

DEVELOPMENT MANAGEMENT COMMITTEE 18th AUGUST 2025

Case No: 25/00596/FUL

Proposal: Erection of four dwellings and associated works

Location: Land Adjacent 31 Luke Street, Eynesbury

Applicant: AWJ Usher & Sons Ltd

Grid Ref: 518419 259610

Date of Registration: 27.03.2025

Parish: St Neots

RECOMMENDATION - REFUSE

This application is referred to the Development Management Committee (DMC) as the officer's recommendation is contrary to that of the Town Council

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The application site is located within the built-up area of St. Neots. The site is also located within the St. Neots Conservation Area. The plot is an irregular shaped parcel of land with a narrow frontage to Luke Street and was previously a market garden with an existing access from Luke Street that is shared with the access to the adjacent Sandy Court residential development. The site is entirely surrounded by existing residential development.
- 1.2 The site is generally flat and lies within Flood Zone 1 on the Environment Agency Maps for Flooding and as designated within the Council's Strategic Flood Risk Assessment 2024. There are no other designated heritage assets within the vicinity of the site.
- 1.3 This application seeks approval for the erection of four bungalows (one three-bedroom and three four-bedroom) on land adjacent to No. 31 Luke Street, Eynesbury.
- 1.4 There has been extensive planning history on the site, most notably, an appeal for non-determination that was dismissed and planning permission refused for the erection of six bungalows and associated works (23/01164/FUL), a refusal of planning permission for the erection of six dwellings (22/01642/FUL) and a refusal of planning permission for seven dwellings (21/00212/FUL) that was subsequently dismissed at appeal.

- 1.5 This application has been accompanied by:
- A Planning, Design and Access (Inc Heritage) Statement;
 - Biodiversity Net Gain Report;
 - Preliminary Ecological Appraisal;
- 1.6 Amended plans have been submitted during the course of the application in an attempt to address the comments of Urban Design. Further plans were also submitted to try to address the concerns of both the Conservation Officer and Urban Design regarding the amount of hardsurfacing, however, these have not been accepted and have not been formally consulted upon.
- 1.7 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 2024) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 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 2024 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.

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

LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP25: Housing Mix
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerow
LP34: Heritage Assets and their Settings
LP37: Ground Contamination

3.2 St Neots Neighbourhood Plan 2014-2029 – adopted February 2016

A3: Design
PT1: Sustainable Modes of Transport
PL2: Parking
P4: Sustainable Drainage Systems

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 (2024)
- Cambridgeshire Flood and Water SPD (2017)
- LDF Developer Contributions SPD (2011)
- Annual Monitoring Review regarding housing land supply (2024)
- St Neots Conservation Area Character Assessment (2006)

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

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. RELEVANT PLANNING HISTORY

- 4.1 23/01164/FUL - Erection of six bungalows and associated works – Non-determination appeal dismissed and planning permission refused.
- 4.2 22/01642/FUL - Erection of six dwellings and associated works – Disposed of.
- 4.3 21/00212/FUL – Erection of seven dwellings and associated works – Refused then appeal dismissed.
- 4.4 20/01378/FUL – Erection of seven dwellings and associated works – Refused.
- 4.5 19/01238/FUL - Erection of Eight Dwellings - 1 x Farmhouse, 2 x Bungalows and 5 x Cottages, Car Barn and associated access and landscaping works – Refused.
- 4.6 17/02681/FUL - Erection of eight dwellings; 1 x farmhouse, 1 x cottage, 1 x detached barn & 5 x sub-divided barn style properties, detached car barn and associated access and landscaping works – Refused then appeal dismissed.
- 4.7 16/01313/FUL - Clearance of existing remaining Market Garden structures to allow erection of nine dwellings (5 houses, 2 bungalows & 2 coach houses) and associated works – Refused then appeal dismissed.

5. CONSULTATIONS

- 5.1 St Neots Town Council – Support the proposal, noting it is in keeping with the locality and minimum impacts on neighbours.
- 5.2 Cambridgeshire County Council Highway Authority – No objections to the proposal. The site access is the same as that submitted for previous applications which the Highway Authority had no objections to. Internal parking and turning have been provided and look to be adequate. Accordingly recommend conditions on any planning permission granted.
- 5.3 Cambridgeshire County Council Archaeology – No objections to the proposal, subject to the imposition of a condition on any planning permission granted. Due to the archaeological potential of the site a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary.

- 5.4 Huntingdonshire District Council Conservation Officer – Object. The proposed development will result in harm to the special architectural and historic interest of this part of the St Neots Conservation Area.

The proposals do not have regard to the preservation and enhancement of the St Neots Conservation Area, and is therefore not in accordance with ss. 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and policy LP 34 of the adopted Huntingdonshire Local Plan.

In line with the contents of paras 215 of the NPPF, the development will result in harm that falls in the category of less than substantial harm.

Further comments received on amended plans:- the amendments are minor and relate only to issues raised by Urban Design, advice therefore stands.

- 5.5 Huntingdonshire District Council Urban Design Officer – The revised scheme presents a notable improvement over previous iterations, particularly in reducing the number of units and enhancing the size and usability of private amenity spaces. The courtyard arrangement has potential to create a more coherent and less cramped layout. However, there remain a number of design and layout concerns that should be addressed:

In particular, amendments are required to:

- Improve the site entrance experience and reduce the perceived enclosure caused by the Plot 1 car port;
- Enhance landscaping opportunities and reduce the visual dominance of hard surfacing;
- Prevent direct overlooking from Plot 3 onto neighbouring gardens;
- Confirm boundary treatments and improve access and surveillance arrangements for Plot 4.

Subject to satisfactory revisions and the use of appropriately worded conditions to secure detailed materials, boundary treatments, and hard and soft landscaping, the proposal could be supported in design terms.

Further comments received on amended plans:-

- The central courtyard remains dominated by hard standing with limited opportunities for planting and is considered to conflict with earlier Inspectors concerns. The reduction of car parking provision for Plot 1 (a 4-bed property) is likely to displace further car parking to the courtyard which would further limit opportunities for soft landscaping.
- The amendments to overcome overlooking impacts to the rear garden of No. 47 are supported.

