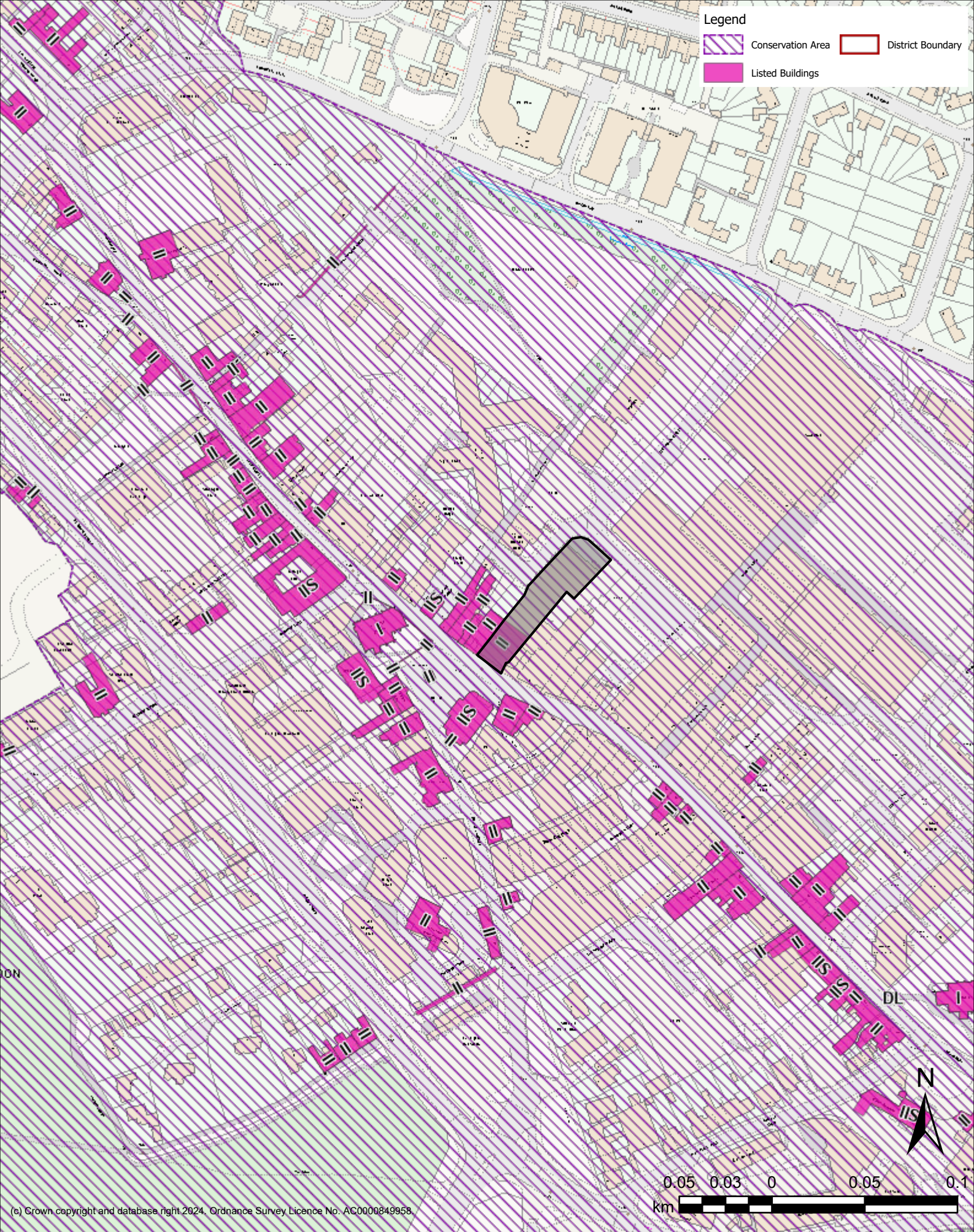
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HUNTINGDON TOWN COUNCIL

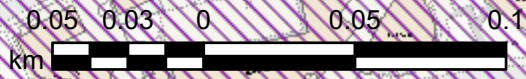
PLANNING COMMENTS : 24th July 2023

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Legend
 Conservation Area
 District Boundary
 Listed Buildings

