

**PROPOSED DEVELOPMENT OFF STATION ROAD**

(Report by the Clerk)

**1. Introduction**

- 1.1 On 19th November, the Parish Council was notified by the District Council that they were proposing to develop land in their ownership for social housing in Warboys and a number of other settlements in Huntingdonshire. The officer who communicated with the Parish Council offered to attend a meeting of the Council, accompanied by a representative from the housing association that the District Council had been working with, to explain the proposals as a planning application was likely to be submitted before the end of the year.
- 1.2 As this was the first that the Parish Council knew of the proposal and the public similarly would have been unaware, the Council immediately took steps to notify the public locally and invite them to attend a meeting with representatives of the District Council's Housing Department and the housing group to which the District proposed to sell the land.
- 1.3 The planning application has now been submitted (reference 22/00412/FUL) described as residential development for 48 affordable dwellings and associated works on land north of sewage pumping station, Station Road, Warboys.
- 1.4 The Council has commissioned Cheffins, specialist planning consultants of Cambridge, to advise them with regard to this application. Having assessed the application against the provisions of the Local Plan, Cheffins have recommended refusal of the application and their draft letter to the local planning authority to that effect is attached.

**2. The Site**

- 2.1 The field which the District Council propose to develop is situated between the Fentech premises and 86 Station Road. It slopes away from the road to the north east towards open country. It is bordered to the north-west by the Fentech industrial premises and the south by residential development in Station Road. It is overlooked by mostly terraced properties to the west in Station Road which currently enjoy an uninterrupted view of the countryside towards the fen. Due to a lack of off-road parking in the locality, many of the residents living opposite the site park their vehicles on the highway. This means that traffic is often restricted to single file when passing.
- 2,2 The land is owned by Huntingdonshire District Council but it is not known why this came to be in their ownership. It has been let to a local farmer for many years for the growing of food crops.

### **3. Background**

- 3.1 The District Council have advised that they have for some time been looking at their land assets across the District to see whether any could have the potential to deliver new affordable housing which is one of the authority's key objectives.
- 3.2 In October 2020, approval was given by the Council's Cabinet for the disposal of 13 parcels of land (which after initial investigation was reduced to 9) to facilitate the delivery of affordable housing. The Cabinet selected Longhurst Housing Group as their preferred delivery partner. Longhurst are a registered provider of social housing and have developed schemes elsewhere in the area on a not for profit basis. The Council are understood to have entered into a contract with Longhurst to progress the development of the sites for housing.
- 3.3 The site in Station Road is one of those being progressed.

### **4. The Site and the Huntingdonshire Local Plan**

- 4.1 The Huntingdonshire Local Plan to 2036 was adopted on 19th May 2019, having been in the course of preparation for a number of years prior to that date.
- 4.2 At the outset of their work on the preparation of the Plan, the District Council carried out a Strategic Housing Land Availability Assessment (SHLAA) to identify sites for potential development.
- 4.3 Part C of the SHLAA invited comments in 2010 on sites that had been assessed as potentially suitable for the location of gypsy and traveller sites in Huntingdonshire. This included the site at Station Road.
- 4.4 The Parish Council convened a meeting of the Planning Committee at which the matter was considered on 14th June 2010 which was attended by approximately 100 members of the public. The Parish Council submitted an objection to the proposal on a number of grounds relating to the use proposed and also –
- The development would be extremely prominent in the landscape and visually impair an important view of the surrounding landscape;
  - Access to the site was poor, due to its steeply sloping nature and the amount of on-road parking in Station Road.
- 4.5 The Parish Council had commissioned Taylor Vintners, solicitors, of Cambridge to submit representations on the Parish Council's behalf opposing the inclusion of the site in the Local Plan.
- 4.6 Taylor Vintners submitted three reasons why the land should not be developed for gypsy and traveller pitches, two of which remain relevant to the current proposal.
- 4.7 The solicitors' report states "In the vicinity of the site the north side of Station Road forms a long undeveloped gap in the built up area, affording expansive long distance views of the Fenland landscape, made particularly important because of