- Previous comments requiring details of the boundary treatment to the east of Plot 4 and enhancement to the northern elevation of Plot 1 to break up areas of unmitigated cladding have not been addressed.
 - As submitted the scheme is considered contrary to Local Plan Policy LP11, LP12 parts a, c, m and LP17.
- 5.6 Huntingdonshire District Council Environmental Health Officer – No objections to the proposal, subject to the imposition of conditions on any planning permission granted. Records show that the site previously held allotments and/or a small holding. A land contamination strategy (and if necessary a remediation strategy) is therefore recommended proper to the commencement of development. Also recommend a Construction Environmental Management Plan (CEMP) be submitted in order to protect the very close residential neighbours from noise, vibration, light and air pollution etc during construction works.
- 5.7 Huntingdonshire District Council Arboricultural Officer –No objections conditional to a plan showing protective fencing around root protection areas.
- 5.8 Cadent Gas – No objections, informative note required.

6. REPRESENTATIONS

- 6.1 During the course of the application, three letters of objection were received by neighbouring residential properties. The concerns raised have been summarised below:
- Cramped form of development;
 - Negative impact on the Conservation Area;
 - Impact on neighbouring properties amenities (overlooking, noise and disturbance);
 - Highway safety (increased traffic and parking issues);
 - Flood risk;
 - Ground contamination; and
 - Impact on trees and wildlife.

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 48 of the NPPF (2024). 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)
 - St Neots Neighbourhood Plan 2014-2029
- 7.4 The statutory term ‘material considerations’ has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: *Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor* [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.
- 7.5 The main issues to consider in the determination of this application are:
- The Principle of Development
 - Design, Visual Amenity and Impact on Heritage Assets
 - Residential Amenity
 - Highway Safety, Access and parking provision
 - Flood Risk and Surface Water
 - Biodiversity
 - Impact on Trees
 - Accessible and Adaptable Homes
 - Water Efficiency
 - Developer Contributions

The Principle of Development

Housing Land Supply

- 7.6 NPPF paragraph 78 requires the Council to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against our housing requirement. A substantially revised methodology for calculating local housing need and the reimposition of this as a mandatory approach for establishing housing requirements was introduced on 12th December 2024 in the revised NPPF and associated NPPG (the standard method).
- 7.7 As Huntingdonshire’s Local Plan to 2036 is now over 5 years old it is necessary to demonstrate a five year housing land supply

(5YHLS) based on the housing requirement set using the standard method. NPPF paragraph 78 also requires provision of a buffer to ensure choice and competition in the market for land. As Huntingdonshire has successfully exceeded the requirements of the Housing Delivery Test a 5% buffer is required here. The 5 year housing land requirement including a 5% buffer is 5,501 homes. The current 5YHLS is 3.88 years' supply.

- 7.8 As a result of this, the presumption in favour of sustainable development is applied for decision-taking in accordance with paragraph 11 (d) and footnote 8 of the NPPF in relation to applications involving the provision of housing. This is generally referred to as 'the tilted balance'. While no 5YHLS can be demonstrated the Local Plan policies concerned with the supply and location of housing as set out in the Development Strategy chapter (policies LP2, LP7, LP8, LP9 and LP10) of Huntingdonshire's Local Plan to 2036 are considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications.

Location and suitability of the site

- 7.9 Policy LP2 of the Huntingdonshire Local Plan to 2036 (the Local Plan) sets out the overarching development strategy for Huntingdonshire through the plan period. The main objectives are:
- Concentrate development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities;
 - Direct substantial new development to two strategic expansion locations of sufficient scale to form successful, functioning new communities
 - Provide opportunities for communities to achieve local development aspirations for housing, employment, commercial or community related schemes
 - Support a thriving rural economy;
 - Protect the character of existing settlements and recognise the intrinsic character and beauty of the surrounding countryside;
 - Conserve and enhance the historic environment; and
 - Provide complementary green infrastructure enhancement and provision to balance recreational and biodiversity needs and to support climate change adaptation.
- 7.10 Policy LP2 directs approximately a quarter of the objectively assessed need for housing (together with a limited amount of employment growth) to sites dispersed across the Key Service Centres and Small Settlements in order to support the vitality of these communities and provide flexibility and diversity in the housing supply. In addition, rural exception, small and windfall sites will be permitted on sites which are in conformity with other policies of the plan, thereby providing further flexibility in the housing supply.

- 7.11 Policy LP2 is within the Development Strategy chapter of Huntingdonshire's Local Plan to 2036, and is therefore considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications for residential development. Notwithstanding this, weight should still be given to Policy LP2 given that it directs development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities which is consistent with the NPPF.
- 7.12 The site is located within the built-up area of Eaton Socon, which is located within the St Neots Spatial Planning Area as defined by the adopted Huntingdonshire Local Plan to 2036. As such, Policy LP7 (Spatial Planning Areas) is considered relevant in this instance. Policy LP7 of the adopted Local Plan states that a proposal for housing development on a site 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.
- 7.13 Given the proposal seeks approval for the erection of four residential dwellings within the built-up area of St Neots, the development is therefore considered to be situated in an appropriate location and acceptable in accordance with LP7 of the Local Plan.
- 7.14 NPPF Para 84 states: Planning decisions should avoid the development of isolated homes in the countryside. NPPF Para 110 states: The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 7.15 It is considered that the development would have access to services and facilities within St Neots, and also the means to access larger settlements such as the market town of St Neots through sustainable modes of transport. The development would therefore not result in the development of isolated homes in either the edge of settlement or countryside, nor would the future occupiers have an over-reliance on the private motor vehicle as other options are available in the settlement.
- 7.16 It is determined therefore that the site is considered to be sustainable for the amount of development hereby proposed.

Design, Visual Amenity and Impact on Heritage Assets

- 7.17 The Local Planning Authority is required to ensure that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72. This is also reflected in Policy LP34 of the Huntingdonshire Local Plan and Section 16 of the National Planning Policy Framework.
- 7.18 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. This is also reflected in Policy LP10 and LP33 of the adopted Local Plan, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework.
- 7.19 The proposal seeks approval for the erection of four dwellings on land adjacent to No. 31 Luke Street. The site is located within the St Neots Conservation Area.
- 7.20 There have been a number of previous applications on this site as outlined in the planning history section of this report. The most recent of which 23/01164/FUL, which was an appeal against non-determination, was dismissed as the Inspector concluded that there would be significant harm arising to the character and appearance of the area and adverse effects on the significance of a designated heritage asset.
- 7.21 Paragraphs 3 and 4 of the previous Planning Inspectorate's report following the refusal of 21/00212/FUL (Appeal Ref: APP/H0520/W/21/3282319) stated that for the purposes of this application site, the significance of the Conservation Area is, in part, derived from the presence of a more open building pattern and provides a less developed character which reflects the former, more rural, setting of Eynesbury. Although Luke Street is part of an irregular network of streets, the pattern of development is clearly defined with buildings that face the highway in a linear form.
- 7.22 The proposed development comprises four, one-and-a-half storey dwellings arranged around a central courtyard. Ridge heights are a maximum of 6.75m, with Plots 1 and 2 (4-bed units) enclosing the southern side, and Plots 3 (4-bed) and 4 (3-bed) enclosing the northern side. Plots 1, 2 and 3 include attached car ports with reduced ridge heights of 4.79m, enclosing the courtyard's eastern and western edges. Plot 4 features on-plot tandem parking adjacent to the access from Luke Street. The proposed dwellings would be constructed with a buff brickwork, black weatherboarding

and red pan tiles – specific details of finishing materials have not been provided as part of this application and would be conditioned.