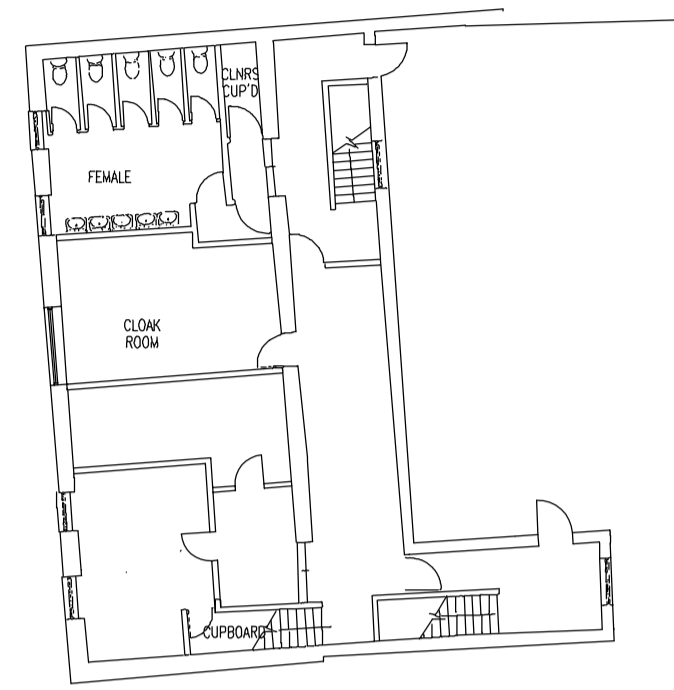
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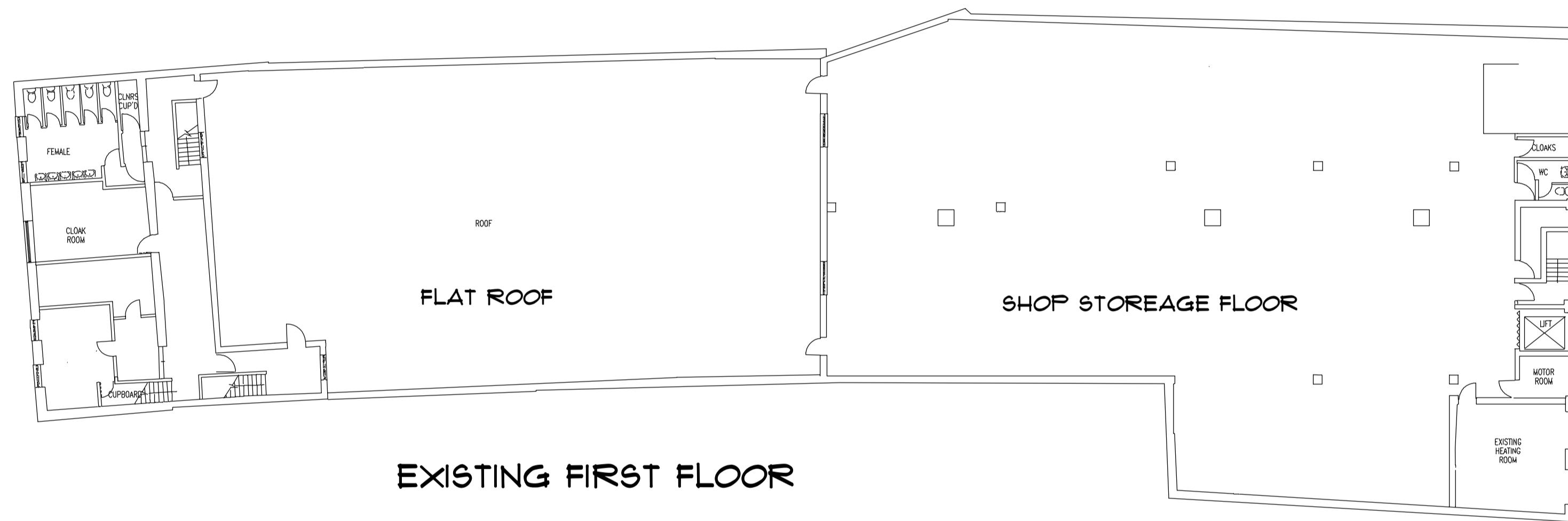
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23/00814/FUL & 23/00815/LBC

