
Appeal Decision

Site visit made on 2 May 2017

by S Harley BSc(Hons) MPhil MRTPI ARICS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9th May 2017

Appeal Ref: APP/H0520/W/16/3162251

The Sun, 78 Hartford Road, Huntingdon, Cambridgeshire PE29 1XG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ambury Devs (UK) Ltd against the decision of Huntingdonshire District Council.
 - The application Ref 15/02256/FUL, dated 4 December 2015, was refused by notice dated 12 July 2016.
 - The development proposed is conversion of existing pub building, demolition of outbuildings and new build to form five x two-bedroom dwellings.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of existing pub building, demolition of outbuildings and new build to form five x two-bedroom dwellings at The Sun, 78 Hartford Road, Huntingdon, Cambridgeshire PE29 1XG in accordance with the terms of the application Ref 15/02256/FUL, dated 4 December 2015 and subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue for this appeal is the effect that the amount of parking provided within the site would have on the safety and convenience of all users of the highway.

Reasons

3. The appeal site is in a predominantly residential area within Huntingdon, close to shops and services and there are bus stops nearby. On this basis I conclude that the appeal site is in a sustainable location. Five residential units would meet those aims of the development plan¹, and the National Planning Policy Framework (the Framework) that seek to increase the supply of housing. The provision of five dwellings would therefore be acceptable in principle provided other material planning considerations are satisfied.

Parking

4. The appeal site is between West Street, South Street and Hartford Road. There are Traffic Regulation Orders in place preventing parking around the junctions

¹The Saved Policies of the Huntingdonshire Local Plan 1995 and the Local Plan alteration 2002 (which for ease I will refer jointly to as the LP) and the Huntingdonshire Core Strategy 2009 (CS). In accordance with Paragraph 215 of the Framework appropriate weight can also be given to the Draft Huntingdonshire Local Plan to 2036 Stage 3 (the emerging LP) according to the degree of consistency with the Framework.

of West Street and East Street with Hartford Road. Apart from the B1514 Hartford Road these, together with North, South and Cross Streets, form a tightly knit enclave of relatively narrow roads. Cross Street and South Street are particularly narrow.

5. Local planning policy no longer includes specific parking standards. Policy H31 of the LP requires adequate parking provision. Policy LP18 of the emerging LP requires appropriately designed vehicle and cycle parking with a clear justification for the amount of parking proposed having regard to the potential to increase the use of alternative transport modes, servicing needs, the needs of potential users, and the amenity of occupiers of nearby properties.
6. An updated Access Statement has been provided for this appeal by the appellant and local residents have submitted a Parking Availability Survey and other information about existing on street parking. The evidence indicates² that the expected average car ownership is some 1.21 cars per household and that the development of five two bedroom dwellings would therefore be likely to generate about 6 cars. Four off-street parking spaces accessed from South Street would be provided. The appellant also proposes two discounted season tickets for two years parking in the long stay Riverside Carpark, a few minutes walk away, for the future occupants of the converted building. There would be space for cycles and wheeled bins within the proposed gardens.
7. Plan Ref 1711/3/04 shows the proposed parking spaces at right angles to South Street. A new pedestrian footway would be provided around the junction of West Street and South Street with improved visibility.
8. I visited the appeal property and the surrounding streets between 07.00 and 08.00 am to assess likely residents' parking and again mid-morning. On both occasions I witnessed in excess of ten available on street parking spaces on West Street and more on the nearby roads. The proposals would remove two/three spaces used for parking on South Street at a point where the street is already narrow and visibility is impeded by a building on the appeal site and a hedge on the other corner.
9. I acknowledge that at times local residents may be unable at times to park as conveniently as they would prefer at present. I observed cars parked on the footway on Cross Street, which due to the narrowness of the road could impede emergency vehicles. I also noticed the nearby St Michael's Church which at times generates a significant parking demand. However, the proposal would remove the public house use which itself could generate a significant car parking and servicing demand, would improve visibility and would provide a section of footpath. Moreover, it seems to me that there are potential remedies available such as residents' parking schemes that could help address existing problems.
10. On balance taking all of the above into account I conclude that the amount of parking provided within the site would not result in such a significant adverse effect on the safety and convenience of all users of the highway to the extent that permission should be withheld on this basis. Accordingly the proposed development would not conflict with those parts of Policies H31 of the LP and LP18 of the emerging LP or those principles of the Framework that require safe and suitable access for all.