- 7.23 The overall architectural approach and visual appearance (including the finishing materials) of the proposed dwellings are considered to be acceptable in principle as they would be consistent with a contemporary barn-style appearance. However, the proposal would include a large number of rooflights on each dwelling that would create a cluttered visual composition and this along with the enhancement to the northern elevation of Plot 1 to break up areas of unmitigated cladding would still need to be addressed to make the proposal acceptable.
- 7.24 The reduction in unit numbers from six to four and the shift to a courtyard layout are supported. However, whilst on the surface this may appear to be a reduction in the scale of the development, it is considered that the site has just been reconfigured. The previously refused application sought approval for 14 bedrooms across six separate units, ten surface parking bays and three visitor spaces. The current application seeks approval for 15 bedrooms across four separate units with eight car parking bays (5 within garages) and no visitor parking spaces. The current proposal would therefore represent an intensification of the site from the previously refused applications, which have each in turn been refused on grounds of over intensification.
- 7.25 It is also considered that the central courtyard remains dominated by hardsurfacing with limited planting. This continues to conflict with previous reasons for refusal and Inspectorate concerns regarding visual amenity and landscape integration. The Inspectors in each appeal have raised similar concerns regarding the quantum of development resulting in a cramped layout alongside the amount of hard surfacing and corresponding lack of space for soft landscaping. Further concerns related to the lack of harmony with the prevailing linear development pattern and long verdant gardens within this part of the St Neots conservation area.
- 7.26 Para 10 of the most recent appeal decision (Appeal Ref APP/H0520/W/23/3333921) stated that the proposal would retain a number of elements previously found to be harmful. 'The layout would still be dominated by hard surfaced areas for vehicle access and parking through the centre of the site. In particular the parking and turning arrangements to the rear appear convoluted and prone to indiscriminate parking that would cause potential cluttered environment dominated by parked cars.'
- 7.27 Para 12 and 13 go on to state that 'The layout would differ significantly from the established pattern of linear housing in front of and to the rear of the site and the extensive use of hardstanding would jar with the generous verdant gardens of the properties on Luke Street. Although there would be limited visibility of the

dwelling from the public realm on Luke Street, the cramped layout and extent of hard surfacing and parking on the site would be readily visible from the upper floors of several surrounding properties. It would form a conspicuous development that would fail to respect the prevailing characteristics of the surrounding built form or positively reference the historic use of the site or its longstanding open character. ‘

- 7.28 The Inspector therefore concluded that the development was cramped and out of character with the surrounding area, with excessive hardsurfacing, minimal landscaping, and a layout that lacked visual harmony. It failed to respect the historic, verdant pattern of development and caused less than substantial harm to the significance of the St Neots Conservation Area, contrary to Policies LP11, LP12, LP34 and the NPPF.
- 7.29 Whilst this proposal sees a more cohesive design, it is considered that it still represents a cramped form of development, and the layout will still be dominated by hard surfacing. The development will also still differ significantly from the established historic pattern of linear housing surrounding the site. It is therefore considered that the proposal does not overcome the Inspector's previous concerns, and the proposal will still form a conspicuous development that would fail to respect the prevailing characteristics of the surrounding built form or positively reference the historic use of the site.
- 7.30 The application originally proposed a double carport to Plot 1, located adjacent to the site entrance, which led to a reduction in soft landscaping from the previously refused planning application (23/01164/FUL) and contributed to a sense of enclosure and a poor vista – reflecting previous concerns raised by the Inspectorate in appeal reference APP/H0250/W/21/3282319.
- 7.31 Amended plans submitted during the course of the application have changed the double car port to a single car port. Whilst this allows for enhanced landscaping to the north of the dwelling and greater separation from the site entrance, no amendments have been made to break up the unmitigated weatherboard elevation of the car port visible from the site entrance. It would also result in Plot 1 having only one parking space, displacing additional parking to the courtyard which is discussed in further detail below.
- 7.32 Notwithstanding the amendments following the previously refused planning application, the Council's Conservation Officer has concluded that the proposed development would result in less than substantial harm to the special architectural and historic interest of the St Neots Conservation Area due to the proposal resulting in a cramped contrived development that fails to respect the prevailing characteristics of the surrounding built form.

- 7.33 It is acknowledged that backland development exists nearby, most notably that immediately next to the site at Sandy Court. However, Sandy Court and also Pawley Court a short distance away, still provides more landscaping to the front of the dwellings to offset the hard surfaced areas and prominence of parking areas.
- 7.34 Overall, it is not considered that the amended scheme has addressed the previous reasons for the refusal and the concerns raised by the Planning Inspectorate in relation to its overall design and impact on the St Neots Conservation Area.

Residential Amenity

- 7.35 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.
- 7.36 Previous iterations of the proposal have raised concerns regarding impacts on neighbouring properties amenities, however, the associated appeal decision for 21/00212/FUL concluded that the proposal would not result in unacceptable impacts on neighbouring properties amenities. The most recent decision, 23/01164/FUL, which was an appeal against non-determination, was dismissed and whilst the residential amenities of neighbouring properties were not considered to be adversely affected, the Inspector concluded in his report (APP/H0520/W/23/3333921) that the proposal would fail to provide a satisfactory standard of accommodation for future occupants in terms of the private external space to plots 1, 3 and 4.
- 7.37 In this application, the proposed dwellings and car ports are sited closer to the western boundary than the previously refused application (23/01162/FUL). Plot 3 and its attached car port are positioned approximately 3.4m and 2m, respectively, from the boundary with No. 47 Luke Street (compared to 4.4m-5.8m previously). However, the reduction in building height and the length of No. 47's garden are considered sufficient to mitigate any overbearing impacts.
- 7.38 Despite this, Huntingdonshire's Urban Design Officer initially expressed concern that the first-floor rear-facing windows serving bedrooms 3 and 4 to Plot 3 would result in overlooking impacts on the private rear amenity space of No. 47 Luke Street. Accordingly amended plans have been received during the course of the application which show that the first-floor windows to bedroom 3 and 4 in Plot 3 have been replaced with obscure glazed fixed pane (non-opening) windows and rooflights introduced on the north and south elevations. This is considered to address the previous concerns with regard to overlooking and loss of amenity.