the higher level of Station Road.....The provision of gypsy and traveller pitches, even if sited back from the road, would interrupt the long distance views, and would introduce an alien form of development, totally out of keeping with the character of the area. The Fen Margin Landscape Character Area is typified by the transition between the large flat fenland landscape and the more intimate field sizes at the end of the settlement of Warboys, but nevertheless the expansive and dramatic skies are retained and long distance views are not truncated by high hedgerows or dense tree belts. In our opinion it would be entirely inappropriate to attempt to screen the site by new hedgerows and trees, because not only would this be ineffective because of the differing levels, the introduction of dense planting in this area would itself be out of keeping with a (sic) relatively sparse hedgerows and individual trees which feature in this relatively open overall landscape character. We consider the paramount objection to a gypsy and traveller site as suggested is the unacceptable visual impact it would create along a stretch of Station Road where some of the best long distance views of the fenland landscape can be obtained. This objection alone is sufficient to justify its removal from the list of potentially suitable sites contained in the SHLAA.'

- 4.8 The second reason for objection was 'The site is defined as Grade 2 Agricultural Land which recognises that it is 'best and most versatile' (PPS7 and Agricultural Land Classification) and therefore it should be retained in agricultural use if at all possible. There are other sites, particularly those which are brownfield in nature, which should be developed in preference to the loss of prime agricultural land.'
- 4.9 At the Committee's August meeting of that year, it is recorded that a total of 384 letters of representation had been made by residents of Warboys objecting to the proposed site and that a further 90 had yet to be registered.
- 4.10 The East of England Plan was subsequently scrapped, together with the identification of specific sites for gypsy and travellers in the Local Plan.
- 4.11 Taylor Vintner's assessment of the site remains relevant today.

## **5. Preparation of the Huntingdonshire Local Plan to 2036**

- 5.1 The Local Plan itself subsequently went through various stages of preparation with public consultation on both its content and the sites potentially identified for development. The Parish Council responded with comments on the various sites identified in stages 3 and 4 of the Local Plan's preparation.
- 5.2 In 2017, the District Council carried out a Housing and Economic Land Availability Assessment (HELAA). The document identified 5 broad locations of search in Warboys for further housing and economic development. Location B comprised the area north east of Warboys between Station Road and the A141. This includes the site of the current application. The assessment of Location B stated –
- 5.2.1 *'The area is situated to the north-east of Warboys with the C116 Station Road forming the western boundary and Heath Road and A141 to Chatteris forming the southern boundary. There is no clearly defined northern or eastern boundary to*

*the area which extends to open countryside around Fox Hole Hill. The area is predominantly used for arable farming with a small proportion of pasture land. The northern part of the area extends to Pingle Wood – one of only two areas of woodland around Warboys. Along the eastern side of Station Road are a small number of houses known collectively as Little End with the former Pepper Kitchens (now Fentech) factory a little further north opposite Orchard Close. A substantial drain bisects the area centrally from west to east.*

5.2.2 *'A ridge runs roughly east west through this area, incorporating Fox Hole Hill, north of which the land falls quite rapidly to the fen landscape beyond. Wind turbines at Tick Fen are prominent features in the distance to the north east. Fields in the south eastern parts are generally small and irregular with a more intimate character than the fen landscape beyond.'*

5.2.3 *'Flooding does not pose a constraint on the area. Pingle Wood is a nature reserve with footpath access from the village. The area is relatively far from services and facilities, although employment is more distant.'*

5.3 The assessment of Location B concluded –

5.3.1 *'The area comprises mainly agricultural land which has not been previously developed with the exception of a small parcel of land formerly in industrial use. It is at low risk of flooding but has some nature conservation constraints. It forms an important part of the setting of Warboys with the landform falling away to the east making the area highly visible. The undeveloped land in this area is considered to offer no capacity for development. However the former industrial area has potential for careful redevelopment provided further impact is minimised.'*