Date: 03 July 2024
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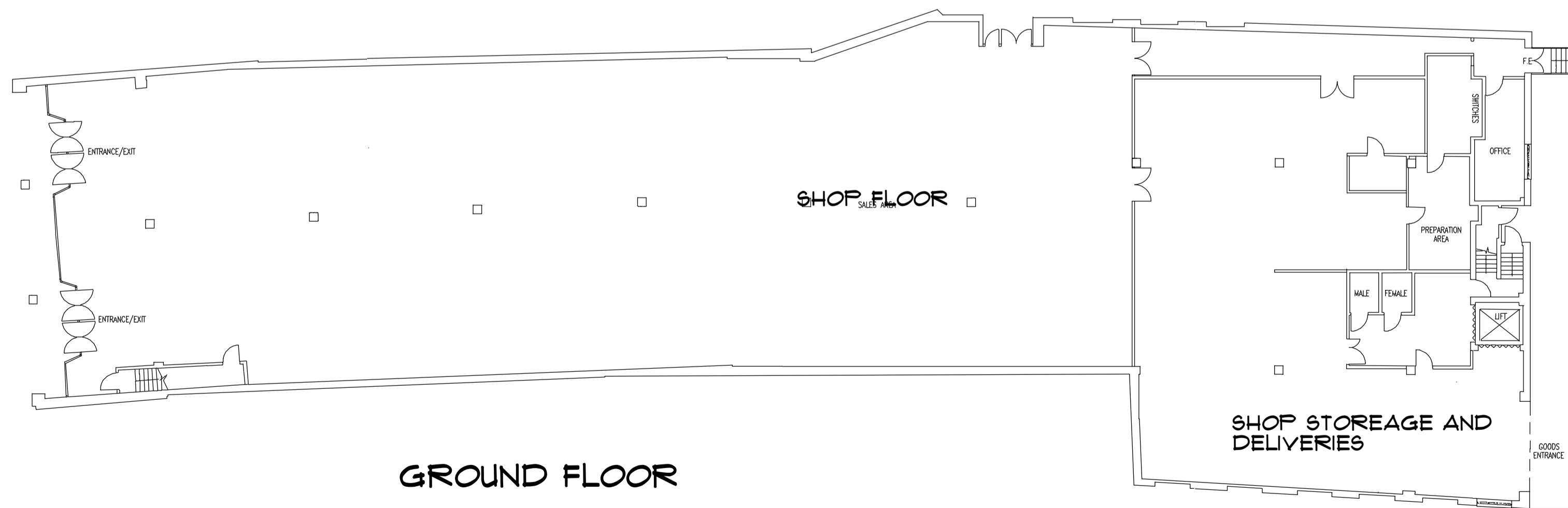
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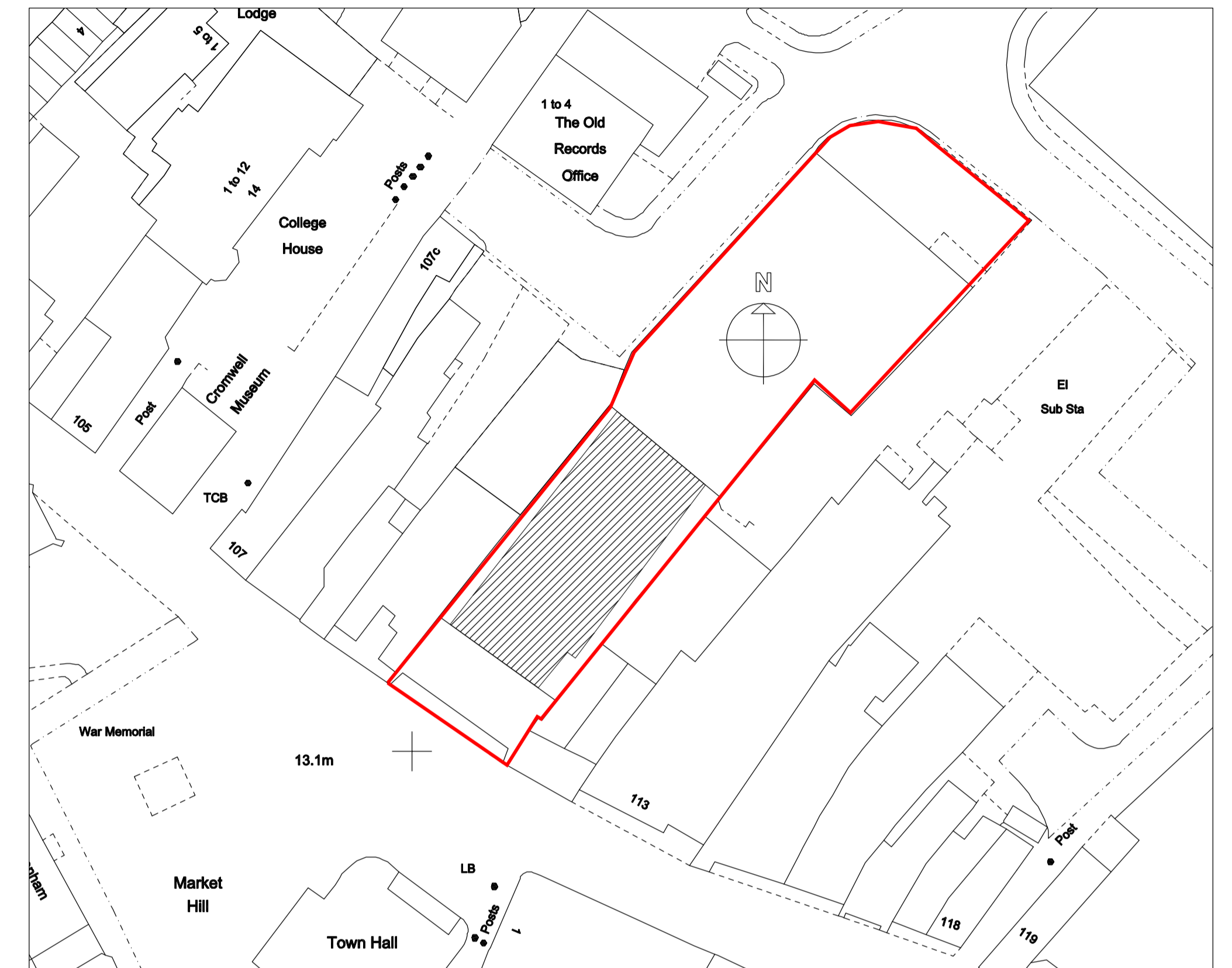
