HUNTINGDONSHIRE DISTRICT COUNCIL

25/00827/FUL

OFFICER REPORT

Case No: **25/00827/FUL** **Full Planning Application**

Proposal: **Raised seating area, alteration to fencing and proposed retractable awning (part retrospective).**

Location: **Buffalo 20 - 22 Huntingdon Street St Neots**

Applicant: **Cihan Sahin**

Grid Ref: **518579 260477**

DESCRIPTION OF SITE AND APPLICATION

The site is Buffalo; a restaurant located within St Neots town centre. The site is situated in flood zone 2 and falls within the St Neots Conservation Area.

Planning permission is sought for a raised seating area, alteration to fencing and proposed retractable awning (part retrospective).

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;
* achieving well-designed places;
* conserving and enhancing the natural environment;
* conserving and enhancing the historic environment.

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

The National Design Guide (2021)

*C2 – Value heritage, local history and culture
*I1 – Respond to existing local character and identity
*M3 - Well-considered parking, servicing and utilities infrastructure for all users
*H1 - Healthy, comfortable and safe internal and external environment
*H2 - Well-related to external amenity and public spaces

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

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)

LP2: Strategy for Development
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP7: Spatial Planning Areas
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP17: Parking Provision and Vehicle Movement
LP21: Town Centre Vitality and Viability
LP22: Local Services and Community Facilities
LP34: Heritage Assets and their Settings

Supplementary Planning Documents

- Huntingdonshire Design Guide Supplementary Planning Document 2017
- Developer Contributions SPD 2011
- Huntingdonshire Landscape and Townscape Assessment (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2024)
- Cambridgeshire Flood and Water SPD 2017
- St Neots Conservation Area Character Assessment (October 2006)

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

Planning (Listed Buildings and Conservation Areas) Act 1990

RELEVANT PLANNING HISTORY

8601234FUL - Change of use to restaurant with flat over – Permission

87/00121/FUL - Change of use to social club – Permission

88/01581/FUL - Enclosing stairs at rear of building – Permission

90/01539/FUL - Removal of condition No.2 on planning permission dated 26 March, 1987 under Ref: 87/0121 - Refused

CONSULTATIONS

St Neots Town Council recommend support of this application. Fits in with and improves the local street scene.

Highways: No objections to the proposed development.

Environmental Health: No objections to this proposal with regard to environmental health matters.

REPRESENTATIONS

Three comments of support have been received from neighbouring sites:
- We work next door to them, they are very kind and caring, we have no issue with raised seating being places outside, it’s a great idea and we do believe it should be done.

- We work next door to the Buffalo, and it was lovely when they had it done.
- We work next door to them, and we have never had an issue with them having seating outside of the restaurants and covering also. Lovely people and deserve to improve their business.

SUMMARY OF ISSUES

The main issues to consider in the determination of this application are:
- Principle
- Design and Visual Amenity and impact on Heritage Assets
- Residential amenity
- Highway Safety
- Flood Risk

Principle

The proposed development is located in St Neots, which is identified as being within the St Neots Spatial Planning Area in accordance with LP7 of Huntingdonshire's Local Plan to 2036.

Policy LP22 (Local Services and Community Facilities) states that:

Local services and community facilities include, but are not limited to, shops, public houses, places of worship, cemeteries, health centres, libraries, fuel filling stations and public halls.

A proposal for a new local service or community facility within a built-up area, or the extension of an existing local service or community facility on land immediately adjoining the built up area, will be supported where it:
a. is of a scale to serve local needs;
b. comprises up to a maximum of 600m2 net internal floorspace for a main town centre use; and
c. provides for a new service or facility or it retains or enhances an existing service or facility, including through the provision of premises suitable for mixed use or multiple community functions.

The provision of a raised seating area with fencing and retractable awnings will enhance the existing service and would not change the existing use of the restaurant and therefore would not conflict with Policy LP7 or LP22.

As such, the principle of the proposed development is supported in this instance and accords with Policies LP7 and LP22 of Huntingdonshire's Local Plan to 2036.

Design and Visual Amenity and impact on the Conservation Area

Policies LP11 and LP12 of the Local Plan and the Huntingdonshire Design Guide SPD (2017) set out key principles of good design to support proposals that respond positively to their context, integrate successfully with the surrounding built form and create well designed and sustainable developments that are functional to meet the needs of present and future occupiers.

The application site is located within the St Neots Conservation Area, which is characterised by a mix of predominantly commercial frontages. The proposal seeks part-retrospective permission for a raised seating area, alterations to existing fencing, and the installation of a retractable awning to the front of the building.

The proposed works involve the removal of two pergola posts and sections of fencing, with amendments to the remaining fencing to create a more open and cohesive frontage. The introduction of a new retractable awning to the south of the existing awnings would match in height, colour, and materiality, ensuring visual consistency across the shopfront.

The design and materials are considered sympathetic to the character and appearance of the host building and the wider streetscene. The introduction of a coordinated awning design would enhance the appearance of the frontage and contribute positively to the commercial vibrancy of the area.

Given the scale, siting, and design of the proposals, it is considered that the development would preserve and enhance the character and appearance of the St Neots Conservation Area, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also considered acceptable in terms of design and visual amenity.

Therefore, it is not considered that the proposed works would result in harm to the significance of the St Neots Conservation Area.

Overall, the proposed development would not have an adverse impact upon the character of the area. The proposal therefore accords with Policies LP11, LP12 and LP34 of the Huntingdonshire Local Plan to 2036, the Huntingdonshire Design Guide SPD (2017) and Sections 12 and 16 of the NPPF (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.

In terms of neighbour amenity, the proposed development, comprising a raised seating area, fencing alterations, and a retractable awning, is sited to the front of the premises and faces onto the public realm. The site is located within a streetscene that is predominantly commercial in character, with limited residential presence in the immediate vicinity. Given the commercial nature of the surrounding area and the siting of the works away from any sensitive residential receptors, the proposal is not considered to give rise to issues of overlooking, overbearing impact, loss of light or loss of privacy and would not have a significant detrimental impact upon the residential amenity.

The proposal therefore accords with Policy LP14 of Huntingdonshire Local Plan to 2036 and Section 12 of the NPPF (2024) in this regard.

Highway safety

Given the proposed development would front the highway, the Local Highway Authority were consulted on the application and following a review of the documents provided, it was noted that the application is for a retractable awning and for fencing panels to screen the seating are and therefore, no objections were raised.

The proposal is therefore in accordance with LP17 of Huntingdonshire’s Local Plan to 2036.

Flood Risk

The application site is in Flood Zone 2 as identified by the Huntingdonshire Strategic Flood Risk Assessment (2017), which means it has a high probability of flooding. The applicant has submitted the required checklist for minor developments which confirms that: the floor levels with the proposed development are set no lower than existing levels. The application would not be subject to a sequential test as the application is for minor development with a footprint of less than 250m2, as stated in the NPPF. The use of the restaurant is already established and falls within the less vulnerable section of the Flood risk vulnerability classification which includes buildings used for shops; restaurants, cafes and hot food take aways.

Therefore, Given the nature of the proposal, the submitted checklist is considered sufficient and it is not considered it would result in any greater flood risk and is therefore acceptable and in accordance with LP5 of Huntingdonshire Local Plan to 2036 and the NPPF 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;
* Is of an appropriate scale and design;
* Would not have a significantly detrimental impact upon the amenity of neighbours;
* Would not have a harmful impact on designated heritage assets;
* Would not result in an increased risk of flooding in the locality.

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 **Robyn Kerrigan**