

**Case No:** 0900411FUL (FULL PLANNING APPLICATION)  
0900412LBC (LISTED BUILDING CONSENT)

**Proposal:** MIXED USE DEVELOPMENT COMPRISING 21 HOUSES, 3 FLATS, 1 RETAINED RETAIL UNIT, 2 WORKSHOPS, NEW VEHICULAR ACCESS FROM BROOK STREET, 11 CAR PARKING SPACES AND CONVERSION OF LISTED BUILDINGS TO RESIDENTIAL UNITS

**Location:** LAND AT AND INCLUDING THE OLD FORGE AND 22 HIGH STREET

**Applicant:** ZOG ENTERPRISES LTD

**Grid Ref:** 518370 260217

**Date of Registration:** 14.04.2009

**Parish:** ST NEOTS

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**RECOMMENDATION - APPROVE**

**1. DESCRIPTION OF SITE AND APPLICATION**

- 1.1 The site extends from 22 High Street down to Brook Street and includes 22 High Street and a number of storage buildings behind. The former forge building is a Grade 2 listed building. Vehicular access to the site is from the existing access from Brook Street which runs alongside Brook House, which is a Grade 2\* listed building. There is an existing narrow access between Nos. 20 and 24 High Street which is currently used by vehicles of the commercial business at No. 20 High Street which park at the rear of their premises. The site is 0.306 hectare in size and is in the Conservation Area.
- 1.2 The site at the moment contains a number of older buildings, including the forge listed building, a Victorian chapel building in good condition and other buildings which are in a poor state of repair. The buildings are currently used for storage, office, workshops, retail unit and tattoo parlour. There are two hardstanding areas used for the parking of cars, one at the rear of No. 20 and the other at the southern end of the site. To the east of the site is a small car repair workshop and car sales area fronting Brook Street.
- 1.3 This full application proposes 21 houses, 3 flats, 2 workshops and 1 retained retail unit. The houses are arranged in a series of terraces throughout the site. Some of the units will be provided through conversion, including conversion of the listed building, the chapel and the southern part of 22 High Street, and some of them will be new build.

## 2. NATIONAL GUIDANCE

- 2.1 **PPS 1 - 'Delivering Sustainable Development' (2005)** contains advice on delivering sustainable development.
- 2.2 **PPS 3 - 'Housing' (2006)** aims to make good use of land and comments on development in urban areas.
- 2.3 **PPG13: "Transport" (2001)** provides guidance in relation to transport and particularly the integration of planning and transport.
- 2.4 **PPG15 - Planning and the Historic Environment (1994)** contains advice on the operation of the plan-led system.
- 2.5 **PPS25: "Development and Flood Risk" (2006)** sets out Government policy on development and flood risk.

For full details visit the government website

<http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

## 3. PLANNING POLICIES

Further information on the role of planning policies in deciding planning applications can also be found at the following website:

<http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live

### 3.1 **East of England Plan - Revision to the Regional Spatial Strategy (May 2008)**

Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents

- **ENV7:** "Quality in the Built Environment" - requires new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

### 3.2 **Cambridgeshire and Peterborough Structure Plan (2003)**

Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003.

- None relevant

### 3.3 **Huntingdonshire Local Plan (1995)**

Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at [www.huntingdonshire.gov.uk/localplan95](http://www.huntingdonshire.gov.uk/localplan95)

- **En2:** "Character and setting of Listed Buildings" - indicates that any development involving or affecting a building of

architectural or historic merit will need to have proper regard to the scale, form, design and setting of that building

- **En3:** “Appropriate alternative uses” - consider sympathetically appropriate alternative uses for listed buildings providing alterations would not detract from character.
- **En5:** “Conservation Area Character” - development within or directly affecting conservation areas will be required to preserve or enhance their character and appearance.
- **En6:** “Design standards in Conservation Areas” – in conservation areas, the District Council will require high standards of design with careful consideration being given to the scale and form of development in the area and to the use of sympathetic materials of appropriate colour and texture.
- **En9:** “Conservation Areas” - development should not impair open spaces, trees, street scenes and views into and out of Conservation Areas.
- **En20:** “Landscaping Scheme” - Wherever appropriate a development will be subject to conditions requiring the execution of a landscaping scheme.
- **En25:** "General Design Criteria" - indicates that the District Council will expect new development to respect the scale, form, materials and design of established buildings in the locality and make adequate provision for landscaping and amenity areas.
- **H31:** “Residential privacy and amenity standards” – Indicates that new dwellings will only be permitted where appropriate standards of privacy can be maintained and adequate parking provided.

