OFFICER REPORT

Case No: 24/02021/FUL Full Planning Application

Proposal: Reinstating two no. retail units.

Location: 25 - 27 Market Square St Neots PE19 2AR

Applicant: Mr Neil McGeoch

Grid Ref: 518224 260271

DESCRIPTION OF SITE AND APPLICATION

This application seeks approval for the subdivision of 25-27 Market Square, St Neots into two retail units. The property is currently a vacant retail unit having previously been occupied by M&Co. The proposal would include an internal partition to re-instate the property back to two separate units and a new fire door installed on the east side elevation. There are no works proposed to the facades facing Market Square or Priory Lane.

The site is located within the Primary Shopping Area of St Neots with the south elevation forming part of the Primary Shopping Frontage. The site is located within the St Neots Conservation Area and is in close proximity to a number of Grade II Listed Buildings. The majority of the site is located within Flood Zone 1 with part of the site (to the south) situated within Flood Zone 2.

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 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: 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
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP34: Heritage Assets and Their Settings

St Neots Neighbourhood Plan 2014-2029 - adopted February 2016

Policy A3: Design
Policy PT1: Sustainable Travel
Policy P4: Flooding
Policy SS1 Shops and Services - Introduction

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

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 2024
LDF Developer Contributions SPD (2011)
Annual Monitoring Review regarding housing land supply (2020)
Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

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

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

RELEVANT PLANNING HISTORY

0300277FUL - Alterations to front and rear shopfronts and installation of air condition condenser units - Approved.

0300278ADV - Display of illuminated fascia and projecting signs - Approved.

CONSULTATIONS

St Neots Town Council - Support the application. The Town Council consider that the proposal would assimilate itself to the existing part of the town. Members would like to encourage HDC planning officers to consider St Neots Neighbourhood Plan Policy SS1 for proposals that involve alterations to buildings that contribute to the character and appearance of the Conservation Area including any proposed signage.

Cambridgeshire Constabulary - There is no mention of security or crime prevention within the DAS. It is important that these are considered and discussed at the earliest opportunity to ensure the security of buildings, amenity space and the environment provide a safe place for people working in and visiting this location. Provides comments on lighting, CCTV, doors and windows etc

Cambridgeshire County Council Highway Authority - No objections to the proposal. The site is in the town centre therefore no significant adverse effect upon the Public Highway should result from the proposal.

Huntingdonshire District Council Environmental Protection - No objections to the proposal.

Huntingdonshire District Council Conservation Officer - No objection to the proposal which relates to a non-Listed Building within the St Neots Conservation Area. The rear of the shops falls within the Priority Scheduled Monument Area - may wish to consult Historic England.

Historic England - No comments.

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 and Visual Amenity
o Residential Amenity
o Highway Safety
o Flood Risk and Surface Water
o Biodiversity

*The Principle of the Development

The site is located within the Primary Shopping Area of the settlement St Neots, which the Huntingdonshire Local Plan to 2036 identifies as a Spatial Planning Area (Policy LP7).

Policy LP7 states that a proposal for a main town centre use will be supported where it is appropriately located within a built-up area of an identified Spatial Planning Area settlement. Furthermore, given the property forms part of the Primary Shopping Frontage, Policy LP21 (Town Centre Vitality and Viability) is considered relevant, which states that a proposal for retail will be supported within a primary shopping frontage to encourage uses which support the vitality and viability of the location whilst maintaining its essential retail nature.

Policy SS1 of the St Neots Neighbourhood Plan states that support for the expansion of the Town Centre and Town Centre uses will be given with proposals for new town centre uses within the Town Centre favourably considered.

Given the nature of the proposal, the principle of development is considered to be acceptable in this instance, subject to all other planning matters being addressed.

*Design, Visual Amenity and Impact Upon the Character of the Area

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 (2024).

Policy SS1 of the St Neots Neighbourhood Plan states where proposals involve alterations to listed buildings or buildings that contribute to the character or appearance of the conservation area the existing facades should be retained where appropriate.

This application seeks approval for the subdivision of 25-27 Market Square, St Neots into two retail units. The proposal would include the installation of an internal partition and a new fire door installed on the east side elevation. The site is located within the St Neots Conservation Area and in close proximity to a number of Grade II Listed Buildings.

As a result of the proposed subdivision, no external alterations are proposed to the front or rear elevation shopfronts. Furthermore, the proposed fire door on the east side elevation would not be visible from any public vantage points along Market Square or Priory Lane.
As such, the proposal is not considered to result in any detrimental impacts on the character or appearance of the site, streetscene or the Conservation Area and would preserve the setting of nearby Listed Buildings.

The proposal is therefore deemed to be in accordance with Sections 66 and 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 and SS1 of the St Neots Neighbourhood Plan, 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.

Due to the scale and nature of the proposal, the Local Planning Authority are satisfied that the subdivision of one retail unit into two would not result in any detrimental impacts on residential amenity.

As such, the proposal is deemed to be in accordance 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 is located within the town centre with strong sustainable transport links and the proposal would not result in the creation of any additional floorspace, the Local Planning Authority are satisfied that the proposal would not result in any adverse effect on highway safety.

As such, the proposal is deemed to be in accordance with Policy LP17 of Huntingdonshire's Local Plan to 2036, Policy PT1 of the St Neots Neighbourhood Plan and Section 9 of the National Planning Policy Framework (2024) in this regard.

*Flood Risk

The site is partially located in Flood Zone 2 on the Environmental Agency flood map. Given the proposal seeks approval for the subdivision of one retail unit into two retail units, with no new development proposed, neither a Flood Risk Assessment nor a Sequential Test assessment is required in this instance.

As the proposal would not result in any extensions to the existing building or alterations to the existing surface water or foul water drainage, the Local Planning Authority is satisfied the proposal would be acceptable in this regard.

As such, the proposal is deemed to be in accordance 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 (2024) in this regard.

*Biodiversity

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.

The property is located approximately 130m from The Great Ouse riverbanks. The application has been accompanied by a Biodiversity Gain Requirements Exemption Statement which states that there are no signs of any protected species present within the site or would be affected by the proposal. In accordance with The Biodiversity Gain Requirements (Exemptions) Regulations 2024 the proposed development is de minimus and therefore exempt.

The Local Planning Authority is satisfied that given the scale and nature of the proposal, it would ensure no biodiversity net loss. It is also worth noting that Local Planning Authorities records indicate no presence of protected species in the area.

Overall, the proposal is considered to be in accordance with Policy LP30 of Huntingdonshire's Local Plan to 2036 and Section 15 of the National Planning Policy Framework in this regard.

*Other

Cambridgeshire Constabulary have commented that there is no mention of security or crime prevention within the submission and provides comments on lighting, CCTV, doors and windows. The application seeks to re-instate the property back into two separate retail units with the only development externally being the insertion of an additional fire door. Accordingly the proposed comments will be added as an informative to any permission granted.

*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.

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