5.4 Some of the sites identified in Warboys at various stages of the Plan were brought forward for development before the Plan was adopted and others emerged during the preparation of the Plan and were included in later stages. In total, these amount to –

- Land south of Station Road (phase I) – 120 dwellings
- Land south of Station Road (phase II) – 80 dwellings
- Land south of Farriers Way – 74 dwellings
- Land at Manor Farm, Church Road – 10 dwellings
- Land west of Ramsey Road – 45 dwellings
- Land south of Stirling Close – 50 dwellings
- Land rear of 64 High Street – 14 dwellings (Croft Holme Close)
- Land west of New Road – 8 dwellings (granted permission in principle initially as the District Council was unable to demonstrate a 5 year supply of land prior to the adoption of the Plan).

5.5 These total 401 dwellings.

5.6 Various other sites were put forward for potential development by owners and agents that were discounted by the District Council during the course of preparation of the Plan. One of these at stage 3 was the then former Pepper

Kitchens site in Station Road. This was discounted by the District Council with paragraph 3.458 of the Local Plan Statement of Consultation stating that the *'land is not well related to the existing built up area'*.

- 5.7 At no stage in the preparation of the Local Plan over a period in excess of 9 years did the District Council identify the land in its ownership off Station Road as a site for housing development. If it had, there would have been an opportunity for formal public consultation which would have enabled the Parish Council and the public to comment on its potential suitability.
- 5.8 The failure to identify the site for potential development at any of the Plan stages when Calls for Sites were being made, the fact that it is owned by the District Council who would have had every opportunity to put the site forward for consideration, and the wording of analyses accompanying the Plan that this site offers *'no capacity for development'* and *'is not well-related to the existing built-up area'* should have provided a firm reassurance to local people that this site would not be developed.
- 5.9 That situation was to last less than 12 months.

## **6. Subsequent Identification of the Site**

- 6.1 The District Council's Cabinet considered a report at its meeting on 22nd October 2020 under the heading 'Housing Development on Council Owned Sites'. The report can be found on the District Council's website at <http://applications.huntingdonshire.gov.uk/moderngov/documents/s112118/Housing%20Development%20on%20Council%20Owned%20Sites.pdf>
- 6.2 The executive summary was *'To agree the outcome of the market testing of the small land parcels for potential acceleration of affordable housing provision and agree the final steps toward securing disposal and development.'*
- 6.3 The report's recommendations were:
- (a) *To approve the list of 13 parcels of land held by Huntingdonshire District Council (HDC) and reclassify them as assets for sale;*
  - (b) *To approve that the Council sells the parcels of land for the delivery of affordable housing*
  - (c) *To select Longhurst Housing Group as the preferred housing development partner and enter into further discussions on each of the sites;*
  - (d) *To agree the budget for the housing delivery programme;*
  - (e) *To delegate authority to the Leader in consultation with the Executive Councillor for Finance and Resources and Interim Corporate Director (Delivery) to approve the price (subject to RICS Valuation) and execute all associated legal and contractual processes and documentation;*

