

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the DEVELOPMENT CONTROL PANEL held in the Council Chamber, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Monday, 15 December 2008.

PRESENT: Councillor P G Mitchell – Chairman.

Councillors J D Ablewhite, Mrs M Banerjee,  
Mrs B E Boddington, P L E Bucknell,  
E R Butler, W T Clough, J J Dutton,  
C J Stephens, P A Swales, G S E Thorpe,  
R G Tuplin, P K Ursell, P R Ward and  
R J West.

### 48. MINUTES

The Minutes of the meeting of the Panel held on 19<sup>th</sup> November 2008 were approved as a correct record and signed by the Chairman, subject to the deletion of the words “and prejudicial” in the first line of the second paragraph and the words “and he left the Chamber for the duration of the discussion and voting thereon” in the second sentence of Minute No. 43.

### 49. MEMBERS' INTERESTS

Councillor E R Butler declared a personal and prejudicial interest in Minute No. 50(c) by virtue of his close association with the applicant and he left the Chamber for the duration of the discussion and voting thereon.

Councillor P A Swales declared a personal interest in Minute No. 50(c) having visited the premises as a customer of the existing retail outlet.

Councillor J D Ablewhite declared a personal and prejudicial interest in Minute No. 50(j) by virtue of his close association with the applicant as a supplier to the restaurant business which formed part of the amenities of the caravan and camping park and he left the Chamber for the duration of the discussion and voting thereon.

Councillor P L E Bucknell declared a personal interest in Minute No. 50(j) having been a customer of the restaurant which formed part of the amenities of the caravan and camping park.

Councillor W T Clough declared a personal interest in Minute No. 50(p) by virtue of his membership of Buckden Parish Council.

### 50. DEVELOPMENT CONTROL

The Development Control Manager submitted reports (copies of which are appended in the Minute Book) on applications for development to be determined by the Panel and advised Members of

further representations (details of which also are appended in the Minute Book) which had been received in connection therewith since the reports had been prepared. Whereupon, it was

RESOLVED

**(a) Erection of two dwellings, land adjacent 1 Greenfields, Fenstanton – 08/02158/FUL**

*(Mr D Shaw, agent, addressed the Panel on the application.)*

- (i) that the resolution contained in Minute No. 46(e) relating to application number 08/02158/FUL be rescinded; and
- (ii) that, upon reconsideration, the application be refused for the following reasons –
  - the proposed development would be contrary to policies STR6 and HL9 of the Huntingdonshire Local Plan Alteration, 2002 in that it does not constitute infilling development on a suitable site and to the provisions of policy CS3 of the Huntingdonshire Local Development Framework Submission Core Strategy, 2008 in that it does not constitute residential infilling within the built area of the settlement. Furthermore, the development would result in the loss of an important open area which contributes to the character and appearance of this part of Fenstanton and is thus contrary to the provisions of policy En14 of the Huntingdonshire Local Plan, 1995 and policy G1 of the Submission Core Strategy 2008; and
  - the proposed layout places the new dwellings at right angles to Greenfields which would be out of character with the established pattern of development in the area. The impact of the development would be exacerbated by the proposed finished floor levels. The development would be contrary to policy HL5 of the Huntingdonshire Local Plan Alteration, 2002 and policy B1 of the Huntingdonshire Interim Planning Policy Statement, 2007.

*(In accordance with Council Procedure Rule 13.1, a Notice of Motion had been submitted by seven Members of the Council to enable the Panel to rescind the decision made at their meeting held on 17<sup>th</sup> November 2008 (Minute No. 46(e) refers) in respect of the aforementioned application no. 08/02158/FUL and to enable that application to be reconsidered at this meeting.)*

**(b) Demolition of existing depot and erection of office and industrial units, 13 Caxton Road, St Ives – 08/02942/FUL**

*(Councillor N Dibben, St Ives Town Council, addressed the Panel on the application.)*

that the application be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 9 of the report now submitted and additionally to request the submission of details of the cycle storage to the local planning authority for approval prior to commencement of the development and to restrict the light industrial and office units to B1 use only.