#### 3.4 **Huntingdonshire Local Plan Alterations (2002)**

Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at [www.huntingdonshire.gov.uk/localplan](http://www.huntingdonshire.gov.uk/localplan) - Then click on "Local Plan Alteration (2002)

- **HL5** - good design and layout in all new housing developments to achieve an efficient use of land, respect townscape, appropriate dwelling mix, incorporate landscaping, create an attractive distinctive place and promote energy efficiency.
- **HL6** – housing development to be at densities of between 30 and 50 dwellings per hectare and higher densities in or close to town centres or close to public transport nodes.
- **HL7** – The District Council will seek to maximise the re-use of previously developed land and support the re-use of empty properties, and the conversion of under used dwellings or office or other buildings into housing use.

### 3.5 **The Adopted Huntingdonshire Local Development Framework Core Strategy 2009**

Policies from the Adopted Huntingdonshire Local Development Framework Core Strategy 2009 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning then click on Planning Policy and then click on Core Strategy where there is a link to the Adopted Core Strategy.

- **CS1:** “Sustainable development in Huntingdonshire” – all developments will contribute to the pursuit of sustainable development, having regard to social, environmental and economic issues. All aspects will be considered including design, implementation and function of development.
- **CS3:** “Settlement hierarchy” – residential development schemes of all scales may be appropriate within the built up area of St Neots.
- **CS10:** contributions to infrastructure requirements to make a development acceptable in planning terms will be required in accordance with the requirements of Circular 5/2005.

### 3.6 **Huntingdonshire Interim Planning Policy Statement 2007**

Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Informal policy statements where there is a link to Interim Planning Policy Statement 2007

- **P10** – Flood Risk – development should: not take place in areas at risk from flooding, unless suitable mitigation/flood protection measures are agreed; not increase the risk of flooding to properties elsewhere; make use of sustainable drainage systems where feasible; be informed by a flood risk assessment where appropriate.
- **B1** - Design Quality - a development proposal should demonstrate a high quality of design in terms of layout, form and contribution to the character of the area.
- **B2** - Street Scene - requires development to make a positive contribution to the character and appearance of streets and public spaces.
- **B4** - Amenity - a development proposal should not have an unacceptable impact upon the amenity of existing or future occupiers within, adjoining or in the vicinity of the site in terms of daylight and sunlight, privacy, noise and disturbance, air quality, safety and security or oppressive or overbearing impact.
- **B3** – Accessibility, Adaptability and Security – the location and design of new development should enable ease of access, have convenient and appropriate facilities and minimise the extent to which users feel at risk of crime.

- **B7** – Listed Buildings - lists the criteria against which development proposal affecting the fabric or setting of a listed building should be assessed.
- **B8** – Conservation Areas - states the criteria against which developments within or affecting a Conservation Area should be assessed.
- **H2** – within or adjacent to town centres at least a net density range of 40-75 dwellings per hectare should be achieved.
- **T2** – Car and Cycle Parking - development proposals should limit car parking and provide cycle parking facilities to the levels set out in the Council's parking standards.

### 3.7 **Supplementary Planning Documents and Guidance**

- Huntingdonshire Design Guide 2007
- St Marys Urban Village Urban Design Framework and Masterplan Adopted 2006

## 4. **PLANNING HISTORY**

- 4.1 Planning permission was granted for the refurbishment and use of the ground floor of No. 22 as a retail unit and the first floor as a flat; and the erection of a new building on the footprint of No. 22A to form two flats ref. 0900312FUL. These proposals now form part of this proposal.