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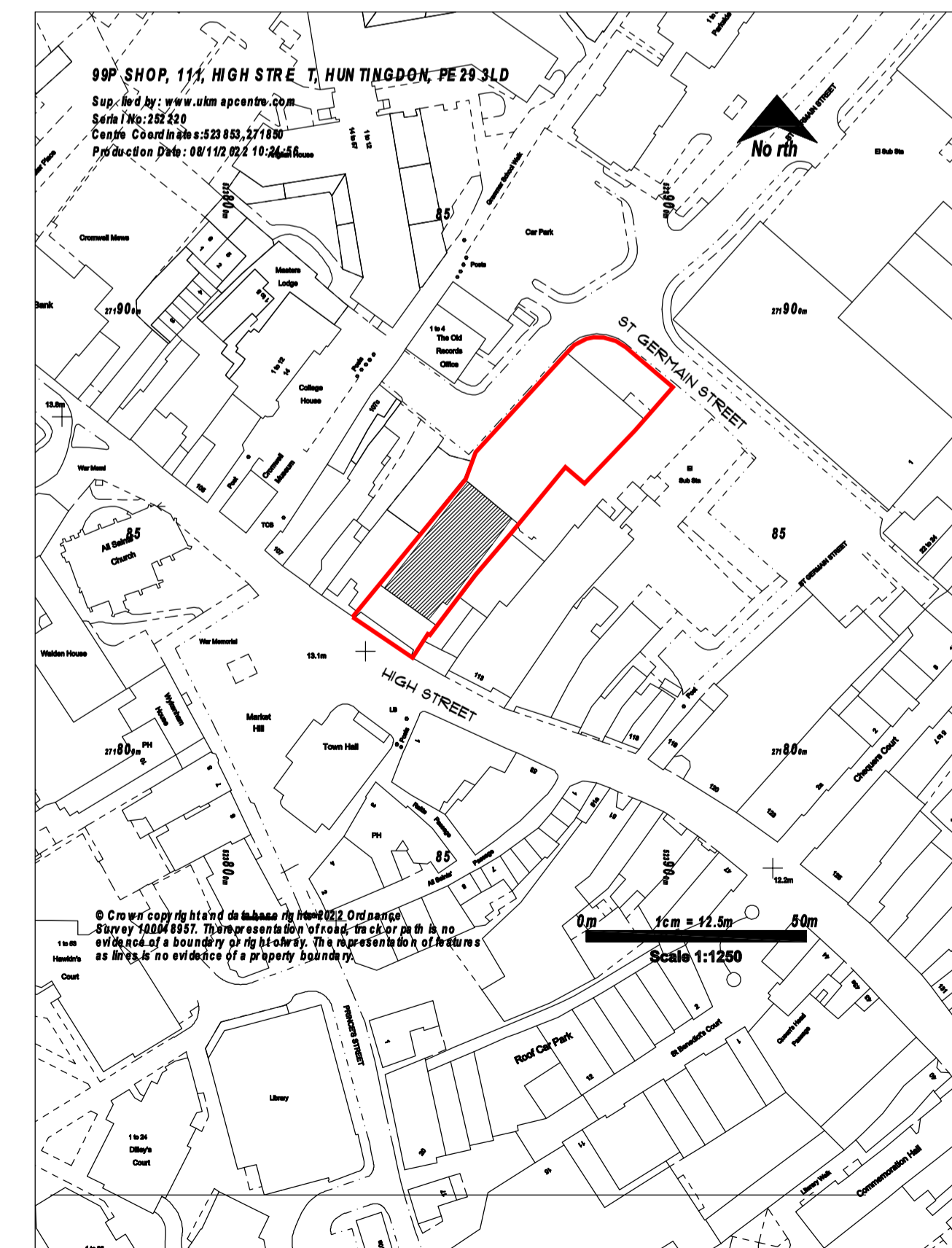
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GROUND FLOOR



