

TOWN & COUNTRY PLANNING ACT 1990

Refusal of Outline Planning Permission

Barford + Co (FAO Mr S Tindle)
Howard House
17 Church Street
St Neots
PE19 2BU

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

Proposal: Development of up to 199 dwellings and 6,970 sq. metres (75,000 sq. ft) of class B1 business premises with open space, new accesses from The Great North Road, roads and associated infrastructure.

Site address: Part Of Land At Riversfield Great North Road Little Paxton

Applicant: Mr D H Barford And Mr S Hutchinson

in accordance with your application received on 18th January 2017 and plans (listed below) which form part of the application

Plan Type	Reference	Version	Date Received
Location Plan	W-507P		18.01.2017

1. Reason.

The Council has identified sustainable locations for housing in the District to meet the identified housing need and can demonstrate a 5 year supply of housing land with a 20% buffer. This application is a departure from the development plan in that it proposes to locate residential development outside of the built up area of Little Paxton and in the countryside; on land that is committed for employment development. There is no substantive evidence to demonstrate there is not a reasonable prospect of this employment development coming forward and the application proposal would therefore result in the unjustified loss of employment land and consequent loss of significant economic benefits to the area. For these reasons, the application development is not



Andy Moffat
Head Of Development

Date 22nd November 2017

sustainable and the proposal is contrary to policies En17 and H23 of the Huntingdonshire Local Plan 1995, policies CS1, CS3 and CS7 of the Huntingdonshire Core Strategy 2009, policies LP1, LP5 and LP8 of the Huntingdonshire Draft Local Plan to 2036: Consultation Draft 2017, and there are no material considerations that indicate the application should be approved as a departure from the development plan.

2. Reason.

Policy CS10 of the Huntingdonshire Core Strategy 2009 and the Huntingdonshire Developer Contributions SPD 2011 states that development proposals will be expected to provide or contribute towards the cost of providing appropriate infrastructure. This application is a departure from the development plan and it is not certain that the application development will make a contribution to education provision to mitigate against the demand it would place on education infrastructure, contrary to policy CS10 of the Huntingdonshire Core Strategy 2009, and draft policy LP3 of the Huntingdonshire Draft Local Plan to 2036: Consultation Draft 2017.

3. Note to applicant.

Statement as to how the Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner on seeking solutions:

The LPA positively encourages pre-application discussions and makes clear that applications will then normally be determined as submitted. Details of the 'Pre-Application Advice' process can be found on the Planning pages on the Council's website www.huntingdonshire.gov.uk. If, as proposed, a development is considered unacceptable and it is apparent how it can be revised to make it acceptable, the LPA will set out how it can be amended to make it acceptable as part of its response to a pre-application enquiry. When an application is received, conditions will be used where they can make a development acceptable. A clear reason for refusal identifies the specific reasons why the development is unacceptable and helps the applicant to determine whether and how the proposal can be revised to make it acceptable. In relation to this application, it was considered and the process managed in accordance with Paragraphs 186 and 187 of the NPPF. It has not been possible to identify solutions to the policy concerns as given in this decision.



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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.

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.



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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.

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