- (f) *To delegate authority to the Leader in consultation with the Executive Councillor for Finance and Resources and the Interim Corporate Director (Delivery) to determine private rented homes or a capital receipt is received as payment for each of land parcels;*
- (g) *To agree that any remaining small land parcels in the Councils portfolio not involved in this disposal remain under consideration for future facilitation of the objectives of the Housing Strategy and wider economic development/growth options.*
- 6.4 While the report is submitted with the agenda, the schedule containing the parcels of land being considered for development was specifically excluded from public inspection, demonstrating a clear lack of transparency in the process.
- 6.5 As is customary, the comments of the relevant Overview and Scrutiny Panel on the report to Cabinet were invited at their meeting held on 7th October 2020. The report records that the Panel's consensus was that selecting appropriate sites for development made sense and the recommendations were supported. However, the Panel discussed the need for consultation and its Members were assured that consultation would occur with the relevant Ward Members and Parish Councils to establish what community use, if any, the land currently had. A suggestion was made that prior to a decision being taken on any individual pieces of land, the community should be consulted to ensure that the impact of a decision to dispose of the land for development would not adversely affect the community by removing its use of it. The report records that this suggestion was reported to the Cabinet for consideration.
- 6.6 The report to Cabinet goes on to state that *'whilst consultation on these proposals has been undertaken with a range of potential partners and agencies and internally within the Council, there has been no wider public consultation at this stage. Consultation on each of the individual parcels of land will also be carried out as part of the planning process.'*
- 6.7 The Cabinet ignored the suggestion by the Overview and Scrutiny Panel that consultation should take place with local communities, chose not to publicise the sites that were being considered for disposal with the result that any public consultation is limited to the statutory 21 days following the submission of a planning application for the individual sites.
- 6.8 It is clear from the various reports that extensive consultations and investigations had been underway for many months prior to the Cabinet meeting in October. This not only included investigations and assessments internally but also the commissioning of agents (Davey Estates) and the choice of a social housing partner. This would have taken many months. Inevitably therefore the process would have started less than 12 months after the adoption of the Local Plan which had dismissed the possibility for development of the site at Station Road over the course of its preparation during the previous 9 years or so.

6.9 The Parish Council was notified on 19th November that the development would take place. This was presented as a *fait accompli* not as an opportunity for consultation.

## **7. Affordable Homes in Warboys**

7.1 The Local Plan requires the provision of 40% of the homes in any new development of over 11 units to be affordable. 70% of that proportion must be social or rented accommodation with the remainder being shared ownership or similar.

7.2 An assessment of the permissions granted in Warboys in accordance with the Local Plan to date shows that this will generate affordable homes as follows –

- Land south of Station Road (phase I) – 48 dwellings
- Land south of Station Road (phase II) – 32 dwellings
- Land south of Farriers Way – 29 dwellings
- Land west of Ramsey Road – 9 dwellings

making a total of 118 affordable homes.

7.3 A further 25 affordable homes will be delivered when the remaining sites in the Local Plan are brought forward for development.

7.4 The Local Plan makes provision for affordable homes to be provided where there is a demonstrable need for such accommodation for local people on sites not allocated in the Local Plan for development. This is Policy LP 28 headed Rural Exceptions Housing. The policy applies where there is justified evidence that development would meet an identified need arising within the settlement or nearby small settlements. There is no mention in the Cabinet report that such a need has been identified in Warboys nor the other sites identified for development. The report simply states that the provision of affordable homes is a key priority for the District Council. There is no mention of Local Plan policies and the need for them to be complied with.

7.5 Warboys has already demonstrated that it is not averse to Rural Exceptions Housing. The development at Wiggs Close was undertaken as a rural exceptions site to the then Local Plan following extensive consultation and a Rural Needs Survey to establish the demand for affordable homes in Warboys.

7.6 The District Council have chosen not to pursue that route but are proposing the development of a site for wholly affordable housing not allocated within the Local Plan and without any priority for local people.

## **8. The Application**

8.1 Bearing in mind the foregoing, the Planning Statement accompanying the application can best be described as sparse in terms of detail. It states that *'a pre-application enquiry was submitted to Huntingdonshire District Council for this development in March 2021...which stated that "the Local Planning Authority*

(LPA) is supportive in principle of a scheme for 100% affordable housing on the site “ ‘. Such an assessment is hardly surprising since the District Council’s express intention is to dispose of the land in its ownership for affordable housing.

8.2 The Planning Statement reads *‘The majority of the site, on the western side, is considered to be within the built-up area, as defined within the Local Plan. It relates to the surrounding buildings, as points below, rather than the countryside to the north east.*

- *There is a deep residential development to the south-east which extends north of the site boundary along Station Road.*
- *The industrial unit, as an integral part of the economic success of a settlement is considered to be within the built-up area.*
- *The residential development on the eastern side of Station Road, to the south east of the site and forms two-thirds of the boundary is clearly within the built-up area of Warboys.*

8.3 That assessment is clearly flawed and inaccurate. The residential development to the south east is ribbon development along Station Road with a single frontage. There is no development to the south-east that extends north of the site boundary.