EXISTING BLOCK PLAN 1:500



EXISTING LOCATION PLAN 1:500

No.	Revision/Issue	Date

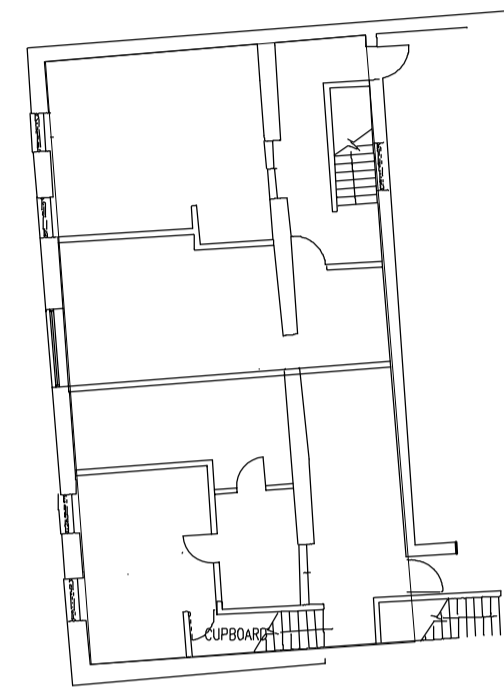
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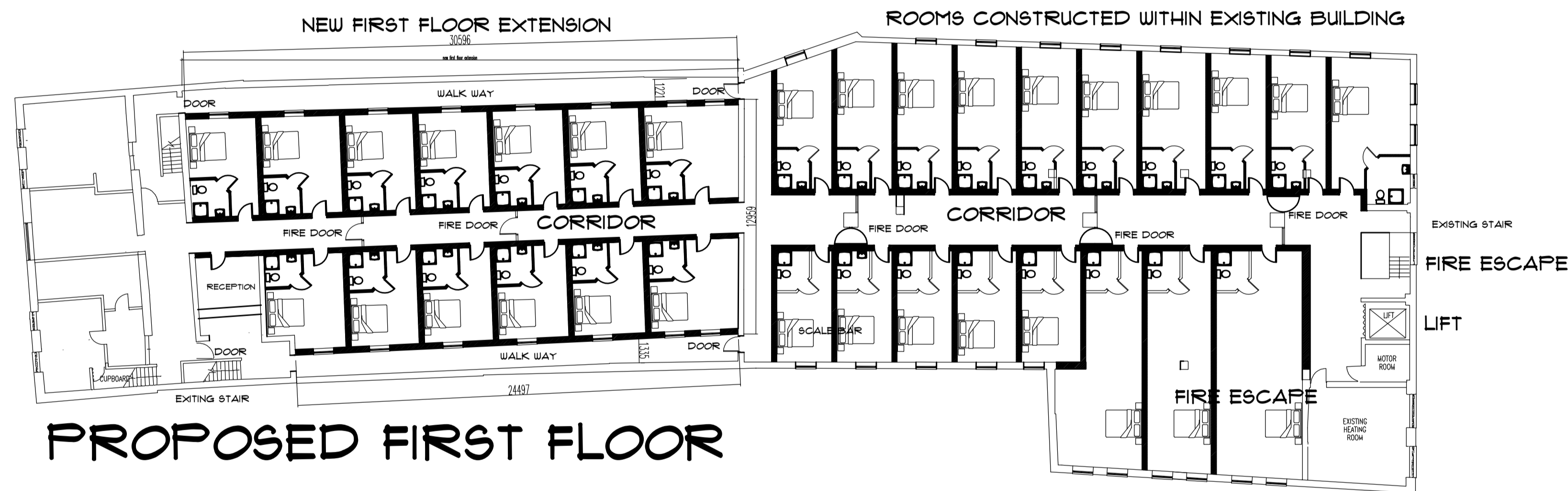
project
111 HIGH STREET
HUNTINGDON
PE29 3LD
 CHANGE OF USE OF
 FIRST FLOOR TO CI HOTEL
 CONSTRUCTION OF
 FIRST FLOOR SUB DIVISION
 GROUND FLOOR TO AI AND
 SUI GENERIS