## 5. **CONSULTATIONS**

- 5.1 **St Neots Town Council – OBJECTION to both applications. (copy attached).**
- 5.2 **County Council Highways** – confirmed that visibility onto Brook Street is acceptable. Requested that vehicular access from High Street be prevented by means of bollards, and raised questions about manoeuvring for the refuse vehicle and the amount of parking.
- 5.3 **County Council Archaeologist** – initially recommended that a pre-determination investigation be carried out. Upon completion of this now recommends that a pre-commencement of development investigation is carried out and that this is secured by planning condition.
- 5.4 **HDC Environmental Health** – recommends a condition relating to contamination. In terms of noise no objections subject to appropriate boundary treatment.
- 5.5 **Environment Agency – NO OBJECTIONS** subject to conditions.
- 5.6 **County Education** – request for financial contributions towards primary education.

- 5.7 **Cambridgeshire Fire and Rescue** – requests condition relating to the provision of fire hydrants.
- 5.8 **HDC Operations – NO OBJECTIONS** subject to the refuse being collected in sacks from the High Street and the bins being brought out for collection to a collection point on the Brook St entrance. Confirmed off site contributions towards open space needed.

## 6. REPRESENTATIONS

- 6.1 **TWO** letters of representation have been received from DH Barford on behalf of the freehold owner of the adjacent car workshop site, and the freehold owner of the access and land adjacent to Brook House raising the following points:
- Potential of noise problem from the workshop to the proposed residential properties;
  - Windows at a distance of 5 metres to the boundary making the development of the adjacent site difficult;
  - Question whether the 7 metre gap to the adjacent site is sufficient to permit access to the adjacent land;
  - Right of way not shown accurately on plans;
  - Right of way only exists and no right to undertake any engineering works;
  - Limited number of parking spaces and existing on street parking restrictions in the surrounding area leading to pressure to park in the car park area associated with Brook House;
  - Necessity for bollards near to Brook House to allow adequate pedestrian visibility; and,
  - Restricted room for larger vehicles to manoeuvre within the site if the High Street access is closed off

## 7. SUMMARY OF ISSUES

- 7.1 The main issues to be considered here are the principle of the mixed use development on the site, traffic and highways considerations, design and impact upon the character and appearance of the Conservation Area, impact upon trees, archaeology, third party issues, Flood Risk, Impact upon neighbours, Section 106 requirements including open space, education, affordable housing, and transport mitigation.

### **Principle of the Use**

- 7.2 The site forms part of a larger site which has been identified in the St Mary's Urban Village Urban Design Framework adopted by the Council in 2006. This followed the Civic Trust study of St Neots in 2004 which highlighted this part of St Neots as having potential for redevelopment. The Urban Design Framework's (UDF) aims are to establish an appropriate mix of uses, indicate which buildings and trees should be retained, assess the transport implications and provide a footprint for the development of the site. The uses proposed as part of this application comply with the principles of the UDF. However at this stage only part of the UDF site is included within the application site and therefore the relationship of the proposed uses with existing adjacent uses must be considered. It is also relevant to consider whether this site could be used for a retail use as the site is

very centrally positioned. It is considered that due to the very narrow access to the site from High Street, the shape of the site and the existence of listed buildings on and adjacent to the site that it would be difficult to fit a modern retail use onto this site.

- 7.3 Adjacent to the application site and directly to the east is an existing car repair workshop and car sales area which is included within the UDF site. The use has existed on this site for some considerable time and therefore is not subject to planning restrictions. The car repair workshop has suffered from fire damage and is in a poor state of repair and is of no historic or architectural merit. It is considered that this is a sui generis use and therefore any other use coming onto the site would need planning permission. Furthermore the use is unsightly and not considered to be an appropriate use within the central core of the Conservation Area where access of Windmill Row from the High Street is narrow and difficult. Landownership reasons have meant that the site has not come forward as part of the application. The proposed residential units 1-8 are closest to the boundary with the car repair garage building with rear gardens backing on to the boundary of between 5 and 8 metres long. It should be noted that there are existing residential properties at a similar distance to the car repair garage with access off Church Walk and Windmill Row. Advice from the Council's Environmental Health Officer is that this is acceptable from the noise point of view subject to an adequate 2.5 metre high boundary treatment.