- 7.39 In regard to amenity of the future occupiers, the layout, orientation and fenestration positioning will ensure privacy of all properties is maintained to a good level in accordance with planning policy. It is also considered that each property would now include a suitably sized amenity space for future owners/occupiers with the depths of rear gardens ranging from 9.75m to 11.15m. In addition Plot 2 benefits from access to a long triangular section of the site extending behind Nos. 47–65 Luke Street.
- 7.40 As such, the proposal is considered to be acceptable with regard to its impact on residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework in this regard.

Highway Safety, access and Parking Provision

- 7.41 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. Policy PT2 of the St Neots Neighbourhood Plan states that all development proposals which include an element of residential development must provide adequate space for vehicle parking to meet the expected needs of residents and visitors.
- 7.42 The applicant has submitted access details which indicate visibility splays for the combining of access for the subject site and adjoining plot (Sandy Court). Cambridgeshire County Council as the Local Highways Authority have reviewed the proposals and advise they have no objections to the proposed development subject to conditions.
- 7.43 With regard to car parking the amendments submitted during the course of the application retain the study for Plot 1 but change the double car port to a single car port. Whilst this allows for enhanced landscaping to the north of the dwelling and greater separation from the site entrance it would result in Plot 1 having only one parking space, displacing additional parking to the courtyard. The provision of 1 parking space for a large 4-bed family dwelling is considered insufficient, particularly given the other 4-bed Plots 2 and 3 and the 3-bed Plot 4 each have 2 parking spaces. No tracking plans have been submitted to demonstrate the turning space requirements and this would be beneficial to ascertain the parking and turning space available.
- 7.44 Notwithstanding this, the Local Planning Authority are satisfied that adequate off-street car parking provision could be provided with sufficient turning space to ensure that vehicles can enter the public highway in a forward gear.

- 7.45 Policy LP17 of the Local Plan to 2036 and the Huntingdonshire Design Guide (2017) seeks the provision of secure and covered cycle parking on the basis of 1 space per bedroom. The proposed development would provide policy compliant cycle parking provision and plans and elevations of the proposed cycle stores have been submitted and would be secured by condition if planning permission were to be granted.
- 7.46 It is also worth noting that the Planning Inspectorate concluded in the most recent appeal decision (Ref: APP/H0520/W/21/3282319) that the proposed development is unlikely to have an adverse effect upon matters including highway safety.
- 7.47 Therefore, subject to appropriate conditions the proposal is considered acceptable in terms of its impact on highway safety and therefore accords with Policy LP17 of Huntingdonshire's Local Plan to 2036 and Section 9 of the National Planning Policy Framework in this regard.

Flood Risk and Surface Water

- 7.48 The site is at the lowest risk of flooding according to the Huntingdonshire Strategic Flood Risk Assessment 2024 and Environment Agency Flood Map for Planning (Flood Zone 1) and the proposal is for minor development. Accordingly 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.
- 7.49 It is proposed to manage surface water from the proposed development through the use of soakaways with the disposal of foul sewage via the mains sewer. The proposed methods are considered to be acceptable in this instance, and 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.
- 7.50 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, Policy P4 of the St Neots Neighbourhood Plan, and Section 14 of the National Planning Policy Framework in this regard.

Biodiversity

- 7.51 Paragraph 187 of the NPPF (2024) 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.

- 7.52 A Preliminary Ecological Appraisal (PEA) has been submitted and identifies no significant ecological constraints within the site. The report concludes that the proposed development will not impact any protected species. The Local Planning Authority are satisfied that the recommendations set out in the submitted PEA are appropriate and satisfactory and recommend planning conditions securing the recommendations are annexed to any planning permission.
- 7.53 As well as the above (and separate from the requirements of LP30) as of the 2nd April 2024 qualifying new development is subject to Biodiversity Net Gain legislation pursuant to the Environment Act 2021. This means that a 10% statutory Biodiversity Net Gain (BNG) is required, following the hierarchy of onsite provision; mixture of on-site and off-site provision; and the last resort of statutory biodiversity credits unless it can be demonstrated that the development would be exempt.
- 7.54 A Biodiversity Net Gain Assessment has been submitted with the application which confirms that the baseline habitat value of the site is 0.42 units and the post development habitat value of the site is 0.28 units. This results in a net loss for low distinctive habitats of 34.08%. Accordingly a total of 0.19 off-site units will be required in order for the proposal to achieve a 10% net gain in habitat units as set out in the Environment Act (2021). A Biodiversity Net Gain Management Plan including recommendations for the implementation, management and monitoring of the site for at least 30 years is also required. Therefore it is considered that off-site area habitat units to meet the deficit should be conditioned for purchase prior to development commencing along with the submission of the required management plan.
- 7.55 Overall, the Local Planning Authority are satisfied with the findings of the submitted PEA and BNG Assessment and as such the proposal accords with Local Plan Policy LP30 and the NPPF (2024) subject to the imposition of conditions.

Impact on Trees

- 7.56 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, hedge or

hedgerow of value that would be affected by the proposed development.

- 7.57 The Arboricultural Officer has been consulted on the proposal and has confirmed that there are very few trees on site worthy of consideration, however, the main areas of concerns are the protection of trees under outside ownership. The proposal does not currently indicate the protective measures to be used to avoid damage to the Root Protection Areas (RPA's) of adjoining trees. Accordingly a condition should be imposed to secure a Tree Protection Plan showing protective fencing around the RPA's.
- 7.58 Therefore, notwithstanding the required condition, the proposals are considered to accord with Policy LP31 of Huntingdonshire's Local Plan to 2036.