Project ATK/22/111HS/TP1	Sheet
Date FEB 2022	AI
Scale SCALE 1:200	

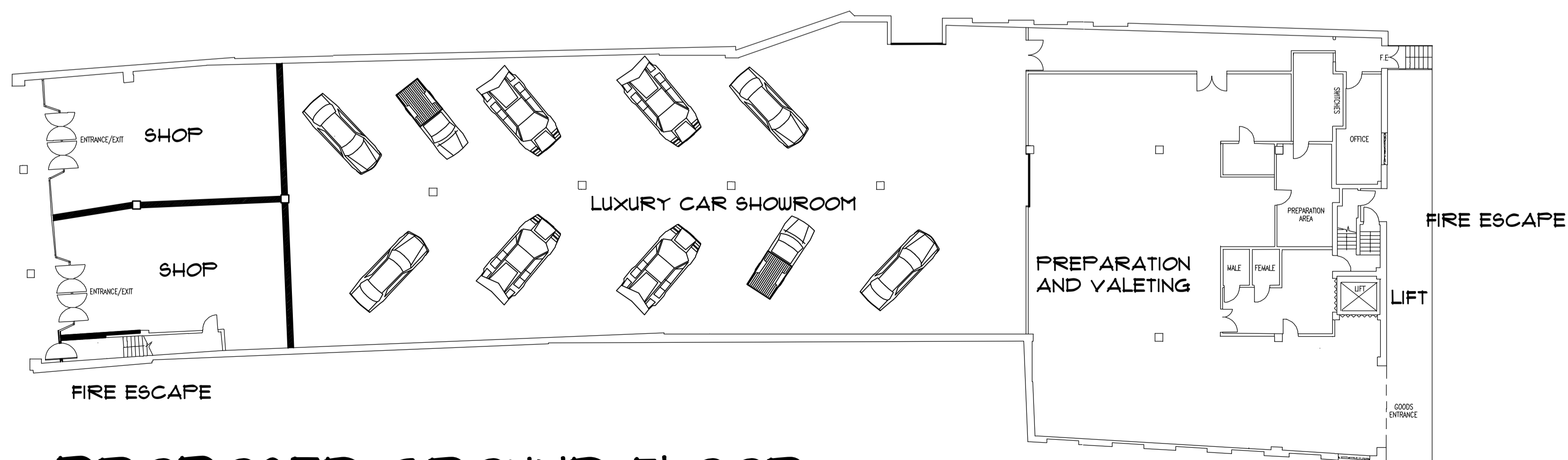
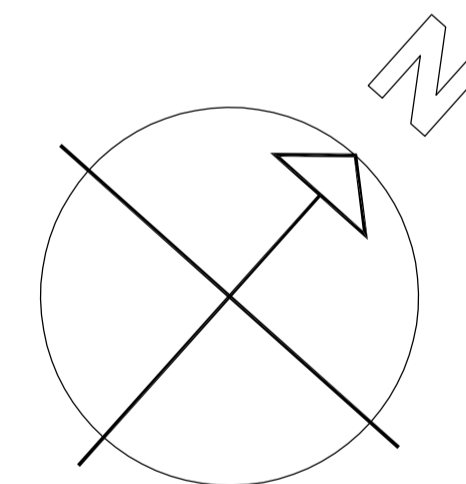
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PROPOSED SECOND FLOOR



PROPOSED FIRST FLOOR



PROPOSED GROUND FLOOR

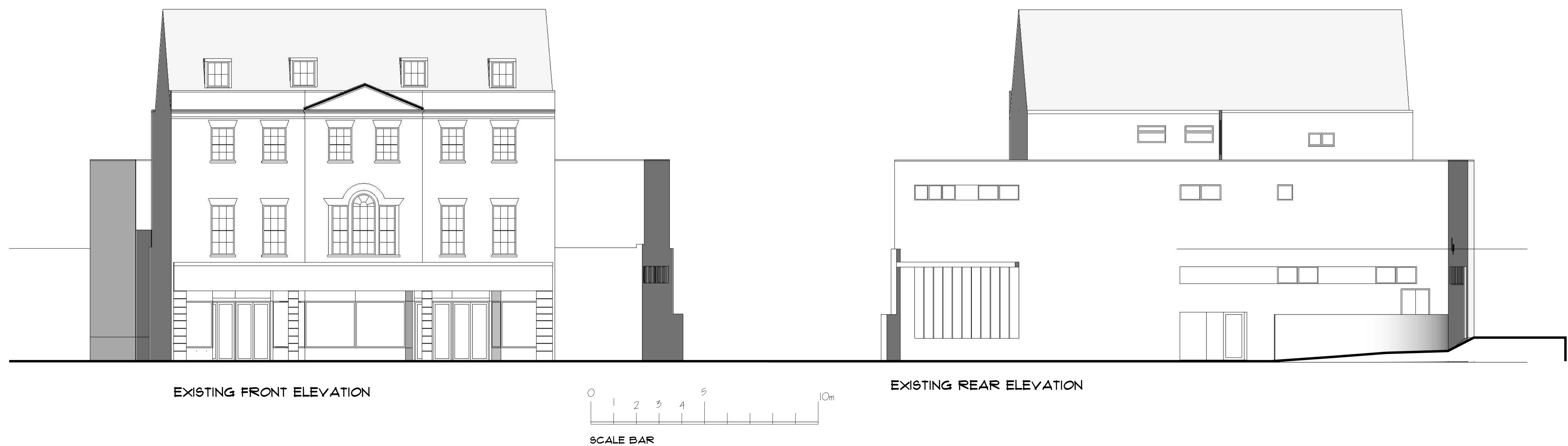
No.	Revision/Issue	Date

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project
111 HIGH STREET
HUNTINGDON
PE29 3LD
 REFURBISHMENT OF EXISTING
 GROUND FLOOR AND CHANGE
 OF USE OF FIRST FLOOR FROM
 STORAGE TO C1

