Application Number: 24/01902/FUL

TOWN & COUNTRY PLANNING ACT 1990

Refusal of Planning Permission

Mr Matthew Taylor
Taylor Planning and Building Consultants
13 WEST DELPH
Whittlesey
Peterborough
PE7 1RG
United Kingdom

Huntingdonshire District Council in pursuance of powers under the above Act, hereby **REFUSE TO PERMIT** for:

Proposal: Erection of 2no. dwellings

Site address: 50 Windsor Road Yaxley Peterborough PE7 3JA

Applicant: mr g d'amore

in accordance with your application received on 14th October 2024 and plans (listed below) which form part of the application

Plan Type	Reference	Version	Date Received
Proposals	J24124 PL01		24.10.2024

1. Reason.
   The proposed development by virtue of set forward arrangement from established building line created Nos. 7-45 Lancaster Way and limited private amenity space, would result in a cramped, incongruous and intrusive form of development and fails to reflect the character and appearance of the surrounding area. The proposed development is considered contrary to Local Plan Policies LP11, LP12 (parts a, b, c, l and m) and the placemaking principles set out in Chapter 3 of the HDC Design Guide SPD.

2. Reason.

C. Kerr

Clara Kerr
Chief Planning Officer

Date 17th December 2024

Huntingdonshire DISTRICT COUNCIL

Pathfinder House, St Mary's Street
Huntingdon. PE29 3TN
Dmadmin@huntingdonshire.gov.uk

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www.huntingdonshire.gov.uk

The proposal is considered to result in high level overlooking impacts to the rear garden of No. 52 Windsor Road to the north, contrary to Policy LP14 part b of the Huntingdonshire Local Plan to 2036.

3. Reason.
In the absence of an accurate biodiversity matrix, that takes into account the baseline biodiversity value prior to site clearance, the application fails to demonstrate the baseline biodiversity has been correctly assessed in accordance with Paragraph 6 of Schedule 7A of the Town and Country Planning Act 1990 and that a 10% biodiversity net gain can be achieved. In the absence of an Arboricultural Assessment the application fails to demonstrate whether the proposed access arrangement would cause any adverse impact to the adjacent highway trees. Consequently, the application is contrary to Local Plan Policy LP30, LP31, paragraph 180 part a of the NPPF 2023.

4. Reason.
In the absence of signed Unilateral Undertaking Form in respect of wheeled bins the proposal is considered contrary to Policy LP4 of the Huntingdonshire Local Plan and the Developers Contributions SPD (2011).

NOTES

Rights of Appeal under the Town and Country Planning Act, 1990 Section 78

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant permission subject to conditions, he/she may appeal to the Secretary of State responsible for planning within;

- **Six months from the date of this decision notice.**

Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Alternatively all forms can be downloaded from their website www.planning-inspectorate.gov.uk. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the Development Orders and to any directions given under the Orders. He does not, in practice, refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

C. Kerr

Clara Kerr
Chief Planning Officer

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If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State responsible for planning and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act, 1990.

Claiming Compensation

In certain circumstances, a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

General Notes

This decision notice does not convey any approval or consent which may be required under any enactment, bye-law or regulation other than Section 57 of the Town and Country Planning Act 1990.



Clara Kerr
Chief Planning Officer

Date 17th December 2024

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