Accessible and Adaptable Dwellings

- 7.59 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.
- 7.60 To ensure that the development can meet these standards a condition would 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

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

Developer Obligations

Bins

- 7.62 Part H of the Developer Contributions SPD (2011) requires a payment towards refuse bins for new residential development. A Unilateral Undertaking Form in respect of wheeled bins has been received by the Local Planning Authority dated 26th March 2025. The proposed development is therefore considered to accord with Policy LP4 of Huntingdonshire's Local Plan to 2036 and the Developers Contributions SPD (2011).

Community Infrastructure Levy (CIL)

- 7.63 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.

Other

Archaeology

- 7.64 Records indicate that this site lies in an area of very high archaeological potential, situated to the south of 13th Century Saint Mary's Church.
- 7.65 Due to the archaeological potential of the site a further programme of investigation and recording is therefore required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and the establish the need for archaeological mitigation of the development as necessary.
- 7.66 Accordingly Archaeology have requested a condition requiring a programme of historic building recording in advance of any demolition or alteration taking place. This is considered reasonable and necessary should planning permission be granted.

Contamination

- 7.67 Records show that this site was previously allotments and/or a small holding. Accordingly, Huntingdonshire's Environmental Health Officer has been consulted and has advised that if minded to approve the application, conditions should be imposed requiring a land contamination assessment, and if necessary a remediation strategy, prior to the commencement of development. Such conditions are considered reasonable and necessary should planning permission be granted.

Conclusion

- 7.68 The presumption in favour of sustainable development is applied for decision-taking in accordance with paragraph 11 (d) and footnote 8 of the NPPF in relation to applications involving the provision of housing. This is generally referred to as 'the tilted balance'. While no 5YHLS can be demonstrated the Local Plan policies concerned with the supply and location of housing as set out in the Development Strategy chapter (policies LP2, LP7, LP8, LP9 and LP10) of Huntingdonshire's Local Plan to 2036 are

considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications.

7.69 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

7.70 A revised NPPF was published in December 2024, introducing a substantially revised methodology for calculating local housing need and the reimposition of this as a mandatory approach for establishing housing requirements. This has resulted in the Council being unable to demonstrate a five year housing land supply (5YHLS). While no 5YHLS can be demonstrated the Local Plan policies concerned with the supply and location of housing as set out in the Development Strategy chapter (policies LP2, LP7, LP8, LP9 and LP10) of Huntingdonshire's Local Plan to 2036 are considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications.

7.71 As a result of this, the presumption in favour of sustainable development is applied for decision-taking in accordance with paragraph 11 (d) and footnote 8 of the NPPF in relation to applications involving the provision of housing. This is generally referred to as 'the tilted balance'.

7.72 NPPF para 11 states:

'Plans and decisions should apply a presumption in favour of sustainable development.'

For decision-taking this means:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance (7) provides a strong reason for refusing the development proposed; or*

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

7 Foot note 7 states: The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated*

as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.'

- 7.73 As outlined in the report, there is a strong reason for refusal in relation to designated heritage assets. Therefore, there is a reason to not move forward to test d (ii) as per above and thus the 'titled balance' is disengaged.
- 7.74 Less than substantial harm to the Conservation Area has been identified. Paragraph 215 of the National Planning Policy Framework states that where a 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, where appropriate, securing its optimum viable use.
- 7.75 While it is recognised that the site constitutes previously developed land and there would be benefits to bringing it back into use, the public benefits of the erection of four, private residential dwellings in this instance are not considered to outweigh the previously identified harm that would arise from the proposal.
- 7.76 Overall, the proposed development is considered to be of a poor design by virtue of its cramped form of development, quantum of hardsurfacing within the site, site layout and lack of soft landscaping that would result in harm to the character and appearance of the site and less than substantial harm to the character and appearance of the St Neots Conservation Area. The public benefits of the proposal are not considered to outweigh the identified harm. As such, the proposed development is considered to be contrary to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12, LP14 and LP34 of the Huntingdonshire's Local Plan to 2036, Policy A3 of the St Neots Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework in this regard.
- 7.77 Taking national and local planning policies into account, and having regard for 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 REASON:-

1. The site sits within the St Neots Conservation Area. The development would appear unduly cramped, due to the lack of

space around the buildings, which with the undue dominance of hard landscaping for vehicles and a lack of space for adequate soft landscaping would result in a poor quality development which would detract from the appearance of the site, the special character and appearance of the St Neots Conservation Area and surrounding area. The proposal does not conserve or enhance the historic environment or respond positively to its context or appear to draw inspiration from the key characteristics of its surroundings or contribute positively to the area's character and identify or successfully integrate with adjoining buildings and spaces.

The harm to the designated heritage asset would be less than substantial as set out in the NPPF and therefore the harm has to be weighed against the public benefits but the limited public benefit of the development that include the tidying of the site, the provision of additional market dwellings and the employment opportunities associated with the construction, would not outweigh the harm caused.

As such, the proposal is considered to be contrary to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of Huntingdonshire's Local Plan to 2036, Policy A3 of the St Neots Neighbourhood Plan, the Huntingdonshire Design Guide Supplementary Planning Document, and Section 12 and 16 of the National Planning Policy Framework (2024).

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:

Enquires about this report to **Lewis Tomlinson, Principle Planning Improvement Support Officer**