**(c) Use of building for storage of animal feeds for wholesale distribution and/or provision of bulk animal feeds and ancillary retail counter and country store (for the sale of equine goods and goods, other than feedstuffs, related to the keeping of animals and pets), Kings Farm, Milk and Water Drove, Farcet – 07/00317/FUL**

*(See Minute No. 49 for Members' interests.)*

(i) that the Director of Central Services be authorised to enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure the following –

- a limitation on the type of items stored for wholesale distribution to animal feeds (including pet foods) and bedding and on the type of items sold (other than in the country store) to bulk animal feeds (“bulk” defined as being incapable of being conveniently carried by one person for more than a short distance);
- a limitation on the floor area of the country store/retail area to a maximum of 85 square metres and on sales to equine goods and goods other than feed stuff relating to the keeping of animals and pets;
- permission for a retail counter for the sale and display of these goods and an office for the administration of the business (with the counter and office areas totalling no more than 65 square metres); and
- a link to the use of the farm for 30 years in order to secure the long term connection with the farm; and

(ii) that the application be approved, subject to the completion of the Agreement referred to in

resolution (i) above and to conditions to be determined by the Head of Planning Services to include those listed in paragraph 8 of the report now submitted and additionally to seek to achieve a widening to two metres of the access to the site.

**(d) Construction of alternative means of access and erection of sixty eight apartments, land south of Sovereign Bus and Coach Company, Stukeley Road, Huntingdon – 08/01016/FUL and 08/02057/FUL**

*(Messrs A and G Campbell, agents, addressed the Panel on the applications.)*

- (i) that application no. 08/01016/FUL be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 10(i) of the report now submitted;
- (ii) that the Director of Central Services be authorised to enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure 37 affordable housing units and an index linked contribution of £150,000 towards open space, education, healthcare and the Huntingdon Market Town Transport Strategy; and
- (iii) that application no. 08/02057/FUL be approved subject to the completion of the Agreement referred to in resolution (ii) and to conditions to be determined by the Head of Planning Services to include those listed in paragraph 10(ii) of the report now submitted.

**(e) Change of use of golf conference facilities to general conferencing use and private functions and variation of condition 7 of planning permission 06/04016/FUL to allow the use of the café/bar by patrons and non patrons of the golf centre and golf academy, Hemingford Abbots Golf Centre, Cambridge Road, Hemingford Abbots – 08/02833/FUL and 08/02834/S73**

*(Mr P Durham, applicant, addressed the Panel on the application.)*

that the applications be approved subject to conditions to be determined by the Head of Planning Services to include those set out in paragraph 8 of the report now submitted.

**(f) Demolition of existing dwellings and erection of two detached dwellings and garages together with new vehicular access, 22 Manor Road, Hemingford Grey – 08/02672/FUL and 08/02673/CAC**

*(Councillor Mrs B Smith, Hemingford Grey Parish Council, addressed the Panel on the application.)*

that the applications be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 8 of the report now submitted and additionally to clarify that the buildings condition – 05001 includes materials and joinery details.

At 8.35pm, it was

RESOLVED

that the meeting stand adjourned.

Upon resumption at 8.42pm

- (g) Erection of single storey building comprising new ward and day service, Hinchingsbrooke Hospital, Hinchingsbrooke Park Road, Huntingdon – 08/02789/FUL**

that, as the application had been withdrawn at the request of the applicant, no further consideration be given to the proposal.

- (h) Erection of detached chalet bungalow, land at 25 Mill Road, Hartford – 08/02869/FUL**

*(Mrs M Hodge, applicant, addressed the Panel on the application.)*

that the application be refused for the following reason –

The proposed dwelling would, by virtue of the bulk of the rear two storey projection, cause an overbearing impact when viewed from the first floor bedroom window in the side elevation of 25 Mill Road. This would have a detrimental impact on the residential amenity of the occupier of this property. The proposal is therefore contrary to policy H31 of the Huntingdonshire Local Plan, 1995 and policy B4 of the Huntingdonshire Interim Planning Policy Statement, 2007 and the Huntingdonshire Design Guide, 2007 Part 2.1.1 on neighbourliness.

- (i) Change of use of part of premises to children's crèche and extension to rear and internal alteration, 138 High Street, Huntingdon – 08/02982/FUL and 08/02983/LBC**

that, as the applications had been withdrawn at the request of the applicants, no further consideration be given to the proposals.

- (j) Erection of Manager's Accommodation, Stroud Hill**

**Park, Fen Road, Pidley-cum-Fenton – 08/01957/FUL**

*(See Minute No. 49 for Members' interests.)*

*(Mr D Newman, applicant, addressed the Panel on the application.)*

that the application be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 8 of the report now submitted.