8.4 Paragraph 3.458 of the Local Plan Statement of Consultation states that the industrial unit now occupied by Fentex *‘is not well related to the existing built up area’*

8.5 The residential development on the eastern side of Station Road to the south-east is No 86 Station Road, The property can hardly be described as forming two-thirds of the site boundary with the development site. Presumably the Planning Statement is attempting to include the paddocks at the rear of No. 86 as residential development. These should be more accurately described as pasture forming part of the open countryside.

8.6 The inaccuracy inherent in the Planning Statement suggests a lack of care in the preparation of the application and an assumption of approval as the site is owned by the local planning authority and being disposed of by them for development

## **9. Relationship with the Local Plan**

9.1 The applicants and indeed the District Council’s Planning Division appear to have concluded that the site forms part of the built-up area of Warboys and therefore the development proposed is in accordance with the Local Plan.

9.2 In Section B of the Local Plan entitled ‘Strategy’, paragraph 4.4 states *‘To promote deliverability the strategy is complemented by a series of allocated sites, set out in Section D: ‘Allocations’. In addition to these, growth is expected to come forward through small and windfall sites which contribute additional diversity and flexibility to the supply of new properties.’*

9.3 However, paragraph 4.11 goes on to state *‘Together with developments completed and committed prior to adoption of this plan the proposed allocations*



*will meet Huntingdonshire's objectively assessed need for housing development in full.* (my emphasis) *Small and windfall sites will be additional to this and provide flexibility for development in settlements across all levels of the development strategy.*

- 9.4 During the course of the Plan period some small sites will be identified in addition to those allocated in the Local Plan which are within the built-up area of settlements. However, the clearly expressed recognition in the Local Plan is that the dwellings built to date and the allocated sites will meet the '*objectively assessed need for housing development in full*'. This refutes the case for development to take place on a site that has already been assessed and dismissed as being unsuitable during the course of the preparation of the Plan.
- 9.5 Turning to the specific policies contained in the Local Plan, it is contended that the proposed development is contrary to Policy LP2. One of the stated intentions of that Policy is that development should '*Protect the character of existing settlements and recognise the intrinsic character and beauty of the surrounding countryside.*' As shown in paragraph 5.3 above, the HLEAA dismissed development to the north east of Warboys on the basis that this is '*an important part of the setting of Warboys with the landform falling away to the east making the area highly visible*'.
- 9.6 Moreover in assessing individual sites submitted by landowners in response to a Call for Sites in 2017, the HLEAA rejected the allocation of 1.9 hectares of land north of Heath Road in Warboys (site 102) which is closer to the centre of the village than the current application site on the grounds that '*it has relatively poor access to the local services and facilities in Warboys. It has few constraints on site but would form a substantial intrusion into the open countryside in a location that forms part of the rural setting of Warboys; the site is not well-related to existing development. The site is not considered suitable for development due to the potential for visual intrusion into areas of open countryside*'.
- 9.7 It has been put to the Parish Council by officers of the District Council that the provision of affordable housing is a key priority of the District Council which justifies the development of this site for wholly affordable homes. However, paragraph 4.42 of the Local Plan states '*This Local Plan endeavours to address the need for affordable housing in three ways. Firstly, through the application of a target of 40% affordable housing provision on all qualifying sites. Secondly, through introduction of an enhanced 'Rural Exceptions Housing' policy to promote additional sites where homes are specifically targeted at meeting local needs. Thirdly, application of policy LP 2 'Strategy for Development' in full should promote a higher level of growth than the objectively assessed need figure. In combination these should both assist with the national objective of boosting the supply of housing and provide an uplift in affordable housing provision.*' The first way described above is not relevant in this case. There has been no attempt to justify this development as a Rural Exceptions Site which is the second way. There has been no attempt in the application to justify how this complies with the third way, i.e. full compliance with Policy LP2.