lewis.tomlinson@huntingdonshire.gov.uk

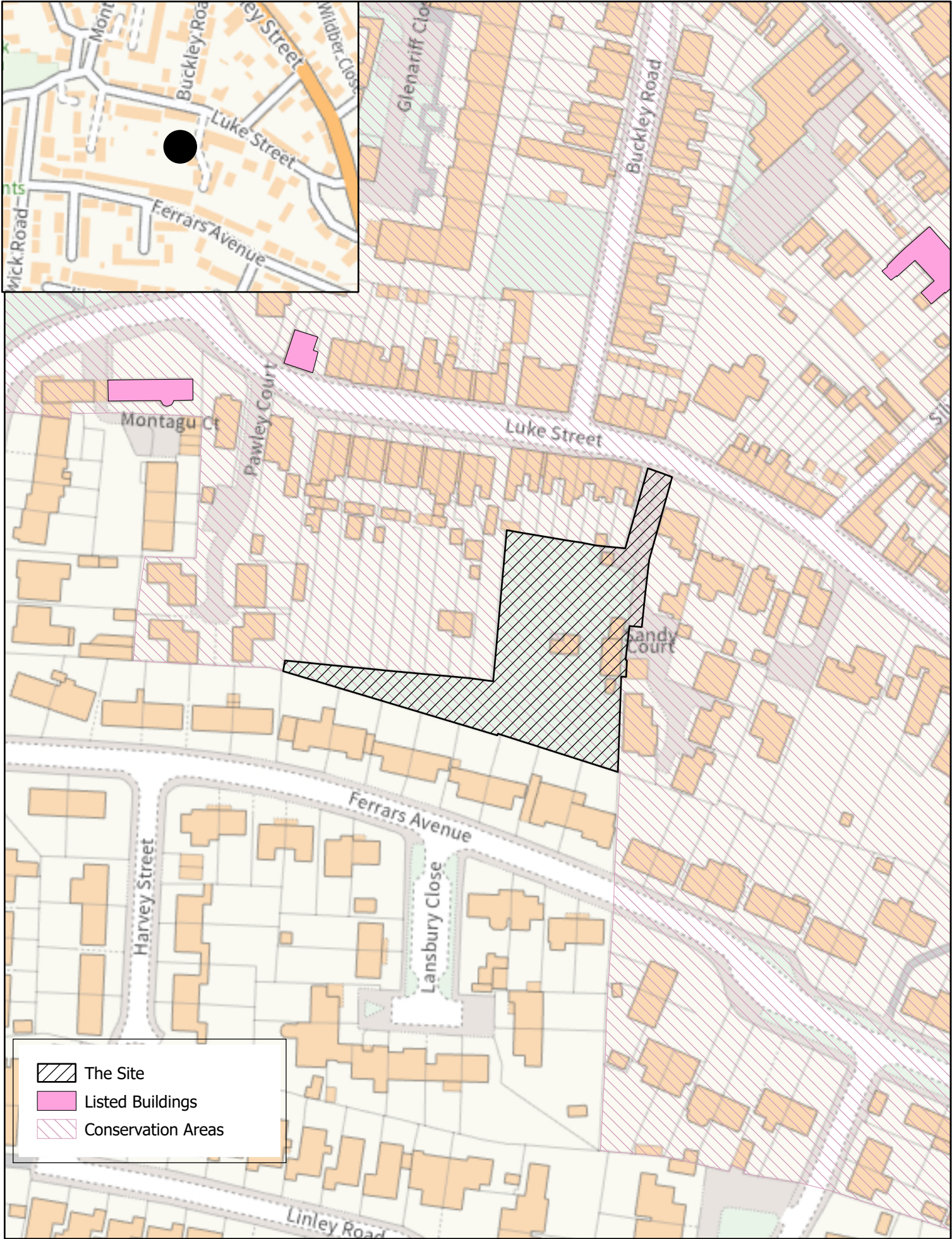
Schedule of Planning Applications –8th April 2025

No.	Reference	Development	SNTC Decision	Notes
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The following application/s are for listed building consent

The following application/s are in a conservation area

S3	25/00596/FUL	AWJ Usher & Sons Ltd Land Adjacent 31 Luke Street Eynesbury Erection of four dwellings and associated works	SUPPORT	In keeping with locality. Minimum impact on neighbours.
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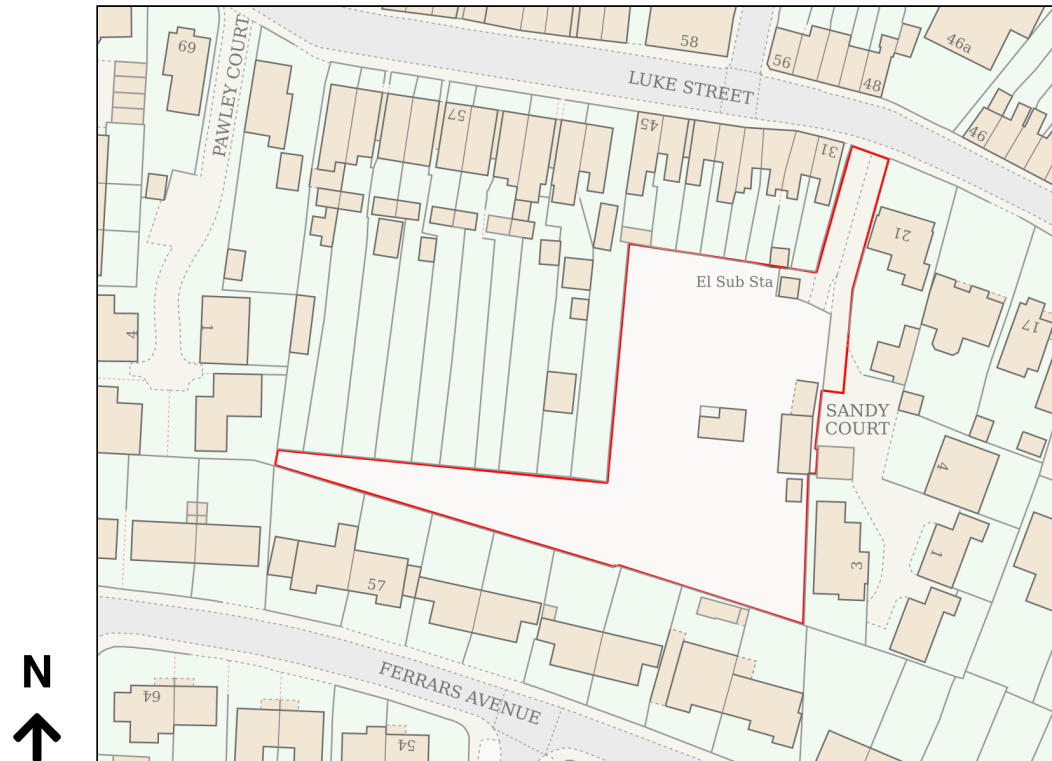