*(In accordance with paragraph 14.5 of the Council Procedure Rules, Councillor P L E Bucknell requested that it be recorded that he had abstained from voting on the decision.)*

**(k) Erection of a pair of semi detached dwellings, land rear of 40 High Street, Ramsey – 08/03022/FUL**

*(Mr K Hutchinson, agent, addressed the Panel on the application.)*

that the application be refused for the following reasons –

- (i) the proposed development would, by reason of the inappropriate proportions (undue span of the gables), staggered layout of the building and details, including the window proportions, lack of chimneys, the prominent parking and bin store location, be incongruous and would detract from the character and appearance of Ramsey Conservation Area and views from High Street and Mews Close. The proposal is therefore considered to be contrary to policies ENV7 of the East of England Plan – Revision to the Regional Spatial Strategy, (May 2008), En5, En6, En9, En25 and H32 of the Huntingdonshire Local Plan 1995, HL5(ii) of the Huntingdonshire Local Plan Alteration and B1 and B8 of the Huntingdonshire Interim Planning Policy Statement, 2007 and section 2.2 of the guidance contained in the Huntingdonshire Design Guide Supplementary Planning Document. Furthermore the likely obstruction of the entrance to house 1 by parked cars would be inconvenient and contrary to policy HL5(v) of the Huntingdonshire Local Plan Alteration and B3 of the Huntingdonshire Interim Planning Policy Statement, 2007; and
- (ii) the proposed building, would, due to its bulk and position detract from the amenities of the occupiers of 4 Mews Close, by reason of overbearing and overshadowing effects. The proposal is therefore considered to be contrary to policies H31 of the Huntingdonshire Local Plan 1995 and B4 of the Huntingdonshire Interim Planning Policy

Statement, 2007.

**(l) Retention of use of extensions to dwelling house as a separate dwelling, Annexe, 1 Sandfields Road, St Neots – 08/02785/FUL**

that the application be approved.

**(m) Conversion of house extension to dwelling, 1 Jubilee Avenue, Warboys – 08/02886/FUL**

that the application be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 8 of the report now submitted and additionally to provide for the removal of permitted development rights.

**(n) Erection of four detached dwellings, land at 41 Middletons Road, Yaxley – 08/02905/FUL**

that the application be refused for the following reasons –

- the proposed development would, due to the incongruous and cramped layout and the incongruous design and elevated position of plots three and four be intrusive and would detract from the street scene, the character and appearance of the area, views out of the Conservation Area and the setting of the listed building at 35a Middletons Road. The proposal is therefore contrary to policies SS1 and ENV7 of the East of England Plan – Revision to the Regional Spatial Strategy (May 2008), H32, H33, En2, En5, En9, En25 of the Huntingdonshire Local Plan 1995, HL5(ii) of the Huntingdonshire Local Plan Alteration, B1, B7, B8 of the Huntingdonshire Interim Planning Policy Statement 2007, CS1 of the Submission Core Strategy 2008, guidance contained in Planning Policy Statement Nos. 1 and 3 and the Huntingdonshire Design Guide Supplementary Planning Document which seeks to achieve high quality development;
- the development would detract from the amenities of the occupiers of the neighbouring properties due to an overbearing impact on 37, 37a and 39 Middletons Road and 12 Marlborough Close due to unacceptable overlooking and loss of privacy and from the amenities of the approved dwelling at the rear of 35a Middletons Road due to overbearing and overshadowing. The proposal is therefore contrary to policies H31 of the Huntingdonshire Local Plan, 1995 and B4 of the Huntingdonshire Interim Planning Policy Statement, 2007;
- the site may contain great crested newts, which are a protected species under the terms of the Wildlife and Countryside Act. The application is not accompanied by a protected species survey and the local planning

authority therefore has inadequate information to ensure that harm to protected species would not occur if the development were to be permitted. The development would be contrary to policies En22 of the Huntingdonshire Local Plan, 1995 and G4 and G7 of the Huntingdonshire Interim Planning Policy Statement, 2007 and Planning Policy Statement No. 9; and

- the proposal is unacceptable in the absence of a scheme of mitigation for the loss of biodiversity interests from the site resulting from the felling of traditional orchard trees. The proposal would be contrary to policies En22 of the Huntingdonshire Local Plan, 1995, G3 of the Huntingdonshire Interim Planning Policy Statement, 2007 and CS10 of the Submission Core Strategy, 2008.