Project ATK/22/111HS/TP2A	Sheet A1
Date FEB 2022	
Scale SCALE 1:200	



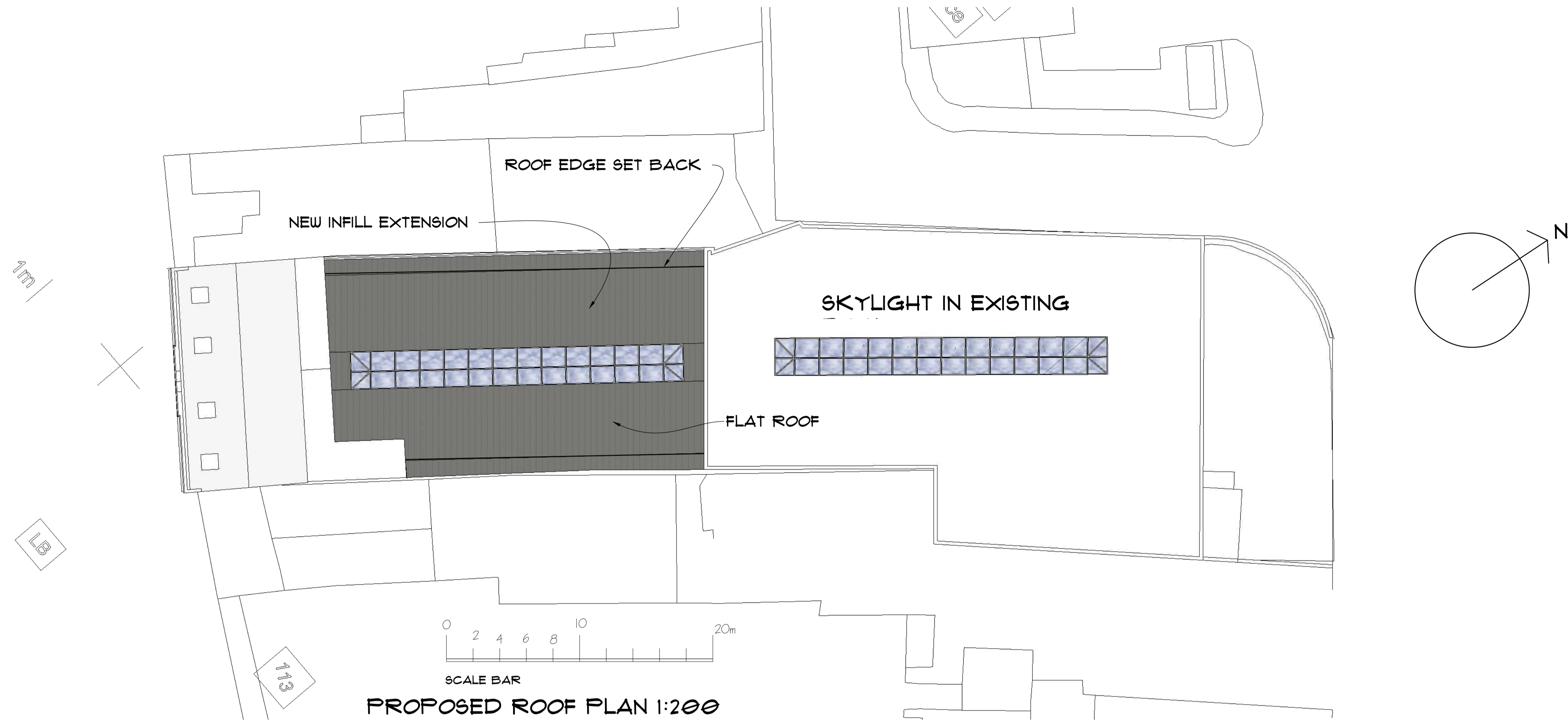
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 E-MAIL: MAL.BATY@ATKDESIGNS.CO.UK
 TEL: 07595293528

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 T/A BUDIA SERVICES
 111 HIGH STREET
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Project
 CHANGE OF USE OF
 FIRST FLOOR TO C1
 HOTEL TOGETHER WITH
 FIRST FLOOR INFILL
 EXTENSION, SUB DIVISION
 OF EXISTING GROUND
 FLOOR TO A1 AND
 BUGENERIS