² Paragraph 7.27 of the Council's Committee Report cites the 2011 Census

Other Matters

11. The appeal site lies within the Newtown and Priory Area of Huntingdon Conservation Area (the CA). The Planning (Listed Buildings and Conservation Areas) Act, 1990, requires that I give special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Paragraph 132 of the Framework states that great weight should be given to the conservation of designated heritage assets.
12. The special character in this area of the CA is as part of the Victorian expansion of Huntingdon. The public house is an attractive building with a shallow pitched roof, decorative parapet caps, ground floor bay window and a defined arched entrance. It has been vacant for some time. The proposed conversion works would retain these key features of the building and bringing it back into use would be a positive benefit to the character and appearance of the CA.
13. The proposals include the demolition of outbuildings and a flat roofed extension. These are not of any special architectural or historic interest and their removal would not have an adverse effect on the character and appearance of the CA.
14. The proposed new dwellings would be a short terrace nearly 6m behind the retained building. This would be sufficient to ensure the local distinctiveness of the Public House would be retained. The houses would be two storey and the eaves would be a similar height to that of the Public House. Windows would have a symmetrical vertical appearance and cill and eaves detailing would be provided. For these reasons the proposed new houses would have a neutral effect on the character and appearance of the CA.
15. Overall for the reasons set out I conclude the proposals would maintain and preserve the character and appearance of the CA. Accordingly the proposals would not conflict those policies in the development plan or those principles of the Framework which seek to protect and enhance heritage assets.
16. The proposals are accompanied by a Viability Report which concluded that the former Sun Inn Public House has failed over a number of years and has been unable to be sustained as a viable public house. The Council raises no planning objections to the loss of the Public House and the Council's Community Assets Panel considered that it did not merit being listed as an asset of community value. On this basis and, given the location of the site close to the Huntingdon town centre where there is a range of community and leisure facilities, including public houses, I see no reason to reach a different conclusion.
17. The Developer Contributions Supplementary Planning Document 2011 (the SPD) advises that a contribution towards the cost of three wheeled bins for household waste, garden waste and other recyclables is required for each new dwelling to help in developing sustainable communities by enabling the reduction and recycling of waste.
18. A Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (the UU) has been completed for a financial contribution towards the provision of wheeled refuse bins. The proposal would clearly generate a need for such facilities, the amount of the contribution is appropriate to the proposed development and the provision of a contribution is supported by Policy CS10 of the CS. I conclude that the contribution is necessary to make the development

acceptable in planning terms. I have no evidence to suggest that it would not meet the other tests of being fairly and reasonably related in scale and kind to the development as required by the Community Infrastructure Levy Regulations 2010.

Conclusion

19. For the reasons set out above, and taking into account all other relevant matters raised, I conclude that the appeal should succeed.

Conditions

20. I have considered the conditions proposed by the parties in the light of the Framework and the National Planning Practice Guidance (the PPG). As well as the standard condition specifying the time limits for commencement of development compliance with the approved plans is necessary to provide certainty.
21. Conditions requiring the submission of details of materials, boundary treatments and external lighting are necessary and reasonable in the interests of the appearance of the area and the living conditions of occupiers of nearby properties. Approval of details is required to ensure satisfactory drainage arrangements are made. An archaeological investigation is necessary in the interests of the recording of local historic interest. Conditions relating to parking provision are necessary to ensure the proposed parking arrangements are implemented.
22. The PPG says that conditions removing permitted development rights³ should only be used in exceptional circumstances. No such exceptional circumstances have been put to me and accordingly I see no justification for such a condition.

SHarley

INSPECTOR

³ Town and Country Planning (General Permitted Development) (England) Order 2015 as amended

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan	1711/2/01
Proposed Site Layout	1711/4/04
Units 1&2 – GF Plans	1711/2/05
Units 1&2 – FF Plans	1711/2/06
Units 1&2 – Elevations	1711/2/07
Units 3-5 – GF Plans	1711/2/08
Units 3-5 – FF Plans	1711/2/09
Units 3-5 – Elevations	1711/2/10
Contextual Elevations	1711/2/11
Contextual Elevations	1711/2/12
Contextual Elevations	1711/2/13
Sectional Detail	1711/2/14

- 3) No development shall commence until details of the external facing materials, external lighting, hard landscaping and boundary treatments to be used in the construction of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) Development shall not commence until details of drainage works for the disposal of surface water including drainage and outfall from the approved parking areas have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 5) No demolition/development shall take place within the appeal site as shown edged red on the submitted location plan ref 1711/2/01 until a Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance of any archaeological remains and shall include:
 - i) the programme and methodology of site investigation and recording;
 - ii) the programme for post investigation assessment;
 - iii) the provision to be made for analysis of the site investigation and recording;
 - iv) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - v) the provision to be made for archive deposition of the analysis and records of the site investigation;
 - vi) the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

- 6) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 5.
- 7) Prior to the occupation of Units 1 and 2 a scheme for the provision of discounted season parking tickets for future occupants shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.
- 8) Prior to the occupation of units 3, 4 and 5 the proposed parking spaces accessed from South Street shall be laid out and constructed in accordance with a detailed scheme previously submitted to and approved in writing by the LPA. Such spaces shall thereafter be maintained in perpetuity for the exclusive use for parking of vehicles in association with the occupation of units 3, 4 and 5.