OFFICER REPORT

Case No: 24/02031/FUL **Full Planning Application**

Proposal: **Change of use from residential dwelling (Use Class C3) to offices (Use Class E). No internal or external changes proposed.**

Location: **Wykeham House Market Hill Huntingdon**

Applicant: **Mr Damon Bentwood**

Grid Ref: **523790 271812**

DESCRIPTION OF SITE AND APPLICATION

This application seeks approval for the change of use from a residential dwelling (Use Class C3) to offices (Use Class E) at Wykeham House, Market Hill, Huntingdon. The proposed change of use would not result in any internal or external alterations.

The property is two storeys with flat roof dormers in the roof and is located within the Huntingdon Town Centre and Primary Shopping Area. The property is a Grade II Listed Building and is situated within the Huntingdon Conservation Area. The area is generally characterised by a mixture of uses, with a pedestrian square located immediately to the front of the building connecting Market Hill to High Street. The Town Hall is located to the south east and All Saints Church lies to the north.

This application has been accompanied by a Planning Statement. During the course of the application, amended plans were received following concerns regarding the accuracy of the existing and proposed floor plans and elevations.

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

NATIONAL GUIDANCE

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).'

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.

Sections 66 and 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990, Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

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: 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
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
LP21: Town Centre Vitality and Viability
LP25: Housing Mix
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP34: Heritage Assets and their Settings

Huntingdon Neighbourhood Plan 2018-2026 - adopted September 2019

E1: Opportunities for Employment
E2: Business Investment
BE1: Design and Landscaping
BE2: Local Distinctiveness and Aesthetics
BE3: Heritage Assets
TT1: Sustainable Transport

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

Supplementary Planning Documents (SPD) and Guidance:

Huntingdonshire Strategic Flood Risk Assessment (2024)
Huntingdonshire Design Guide Supplementary Planning Document 2017
Developer Contributions SPD 2011
Huntingdonshire Landscape and Townscape SPD (2022)
Cambridgeshire Flood and Water SPD 2017
Annual Monitoring Review regarding housing land supply (2024)

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

RELEVANT PLANNING HISTORY

20/02503/LBC - Change of use from B1 Offices to Sui Generis 14-room HMO - Refused and appeal dismissed.

20/02502/FUL - Change of use from B1 Offices to Sui Generis 14-room HMO - Refused and appeal dismissed.

19/02586/FUL - Change of use from B1 Offices to C3 Residential - Approved.

17/00229/LBC - Change of use together with the extension and alteration and conversion works from B1 offices to (C3) 7 residential flats - Withdrawn.

17/00228/FUL - Change of use together with the extension and alteration and conversion works from B1 offices to (C3) 7 residential flats - Withdrawn.

CONSULTATIONS

Huntingdon Town Council - Originally objected to the proposal due to drawing discrepancies showing alterations to the property. However, following the receipt of amended plans to show no external or internal works, raised no objections.

Cambridgeshire County Council's Highway Authority - Raised no objections to the proposal, noting it was reverting back to a previous use with four off-street car parking spaces for employee use and ample public car parks and sustainable transport links for sustainable travel.

Huntingdonshire District Council's Environmental Health - No objections to the proposal.

Conservation Officer - no comments received.

REPRESENTATIONS

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

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:

o Huntingdonshire's Local Plan to 2036 (2019)
o Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
o St Neots Neighbourhood Plan 2014-2029
o Godmanchester Neighbourhood Plan (2017)

o Houghton and Wyton Neighbourhood Plan (2018)
o Huntingdon Neighbourhood Plan (2019)
o Bury Village Neighbourhood Plan (2021)
o Buckden Neighbourhood Plan (2021)
o Grafham and Ellington Neighbourhood Plan 2020-2036 (2022)
o Great Gransden Neighbourhood Plan 2021 to 2036 (2023)
o The Stukeleys Neighbourhood Plan 2022 to 2036 (2023)
o Sawtry Village Neighbourhood Plan 2022 to 2036 (2023)

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:

o The Principle of Development
o Design, Visual Amenity and Impact on Heritage Assets
o Residential Amenity
o Highway Safety
o Flood Risk and Surface Water

*The Principle of the Development

The site is located within the Primary Shopping Area of the Town Centre of Huntingdon, which the Huntingdonshire Local Plan to 2036 identifies as a Spatial Planning Area - as such, Policies LP7 (Spatial Planning Areas) and LP21 (Town Centre Vitality and Viability) are considered relevant.