Drawing no
 ATK/22/1118/TP3
 Date
 SEPT 2022
 Scale
 1:100

A3



REAR SECTION HIDDEN BY FRONTAGE BUILDINGS

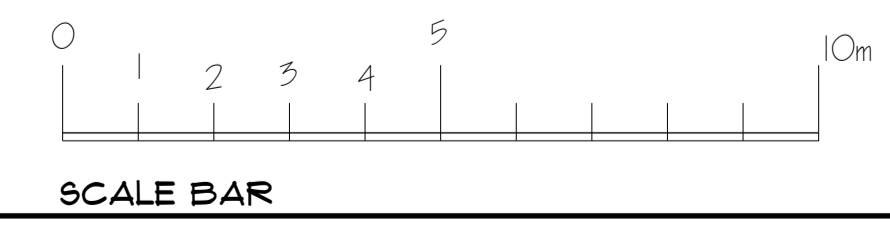
LINE OF ADJACENT BUILDINGS

REAR SECTION HIDDEN BY FRONTAGE BUILDINGS

LINE OF ADJACENT BUILDINGS

PROPOSED FRONT ELEVATION 1:100

PROPOSED REAR ELEVATION 1:100



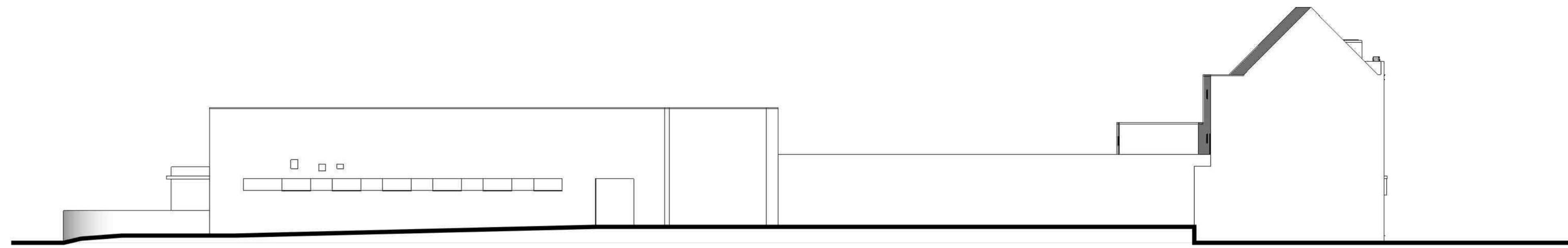
ATK DESIGNS
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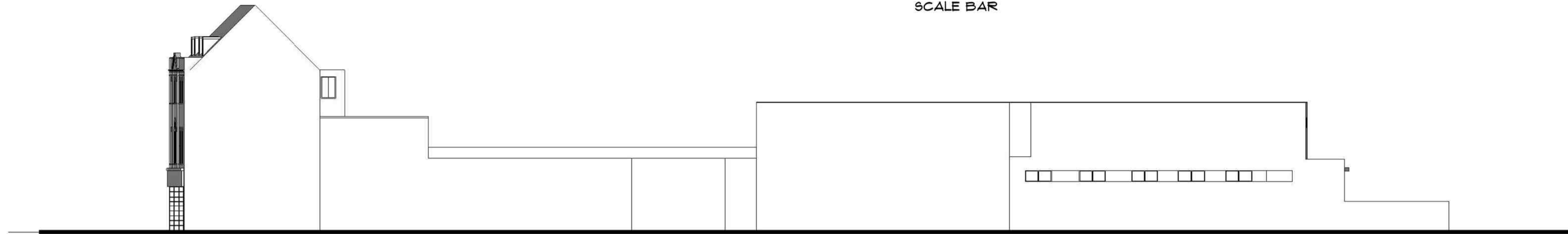
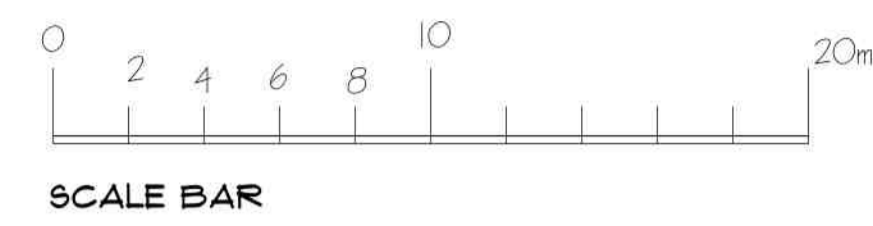
Project
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 OF EXISTING GROUND
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 BUGENERIS

Drawing no
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A3



EXISTING SIDE ELEVATION A



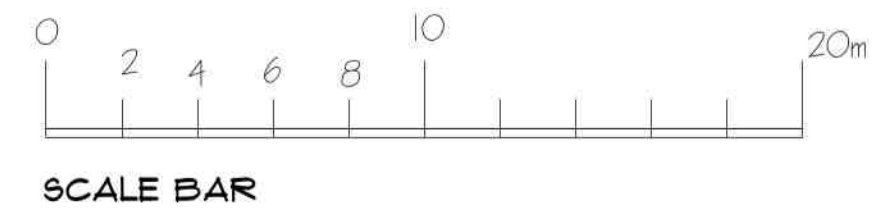
EXISTING SIDE ELEVATION B



PROPOSED SIDE ELEVATION B



PROPOSED SIDE ELEVATION A



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Project
 CHANGE OF USE OF FIRST FLOOR
 TO 61 HOTEL TOGETHER WITH
 FIRST FLOOR INFILL EXTENSION,
 SUB DIVISION OF EXISTING
 GROUND FLOOR TO A1 AND SUB-
 GENERIS
 PROPOSED AND EXISTING SIDE
 ELEVATIONS

Drawing no
 ATK/22/1115/TP5_A
 Date
 SEPT 2022
 Scale
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A1