**(o) Erection of four dwellings and garages, land at and including 1 to 3 Huntingdon Road, Brampton – 08/03034/FUL**

*(Mr K Hutchinson, agent, addressed the Panel on the application.)*

that the application be refused for the following reasons –

- (i) the proposed dwellings are located outside the environmental limits for Brampton and the west side of the site is outside of the built up area of the village. The proposed dwellings would therefore be sited in the countryside and no information has been advanced to justify the erection of dwellings in the countryside. The dwellings would cause harm by their intrusion into the countryside and would be detrimental to the rural character of the area and the wider landscape. As such the proposal would be contrary to Planning Policy Statement No. 7, policy En17 of the Huntingdonshire Local Plan 1995, policy HL8 of the Huntingdonshire Local Plan Alteration 2002 and G2 and P8 of the Interim Planning Policy Statement, 2007, policy CS3 of the Huntingdonshire Submission Core Strategy, 2008 and the Huntingdonshire Townscape and Landscape Assessment, 2007;
- (ii) the proposed new properties due to their poor design and detailing do not respect the design of the existing properties in the area. The positioning of the proposed new buildings does not reflect the existing pattern of development and the proposal will be detrimental to the visual appearance of the immediate area and the long distance views of the Conservation Area. The proposal does not enhance nor protect the character nor appearance of the Conservation Area and is contrary to policies En5, En6, En9 and En25 of the Huntingdonshire Local Plan, 1995 and B1 and B8 of the Interim Planning



Policy Statement, 2007 and the Huntingdonshire Design Guide, 2007;

- (iii) the manoeuvring of vehicles likely to be generated by the proposed development would have an adverse effect on the safety and free flow of traffic on the adjoining public highway;
- (iv) the proposed development would be detrimental to the amenities of the existing occupiers due to unacceptable levels of noise and disturbance being generated from the additional vehicle movements. The proposal is contrary to policy H31 of the Huntingdonshire Local Plan, 1995 and B4 of the Interim Planning Policy Statement, 2007; and
- (v) the proposal, by virtue of its size and siting, would result in a threat to the continued well-being of existing trees standing within the Brampton Conservation Area. The loss of these trees is considered unacceptable because of the impact upon the general amenity and the character of the area in which the application site is located.

**(p) Erection of bungalow, land rear of 17 Lucks Lane, Buckden – 08/01835/FUL**

*(See Minute No. 49 for Members' interests.)*

that the application be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 8 of the report now submitted.

**(q) Approval of reserved matters in respect of access, appearance, landscaping, layout and scale for the erection of fifteen dwellings, land at Manor Farm, East Street, Colne – 08/02047/REM**

*(Mr R Ball, applicant, addressed the Panel on the application.)*

that the application be approved subject to conditions to be determined by the Head of Planning Services to include those listed in paragraph 8 of the report now submitted and additionally to provide for additional fire hydrants.

**51. PROPOSED AMENDMENTS TO THE SCHEME OF DELEGATED POWERS IN RESPECT OF DEVELOPMENT CONTROL**

By way of a report by the Development Control Manager (a copy of which is appended in the Minute Book) the Panel was reminded that it had, over several years, regularly reviewed the Scheme of Delegation to sustain performance levels and to seek to manage the business of the Panel as effectively as possible to ensure Members focused on those applications considered to be of major significance or controversial.

Members noted that the use of delegated powers had enabled

Development Control Services to meet Government standards in accordance with national performance indicators and timescales. To continue to meet these challenges and to sustain performance levels, the Panel considered several minor areas which, if delegated, to Officers would make better use of resources but still retain Members' involvement in major applications.

Having regard to the sections of the current Scheme where changes were proposed, Members' attention was drawn, in particular, to the suggestion that the Scheme be extended to authorise Officers to enter into Section 106 Agreements in relation to affordable housing provided the offer was in accordance with adopted policy and followed consultation with the relevant ward Member. Having also been reminded that the Scheme would continue to allow Members to request, in writing to the Head of Planning Services within 21 days of the publication of the weekly list, the submission of an application to the Panel for determination, it was

RESOLVED

that the proposed amendments to the Scheme of Delegation of the Panel as described in paragraph 3 of the report now submitted be approved with immediate effect.

## **52. APPEAL DECISIONS**

The Panel received and noted a report by the Development Control Manager (a copy of which is appended in the Minute Book) in respect of three appeals against refusal of planning permission by the District Council.

The Panel noted that the Inspector's decision in respect of the application at 4-6 Station Road, St Neots was subject to judicial review.

## **53. DEVELOPMENT CONTROL PROGRESS REPORT: 1ST JULY - 30TH SEPTEMBER 2008**

The Panel received and noted a statistical report by the Development Control Manager on the activities of the Development Control Section of the Planning Division over the period of 1<sup>st</sup> July – 30<sup>th</sup> September 2008 (a copy of which is appended in the Minute Book).

Members observed that whilst there was a reduction in the number of applications submitted during the quarter in comparison with the same period last year, the quarterly income appeared to have increased. It was explained that the complex nature and size of the applications which currently were being submitted commanded a high level of fees which did not necessarily correspond with the number of applications received.

Chairman

