OFFICER REPORT

Case No: 25/00138/FUL Full Planning Application

Proposal: Retention of 1.4m tall electric vehicle charging upstand and 2 bollards.

Location: Crown Inn Bridge Road Broughton

Applicant: Albanwise Synergy Ltd

Grid Ref: 528070 277864

DESCRIPTION OF SITE AND APPLICATION

The application site is the Crown Inn which is a Grade II Listed Building operating as a Public House. It is located to the south of Causeway Road, Broughton and within the Broughton Conservation Area. There are a number of other Listed Buildings of varying grades in the vicinity as well as trees subject to Preservation Orders. The site lies within Flood Zone 3 as per the most recent Environment Agency Flood Risk Maps and Data.

This application seeks permission for the retention of a single 1.4m tall electric vehicle charging point and associated bollards.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

NATIONAL GUIDANCE

The National Planning Policy Framework (December 2024) (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).'

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.

Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website: https://www.gov.uk

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 - adopted May 2019

LP1: Amount of Development
LP2: Strategy for Development

LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP9: Small Settlements
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP34: Heritage Assets and their Settings
LP35: Renewable and Low Carbon Energy
Supplementary Planning Documents (SPD) and Guidance:

Huntingdonshire Design Guide (2017)
Developer Contributions SPD (2011)
Huntingdonshire Landscape and Townscape SPD (2022)
Huntingdonshire Strategic Flood Risk Assessment (2024)
Cambridgeshire Flood and Water SPD (2024)
Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

The National Design Guide (2021)

Broughton Conservation Area Character Statement (September 2006)

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

RELEVANT PLANNING HISTORY

None relevant

CONSULTATIONS

Broughton Parish Council - No objections - would like a shroud to cover the point to restrict light emitted.

HDC Conservation Team (informal consultation) - No objections.

Historic England - No comments to make - seek views of internal specialist advisers.

REPRESENTATIONS

One comment has been received and is available to view on HDC's Public Access Site. It advises that the development is supported in principle but raises concerns about the accuracy of the submission in terms of buildings shown on the plans, hours of operation of the pub etc. It also raises concern about the light emitted from the charging point.

Officer comments: It is considered that sufficient detail has been provided to determine the application despite the suggested omissions. It is not considered that the hours of operation of the pub are material to the consideration of this application. Whilst it is realised that the two are linked, the charging point could be used outside of the normal operating hours. Matters regarding the light emitted will be addressed in the proceeding sections of this report.

SUMMARY OF ISSUES

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.

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".

In Huntingdonshire the Development Plan consists of a number of adopted neighbourhood plans, however, as stated above, there is not an adopted neighbourhood plan in place for Broughton. Therefore, in this case no neighbourhood plans are given weight in the determination of this application.

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.

The main issues to consider are:

*The principle of development
*Design, visual amenity, impact upon heritage assets
*Residential amenity
*Highway considerations
*Flood risk
*Biodiversity
*Impact on Trees

*The principle of the development

Broughton is a small settlement as defined by Policy LP9 of the Local Plan to 2036. Whilst development within the bult-up area of small settlements is supported the Policy is more focused on residential and business development as opposed to small-scale installation such as this. However, whilst not wholly relevant it is considered that the development assists in achieving some of the aims of LP9 in relation to supporting existing infrastructure (supporting the continued viability of a business within the settlement). Further, as assessed in the proceeding sections of this report, it is not considered to be harmful to the character of the settlement and is therefore broadly compliant with the aims of LP9.

Meanwhile, Policies LP16 and LP35 of the Local Plan support sustainable travel and renewable energy, the aims of which are consistent with Paragraphs 112(e) and 117(d) of the NPPF (2024).

Whilst the above are generally more focused on larger scale development there is no reason that these cannot be applied to proposals of a smaller scale and it is therefore concluded that the proposed development is considered to be acceptable in principle subject to compliance with other material planning considerations and conditions.

*Design, visual amenity, impact upon heritage assets

Broughton has a rural, verdant character and many of the buildings forming the streetscene are historic. The Crown is located to the south of Causeway Road at its junction with Bridge Road/School Road. It and the Grade ll* Listed Church to the north are prominent features in the area.

This application seeks permission for the retention of a 1.4 tall electric vehicle charging upstand and two metal bollards on a very small base. The bollards are lower than the upstand itself and it located in an established parking area north-east of the building. It is a modern feature but is not viewed in direct context with the building being located approx. 39m from it.

Comments have been made regarding the lights which appear to be on the front of the charging point (approx. ¾ height from ground level) and one around the top post. It is acknowledged that these could have some minor impacts on the surroundings but, given their scale and the likely level of light emitted, it is not considered reasonable to refuse the application or request modifications solely on this basis. It must be considered that the upstand is located in a commercial setting despite the overall tranquillity of the surroundings.