Policy LP7 of the adopted Local Plan states that a proposal for business development (class 'B') will be supported where it is appropriately located within a built-up area of an identified Spatial Planning Area settlement.

Policy LP21 states that a proposal for any other town centre use at ground floor level (aside from retail) may be supported where it will make a positive contribution to vitality and viability by enhancing the existing quality, diversity and distribution of retail, leisure, entertainment, arts, heritage, cultural facilities, community facilities or tourist attractions.

Given the current use of the property is residential and the proposal is seeking to re-introduce a historic use (offices), the Local Planning Authority consider the proposal would be in accordance with the aims and objectives of Policy LP21 of the adopted Local Plan and Section 7 of the National Planning Policy Framework.

It is also worth noting that Policy E1 of the Huntingdon Neighbourhood Plan states that proposals for economic development throughout Huntingdon will be favourably considered subject to compliance with other relevant planning policies. The regeneration and intensification of previously developed land will be particularly supported.

As such, the principle of development is considered to be acceptable, subject to all other planning matters being addressed.

*Design, Visual Amenity and Impact on Heritage Assets

The Local Planning Authority is required to ensure that special regard is given to preserving the listed buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and

Conservation Areas) Act 1990. The Local Planning Authority is also 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.

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 the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework.

This application seeks approval for the change of use of the existing property of Wykeham House, Market Hill, Huntingdon from residential (Use Class C3) to offices (Use Class E). No internal or external alterations are proposed as a result of the change of use. The property is a Grade II Listed Building located within the Huntingdon Conservation Area.

Given the proposal would re-introduce a historic office use to the building and would not result in any internal or external alterations, the Local Planning Authority are satisfied that the change of use would not result in any harm to the character and appearance of the site, the streetscene of Market Hill or the surrounding area and Huntingdon Town Centre. Furthermore, the proposal is not considered to result in any harm to the character or appearance of the Huntingdon Conservation Area or setting of the Listed Building.

Overall, the proposal is deemed to be in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies BE1, BE2 and BE3 of the Huntingdon Neighbourhood Plan, LP11, LP12 and LP34 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2024) in this regard.

*Residential Amenity

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.

While the proposal would likely result in an increase in comings and goings from the site, given the town centre location and historic use of the site as offices, the proposed change of use is considered to be acceptable in terms of general noise and disturbance impacts.

Furthermore, as the proposal would not involve any internal or external alterations, it is not considered to result in any detrimental overlooking, overbearing or overshadowing impacts over and above the existing arrangement.

Overall, 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 (2024) in this regard.

*Highway Safety

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.

The site benefits from four existing off-street car parking spaces to the rear of the building that would remain as a result of the proposed change of use. The off-street car parking spaces would be available for employee use and due to the town centre location where there is ample public car parking and public transport links, the Local Planning Authority and Local Highway Authority are satisfied that the proposal would be acceptable in terms of highway safety.

As such, 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 (2024) in this regard.

*Flood Risk

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 a change of use. Accordingly the sequential and exceptions tests for flooding are not considered necessary in this instance in accordance with the NPPF and NPPG.

Given the low flood risk and minor scale of development, 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.

Therefore, the proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore accords with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework (2024) in this regard.

*Conclusion

The proposed development is considered to be compliant with the relevant national and local policy as it is:

*Acceptable in principle

And it:

* Is of an appropriate scale and design;
* Would not have a significantly detrimental impact upon the amenity of neighbours.
* Would not be detrimental to highway safety in the locality;
* Would not result in an increased risk of flooding in the locality;
* There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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CONTACT OFFICER:
Enquiries about this report to **Jennifer Wallis**