#### **Highways and Traffic Considerations**

- 7.4 It is proposed that the existing very narrow (3.5 metres wide) access to the High Street would become pedestrian only and that all traffic going to and from the development would access the site from Brook Street. The application proposes the provision of 11 parking spaces for the proposed development.
- 7.5 The application has been accompanied by a Transport Statement which has looked at the existing and proposed traffic generation, the accessibility of the site, visibility of the access point and turning and manoeuvring within the site. Using established TRICS figures based upon the amount of storage, office, retail and tattoo parlour space it is calculated that the existing site generates 75 daily trips. The trips which would result from the proposed development are calculated as 139 daily trips. This is a theoretical increase and it is likely that in reality the actual number of trips from the residential units will in fact be lower as the provision of only 11 parking spaces within the site will lead to a lower traffic generation. It should also be borne in mind that the use of the Brook St access for traffic, and the cessation of the High St access with its sub-standard width and visibility, is an improvement upon the existing situation. Brook Street has a relatively low traffic flow and the additional traffic will have no material impact upon the traffic flow in the immediate vicinity of the site.
- 7.6 The provision of only 11 parking spaces needs to be considered in the light of the accessibility of the site, planning policy, and the constraints of the site. Guidance within PPG13 encourages major generators of travel to be focussed in city and town centres to help promote travel choice and encourage the use of sustainable forms of transport. Car parking standards within both PPG13 and the Council's

Interim Planning Policy Statement are maxima aiming to avoid over-provision. The latter document requires a maximum of 1 space per dwelling within town centres. Quite clearly the 11 spaces proposed here are well below that maximum and therefore any possible harm which could result should be assessed. The site is located within the town centre where parking is restricted; Brook Street to the south has parking restrictions and therefore any additional demand which could result from the development would not result in parking congestion on the surrounding streets. Not every residential unit will have a parking space and it is therefore important that the site is managed in such a way that access to the parking spaces is not impeded. This can be covered by a condition requiring a management scheme for the open space, both hard and soft landscape areas, on the site.

- 7.7 Cycle parking facilities are shown on the submitted plans but the details of the facilities and timing of their implementation would need to be covered by the imposition of a planning condition.
- 7.8 This is a town centre site where there is ready access to all facilities and public transport. The provision of a low level of parking accords with policy and will not result in any harm. It is therefore considered to be acceptable in this instance.

#### **Design and Impact upon Character of Conservation Area**

- 7.9 The layout of the proposed new buildings and the retention of the listed forge building, the chapel and the end southern section of 22 High Street complies with the principles of the UDF. The grain of the development will reflect the historic pattern of development within the centre of St Neots and will furthermore be improved with the creation of a central small square of open space which will form a feature within the scheme. The proposed redevelopment would also result in greater pedestrian permeability throughout the area. The height of the new buildings does not exceed 2 and a half storeys; that is two storeys with dormer windows lighting accommodation in the roof space. This will reflect the heights of buildings in the local area and will not appear unduly dominant in the Conservation Area. The new buildings indicate materials as facing bricks, and either clay pantiles or slate roofs. Ground floor windows are relatively large and there are also areas of horizontal weather boarding. Overall the appearance is one of a traditional terrace with a modern interpretation for the detailing. The converted listed building will retain its first floor weatherboarding, pantile roof and horizontal emphasis windows. This proposal will secure a viable use for the listed building. The combination of sympathetic new build and retention and conversion of buildings of historic interest will create a development which has its own definite sense of character and place and which will preserve and enhance the character and appearance of the Conservation Area.

#### **Impact upon Trees**

- 7.10 The Arboricultural report submitted with the application originally suggested the retention of 6 trees but following comments from the trees officer about the proximity of the trees to dwellings, only two of the trees is now proposed for retention. Although this will result in the loss of trees which at present make a contribution to the visual



amenity of Brook Street, the retention of all 6 trees would make the development of the wider site in a sympathetic way, and in accordance with UDF, impossible. Taking all matters into consideration therefore, their retention cannot be justified.

### **Archaeology**

- 7.11 Initial comments from the County Archaeologist required an investigation before the planning application was determined. This was carried out this year and an archaeological evaluation produced. The results of this showed that there were relatively few finds of importance and the County Archaeologist has recommended the imposition of a condition upon any planning permission granted would satisfy archaeological concerns.

### **Flood Risk**

- 7.12 The Environment Agency have not objected to the proposal but have recommended conditions relating to minimum floor levels for the new buildings, flood resilience measures for the converted buildings and land below the floodplain contour of 15.87 to remain undeveloped. They also recommend conditions relating to the details of surface and foul water drainage and contamination.