It should also be regarded that by virtue of Schedule 2, Part 2, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), such an installation could be undertaken were it not for the fact that it lies within the curtilage of a Listed Building. Therefore, whilst it is not suggested that this is permitted development, such an installation could take place in the vicinity with no specific restrictions (other than scale and siting).

As detailed above, the site lies within the Broughton Conservation Area, the building is Grade ll Listed (and so the upstand is within the curtilage) and there are a number of other Listed Buildings (of varying grades) in the vicinity.

Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Para. 212 of the NPPF sets out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

Para. 213 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'

Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.

In this case the application is accompanied by a Planning and Heritage Statement. Historic England have been consulted and advise that they have no comments to make (not to be read as no objection) and advise that views of internal advisers (Conservation) is sought. Conservation Officers have been informally consulted and raise no objections considering that (as above) the upstand is not within a significant part of the setting of the Listed Building and has no impact on the character or appearance of the Conservation Area.
Having regard to the earlier assessment, the permitted development fallback position, and the advice from specialists Officers are satisfied that the development accords with Policy LP34 of the

Local Plan to 2036, the provisions of the NPPF (2024) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Overall, the scheme is considered acceptable in relation to design, visual amenity and heritage impacts and accords with Policies LP2, LP11, LP12 and LP34 of the Local Plan to 2036 in this regard.

*Residential amenity

The submitted statement details that the charger does not give rise to any perceptible level of noise and that the luminance produced by the lights is low. Given the location of the lights, the small scale of the installation and the separation to adjacent dwellings and land and the permitted development fallback position (with only the curtilage listing a consideration) the installation is considered to be acceptable and would not result in significant residential amenity impacts. It therefore accords with Policy LP14 of the Local Plan to 2036.

*Highway safety and parking

The upstand is set well back from the site entrance within an established parking area for the pub. It is a single upstand and does not result in any changes to the way that vehicles access or manoeuvre within the site, nor would it result in increased vehicle movements to and from it. There is the loss of two parking spaces (as per the application form) but a good degree of parking is retained, and it is not considered that this would be a significant constraint as the parking appears to be 'informal' at present. Further, the sustainable travel benefits are clear and in accordance with both local and national planning policy.

Overall, the development is acceptable in terms of highway safety and sustainable travel and therefore accords with Policies LP16 and LP17 of the Local Plan to 2036.

*Flood risk

The application site lies within Flood Zone 3 as per the most recent Environment Agency Flood Risk Maps and Data. The NPPF (2024) advises that a Site-Specific Flood Risk Assessment (SSFRA) should be provided for all development in FZ3. Whilst in this case no SSFRA has been provided, given the nature and scale of the development (which does not result in a change of use of the land or introduction of development classed as 'more vulnerable' as per the NPPF) Officers have adopted a pragmatic approach. It is also not considered that the development will result in increased risk of flooding nor the displacement of surface water. It therefore broadly accords with Policies LP5 and LP15 of the Local Plan to 2036.

*Biodiversity

Policy LP30 if the Local Plan requires a development to ensure no net loss of biodiversity and achieve a net gain where possible. In terms of Biodiversity Net Gain legislation (BNG), the application form suggests that this will be de-minimis (development below the threshold) and the LPA are in agreement with this as it will not impact more than 25m² of priority habitat and so BNG does not apply.

No measures for a net gain have been provided but the LPA are satisfied that given the nature of the development achieving a net gain in conjunction with it would be challenging and unreasonable to condition. Further, it is considered that for the reasons assessed above there would be no net loss and so the development can proceed in broad accordance with Policy LP30 of the Local Plan.

*Impact on trees

There are a number of mature trees within and surrounding the site which form an important part of the character of the area, and which are protected by virtue of their location within the Conservation Area and Preservation Orders. As the works have already been undertaken, opportunities for assessing any potential for harm and necessary protection beforehand have been lost. However, the installation is small on the edge of a gravelled/grassed area used for parking (and so will not result in parking beneath canopies which doesn't already take place). Further, a site visit reveals that there does not appear to have been a great degree of land disturbance for the installation and so on balance the risk to the trees is considered small. Overall, it is concluded that the development is acceptable with regard to its impact on trees and accords with Policy LP31 of the Local Plan to 2036.

*Conclusion

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

The proposed development is acceptable in principle, and there would be no harm to the character or appearance of the area, heritage assets, on residential amenity, highway safety, increased flood risk or biodiversity and it can therefore be supported.

Having regard to all relevant material considerations the proposed development is considered to comply with Policies LP2, LP5, LP9, LP11, LP12, LP14, LP15, LP16, LP17, LP30, LP31, LP35 and LP34 of Huntingdonshire's Local Plan to 2036 and consequently, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs.

CONTACT OFFICER:
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