- 9.8 Moreover, paragraph 4.45 of the Local Plan states that the level of delivery achieved in the provision of affordable homes will be monitored annually to ensure that sufficient housing is being brought forward. There is a sequential process to be followed when under-delivery is being achieved which is explained in the paragraph. The application submitted for the development of 48 affordable housing units is not accompanied by any explanation of under-delivery and the need for this specific development. Neither is there any evidence of such an assessment in the reports submitted to the Council’s Cabinet before a decision was taken to dispose of land in its ownership to a social housing partner.
- 9.9 The application is therefore considered to be contrary to Policy LP2 of the Local Plan.
- 9.10 The Local Plan contains an extensive definition of what is and is not regarded as a built-up area. The Table in paragraph 4.85 includes the following definition of land that is specifically excluded from the definition of a built-up area –

<i>Principle</i>	<i>Implementation Guidance</i>
<i>Agricultural land, woodland, meadow, areas of water and natural habitats that penetrate the built form or sections of large residential curtilages where the character of the land primarily relates to the countryside</i>	<i>These spaces can provide a visual buffer between built development and the open countryside, softening the visual impact and linking the built up area with its rural context. Large curtilages with grounds stretching away from the rest of the built up area are excluded to prevent sub-division of the plot for new development. The built-up area will include elements of the grounds that relate closely to the buildings, for instance formal gardens, ancillary parking and hard tennis courts but not those parts with a more natural, rural character.</i>

The site at Station Road clearly falls into this category as not being within the built-up area of Warboys and has already been assessed as such in the District Council’s own HELAA in the preparation of the Local Plan. No explanation has been provided of the Planning Officers’ reversal of their previous opinion and assessment of the site. The proposal is therefore contrary to Policy LP8 of the Local Plan

- 9.11 There is a caveat in Policy LP8 that states that ‘*A proposal for development on land well-related to the built-up area may be supported where it accords with the specific opportunities allowed for through other policies of this plan*’. Paragraph 4.99 goes on to state that this is subject to the provisions of, among others, Policy LP10 ‘The Countryside’.
- 9.12 Policy LP10 of the Local Plan states –

***‘The Countryside***

*Development in the countryside will be restricted to the limited and specific opportunities as provided for in other policies of this plan.*

*All development in the countryside must:*

*a. seek to use land of lower agricultural value in preference to land of higher agricultural value:*

*i. avoiding the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) where possible, and*

*ii. avoiding Grade 1 agricultural land unless there are exceptional circumstances where the benefits of the proposal significantly outweigh the loss of land;*

*b. recognise the intrinsic character and beauty of the countryside; and*

*c. not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others.'*

9.13 Paragraph 4.112 requires that *'A proposal involving built development on agricultural land should demonstrate that it is located on the lowest grade agricultural land suitable and available within the vicinity which is also compatible with other sustainability objectives'*. No such evidence accompanies this application. Its approval would involve the loss of valuable grade 2 agricultural land and the application is therefore contrary to Policy LP10.

9.14 The events of 2022 have demonstrated the dangers of over-reliance on the global economy and resultant food shortages in times of crisis. Such events were not foreseen when the Local Plan was being prepared but highlight the even greater importance of securing the retention of high-grade agricultural land for national food security.

9.15 Policy LP24 of the Local Plan relates to Affordable Housing provision. It states –

*'A proposal will be supported where:*

*a. it delivers a target of 40% affordable housing on a site where 11 homes or 1,001m2 residential floorspace (gross internal area) or more are proposed;*

*b. it provides approximately 70% of the new affordable housing units as social or affordable rented properties with the balance made up of other affordable tenures;*

*c. affordable housing is dispersed across the development in small clusters of dwellings; and*

*d. it ensures that the appearance of affordable housing units is externally indistinguishable from that of open market housing.*

9.16 Paragraph 7.10 of the Local Plan goes on to state *'Ideally, affordable housing should be 'pepper-potted' around a development scheme, but where it is more sustainable for construction and ongoing management, it may be provided in small clusters, proportionate to the scale of development. In large scale major developments, such clusters should be small enough such that the tenure of the housing cannot be distinguished from the market housing element of the scheme.'*