### **Third Party Issues**

- 7.13 The only third party comments received have been on behalf of the interests of adjoining land owners. The points made about the right of engineering works to take place on the access is a private matter which must be resolved between the parties. The control of private parking for Brook House is a matter for the occupiers/owners of Brook House. The numbers of parking spaces is a matter for the local planning authority. The distance of windows from the boundary is acceptable with the existing uses on the adjacent site. Should the adjacent site come forward for redevelopment then the design of dwellings, such as the use of single aspect dwellings, will have to be considered to ensure an adequate level of privacy for residents.

## **8. SECTION 106 CONSIDERATIONS**

- 8.1 The development will result in an additional demand upon infrastructure and will require the following mitigation measures:

### **Open Space**

- 8.2 The development would generate a requirement for a total of:

Lap: a sum of £16470.00

Lap maintenance: a sum of £6590.00

Allotments: a sum of £875.00

Provision of Open Space: a sum of £8022.90

Maintenance: sum of Open Space of £12482.04

## **Education**

- 8.3 The development is expected to generate a demand for 4.75 additional primary school places at a cost of £39,900.

## **Transport**

- 8.4 The County Council have requested a financial contribution of £2000 per dwelling towards the St Neots Market Town Transport Strategy.

## **Affordable Housing**

- 8.5 Central Government and Local Planning Policy require that sites over 0.5 hectares provide affordable housing. The adopted Core Strategy requires that 40% of housing on such sites is affordable. At the time of writing the report it is not known which units would be affordable and this would have to be the subject of detailed discussion with the chosen Housing Association. This will be secured through an agreement under Section 106 of the Town and Country Planning Act.

## **9. CONCLUSION**

- 9.1 This represents a good solution for a central site which has a number of difficult constraints. Furthermore the design and layout complies with the UDF and will secure a viable use for a listed building as well as the tidying up of an unkempt site. It will also secure much needed residential units within a central sustainable location including affordable housing. The proposal will result in the loss of some trees but their retention is not compatible with a high quality development in compliance with the UDF. The proposal proposes only 11 parking spaces for a total of 24 residential units and other commercial uses; however the constraints of this site mean that the provision of parking at a higher level would result in an unsympathetic development which did not reflect the grain of development in the surrounding area. It is considered that the low level of parking is acceptable as this is a sustainable location in which other transport options are available. It is therefore recommended that planning permission can be granted subject to the resolution of the Section 106 agreement as above and planning conditions detailed below.

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10. **RECOMMENDATION – APPROVE**, subject to conditions to include those listed below, and subject to detailed conditions relating to the Listed Building (details of which to be advised at the meeting).

<b>02003</b>	Time Limit (3yrs)
<b>05001</b>	Buildings
<b>06010</b>	Landscape design (delete)
<b>06011</b>	Soft landscape (delete)
<b>06012</b>	Hard and soft landscape implementation

<b>Nonstand</b>	Boundary treatment
<b>06016</b>	Landscape management plan
<b>Nonstand</b>	Tree protection
<b>13003</b>	Permitted Development (Extensions)
<b>13007</b>	Permitted Development (Windows)
<b>Nonstand</b>	Closure of access from High St
<b>Nonstand</b>	Details of fire hydrants
<b>11003</b>	Investigation archaeology programme
<b>Nonstand</b>	No dig construction spec
<b>Nonstand</b>	Floor levels
<b>Nonstand</b>	Flood Resilience measures
<b>Nonstand</b>	Land below contour line
<b>Nonstand</b>	Surface water drainage
<b>Nonstand</b>	Foul water drainage
<b>Nonstand</b>	Contamination assessment
<b>Nonstand</b>	Architectural details
<b>Nonstand</b>	Cycle parking

**Background Papers:**

Planning Application File Reference: 0900411FUL  
 East of England Plan – Revision to the Regional Spatial Strategy May 2008  
 Cambridgeshire and Peterborough Structure Plan, 2003  
 Huntingdonshire Local Plan, 1995  
 Huntingdonshire Local Plan Alteration, 2002  
 Huntingdonshire Local Development Framework Adopted Core Strategy 2009  
 Huntingdonshire Interim Planning Policy Statement 2007

**CONTACT OFFICER:**

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