Location Plan

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Date Produced: 27-Mar-2025


Scale: 1:1250 @A4

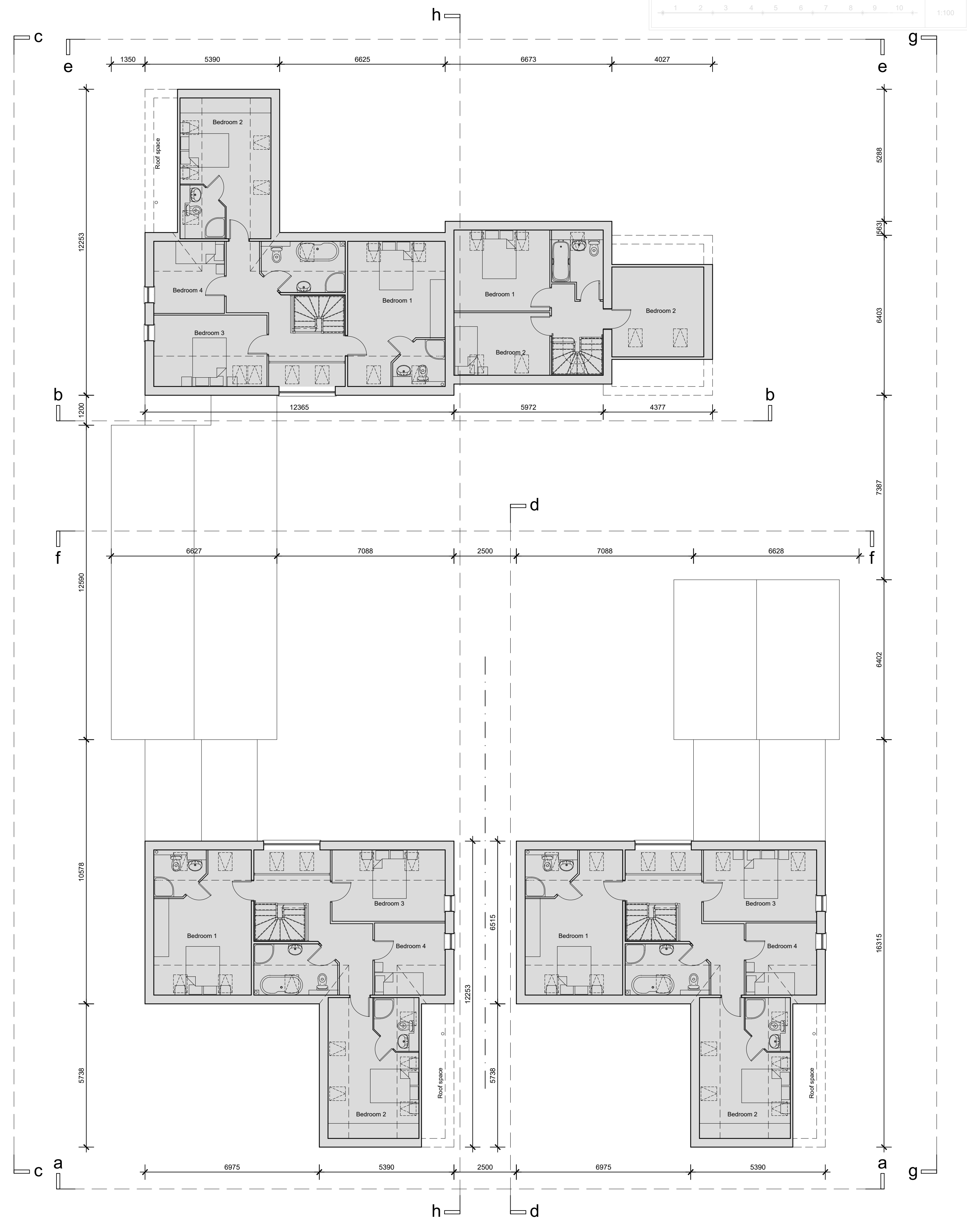
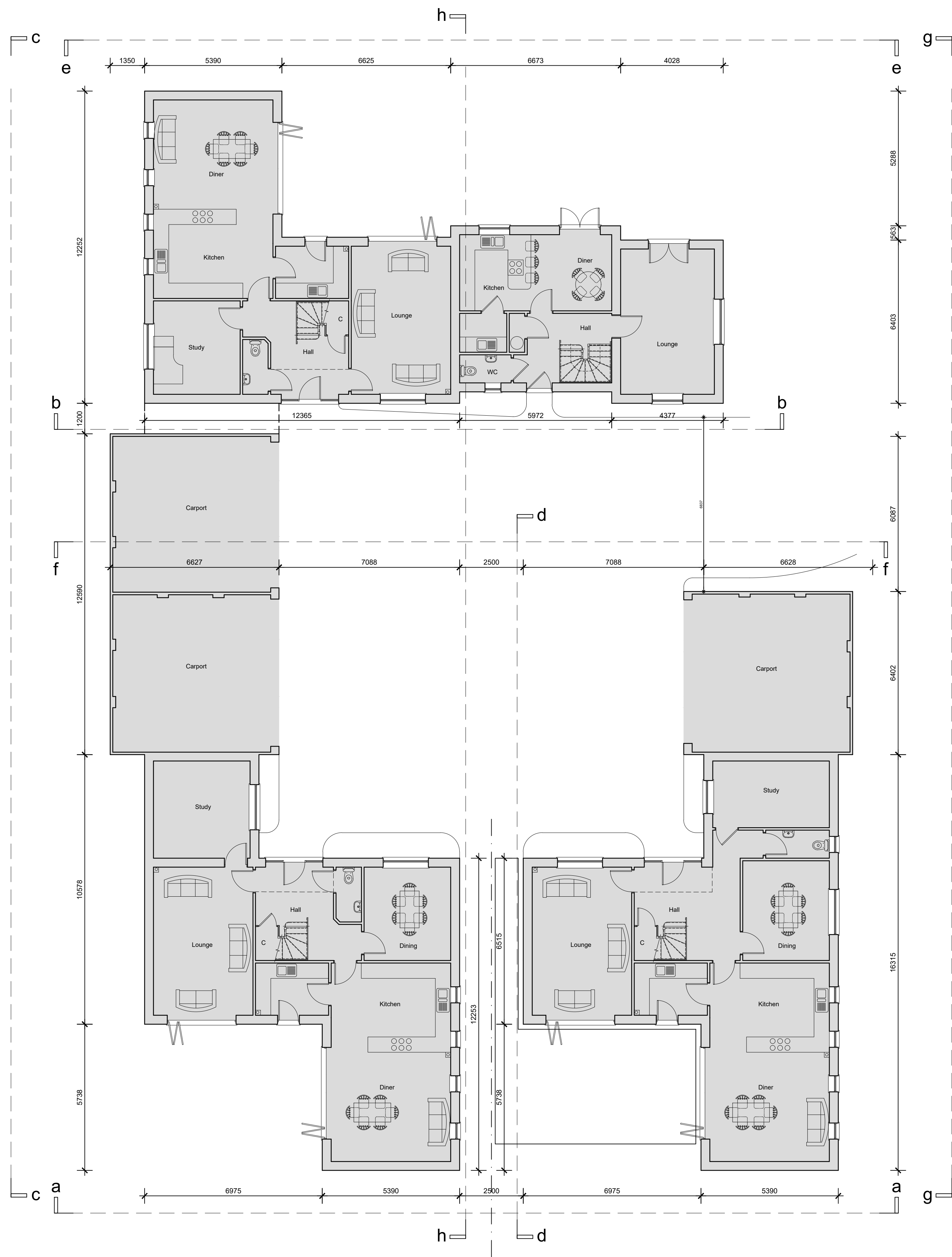