- 9.17 Paragraph 9.14 goes further – *‘Again to contribute to sustainable, mixed and inclusive communities, affordable housing should be dispersed throughout the development either as individual units or small clusters of about 15 dwellings made up of an agreed mix of affordable housing types and tenures. The size of the overall development should be taken into account when integrating affordable homes.’*
- 9.18 The intention of the Local Plan is clearly to avoid the development of large groups of affordable housing to contribute towards *‘sustainable, mixed and inclusive communities’*. This application fails that test and does not comprise an integrated and sustainable development within the meaning of the Local Plan. It is therefore contrary to Policy LP24
- 9.19 Policy LP28 of the Local Plan describes the requirements for a site to be considered for Rural Exceptions Housing. It requires that at least 60% of the site area should be allocated for people with a local connection. There has been no attempt to justify this development as a Rural Exceptions Site nor to assess the local housing need. On the contrary, the site is designed to meet the housing need of the whole of Huntingdonshire, irrespective of any local need. Occupants of the dwellings proposed could originate from anywhere in Huntingdonshire where they may have family connections and support or employment thereby inevitably generating additional travel journeys which is contrary to the principle of sustainability running through the Local Plan.
- 9.20 As explained in section 7 above, a sufficient number of affordable homes have been provided in Warboys over the past 5 years to meet local and indeed the wider need for such accommodation. The application is therefore contrary to Policy LP28 of the Local Plan.

## **10. Landscape and Townscape SPD**

- 10.1 Supplementary Planning Documents form part of the Development Plan and the Landscape and Townscape SPD was adopted by the District Council earlier this year in March. Chapter 14 of the document relates to Warboys. It divides Warboys into 11 character areas, one of which is Station Road.
- 10.2 In assessing character area 8, Station Road, the SPD states *‘The boundary of the character area falls along Station Road but also includes properties on the northern side of Station Road toward Heath Road’*. It goes on *‘Development is concentrated on the south side of Station Road, however, some properties are located around the northern side at the junction with Heath Road’*. It concludes *‘This is an established residential area which extends into the open countryside, with limited opportunities for major development and scope for extensions and alterations to existing properties’* and that any development proposals should *‘Reduce landscape impacts particularly to the north and east of the character area.’*
- 10.3 The SPD is worded to avoid any development to the north and east of Station Road. The application is therefore contrary to the provisions of the SPD which forms part of the Development Plan.

## **11. Conclusion**

- 11.1 The manner in which this proposal has been handled by the District Council's Cabinet in deliberately excluding from publication the sites being considered for disposal for social housing lacks transparency and openness. The paucity of the supporting documentation in the application and the fact that Planning Officers have indicated that they regard the site as being within the built-up area of Warboys and therefore suitable for development suggests a fait accompli.
- 11.2 The Town and Country Planning Act 1990 makes provision for Regulations to be made in the case of applications for planning permission by local planning authorities. These will be explored in advance of the meeting to clarify the procedure to be followed by the planning authority in determining this application and the scope for asking the Secretary of State to exercise his authority to call-in the application for determination.
- 11.3 Members will be aware that while an applicant has an opportunity to appeal against a refusal of an application for planning permission, no such opportunity exists for objectors. The only route in such circumstances is to apply for judicial review of a decision. This is not uncommon on the part of parish councils aggrieved by a decision by their planning authority but it is rarely successful.
- 11.4 Members are invited to have regard to the contents of this report and the draft letter of objection by Cheffins, together any views expressed by the public in considering application 22/00412/FUL for 48 affordable dwellings in Station Road.
- 11.5 For the reasons explained in this report and the draft letter from Cheffins, it is

### **Recommended**

- (a) that the local planning authority be recommended to refuse this application as being contrary to the provisions of the Huntingdonshire Local Plan to 2036; and
- (b) that Huntingdonshire District Council be recommended to revisit its decision to dispose of the land for housing development and retain the land to secure its continued use for agriculture in the interests of ensuring national food security.