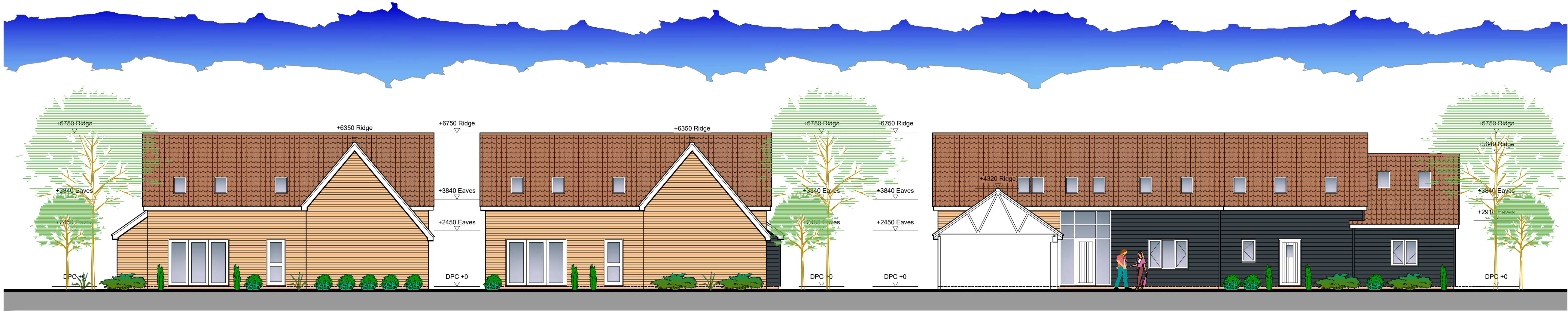
Planning Portal Reference: PP-13892195v1

0 50
Metres



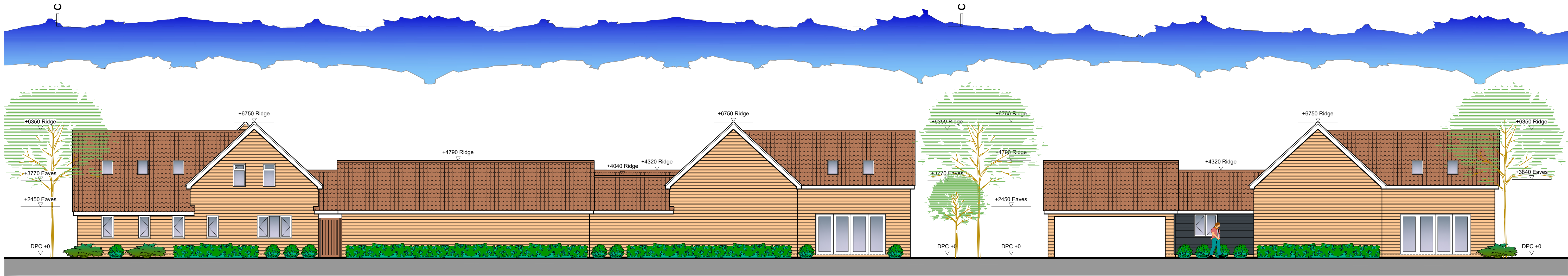
 JLG Design .co.uk	
Architectural CAD Services	
8 Tennyson Place Eaton Ford St. Neots Cambridgeshire PE19 7LL Tel / Fax: 01480 218440 Email: john@jlgdesign.co.uk	
Project: Proposed Development adj. to Sandy Court, Eynesbury, St Neots, Cambs. PE19 2TW	
Drawing: Site Layout	
Drawing by: JG	
Scale: 1:200; 1:1250	Date: 3.2.25
This drawing should not be scaled other than for planning purposes. All dimensions to be checked on site.	
Drawing no:	
Revision	
JLG506/CYD/01	





Elevation a - a

Elevation b - b



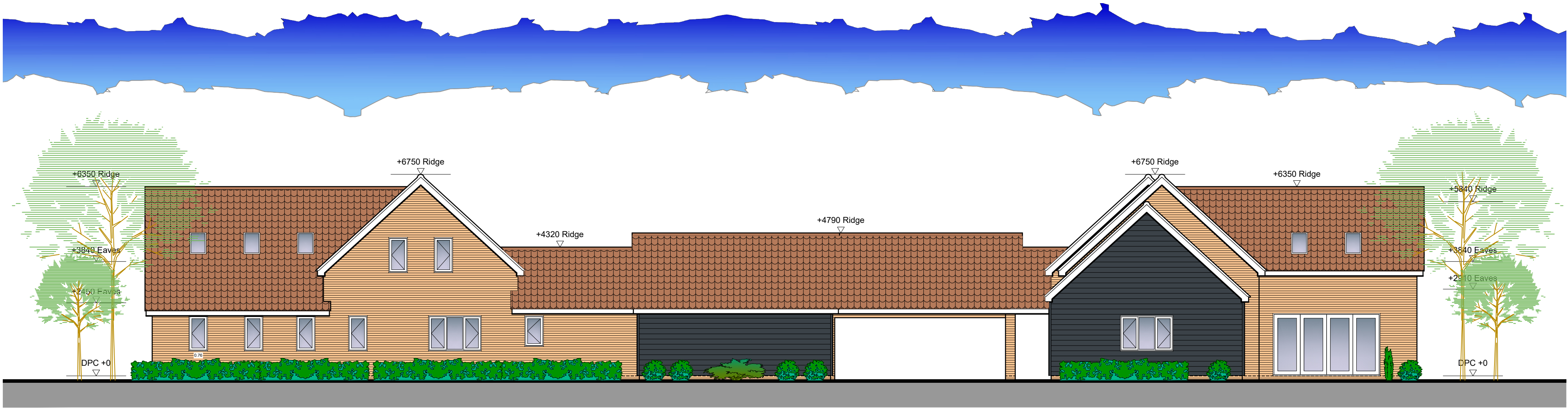
Elevation c - c

Elevation d - d



Elevation e - e

Elevation f - f



Elevation g - g



Elevation h - h