OFFICER REPORT

Case No: 25/00080/FUL Full Planning Application

Proposal: Proposed new build dwelling within existing garden

Location: Land At 62 Desborough Road Hartford

Applicant: Mr Robert Buchan

Grid Ref: 525233 273028

DESCRIPTION OF SITE AND APPLICATION

The application site comprises part of the garden area associated with No. 62 Desborough Road and proposes the construction of a new 1.5-storey, four-bedroom dwelling. The site is bounded by Eaton Close to the southeast, No. 62 Desborough Road to the northwest, and No. 1 Eaton Close to the east. The area is predominately characterised with single and 1.5 storey bungalows dwellings surrounding the application site.

There are no other heritage assets within the area and the site is within flood zone 1 and as such is at low risk of flooding.

This application seeks approval for the erection of a new build dwelling within the existing garden of no. 62 Desborough Road.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

NATIONAL GUIDANCE

The National Planning Policy Framework (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;
* building a strong, competitive economy;
* achieving well-designed places;
* conserving and enhancing the natural, built and historic environment.

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

The National Design Guide (2021)
* C1 - Understand and relate well to the site, its local and wider context
* I1 - Respond to existing local character and identity
* I2 - Well-designed, high quality and attractive
* B2 - Appropriate building types and forms
*M3 - Well-considered parking, servicing and utilities infrastructure for all users

* N3 - Support rich and varied biodiversity
* H1 - Healthy, comfortable and safe internal and external environment
* H2 - Well-related to external amenity and public spaces
* H3 - Attention to detail: storage, waste, servicing and utilities

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

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 - adopted May 2019

LP1: Amount of Development
LP2: Strategy for Development
LP5: Flood Risk
LP6: Waste Water Management
LP7: Spatial Planning Areas
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP25: Housing Mix
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows

Huntingdon Neighbourhood Plan 2018-2026
* Policy NE3 – Setting of Huntingdon
* Policy BE1 – Design and Landscaping
* Policy BE2 – Local Distinctiveness and Aesthetics

Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

Supplementary Planning Documents (SPD) and Guidance:
- Huntingdonshire Design Guide Supplementary Planning Document 2017
- Developer Contributions SPD 2011
- Huntingdonshire Landscape and Townscape SPD (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2024)
- Cambridgeshire Flood and Water SPD 2017
- Annual Monitoring Review regarding housing land supply (2024)

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

PLANNING HISTORY

18/70212/PENQ - Erect bungalow with first floor rooms in roof space on part of garden at 62 Desborough Road with access to Eaton Close. Propose loft conversion with 4 rooflights. Follows 1407247PENQ and 18/70030/PENQ. Removal of unauthorised fence to Eaton Close – response dated 21.11.2018

CONSULTATIONS

Huntingdon Town Council recommends refusal on the grounds of overdevelopment. It is considered that there is insufficient space to accommodate a second property.

Officer comment – the Town Council response is noted and addressed in the main body of the report below. As the application site is not within a Conservation Area, the Local Planning Authority has delegated authority to determine the application without the need to present the application to the Development Management Committee.

HDC Arboricultural Officer – No objections. It is noted that the site is not within a Conservation Area and there are no trees of high value on the site and therefore any impact from the development will be low.

HDC Urban Design Team – No objections. The proposal is considered acceptable in design terms, subject to conditions.

Cambridgeshire County Council's Highway Authority - No objections to the proposed development. It is noted that the proposed access is similar in nature to surrounding properties serving single dwellings. Standard conditions regarding access and parking are requested.

REPRESENTATIONS

One comment received from a neighbouring property to the south of the application site, summarised below:

- The sewage pipe for the property will pass under the garage and kitchen of no.6 Eaton Close.
- Object to the construction of the dwelling until repairs to the sewer under their property are completed. The water company suggest the installation of a sleeve is required to be placed in the pipe.

Officer response – comments are noted, however the objection relates to repairs to an existing issue rather than to a capacity issue and is therefore not a planning matter that is material to this application.

SUMMARY OF ISSUES

When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2023). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

In Huntingdonshire the Development Plan consists of:

* Huntingdonshire's Local Plan to 2036 (2019)
* Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
* St Neots Neighbourhood Plan 2014-2029
* Godmanchester Neighbourhood Plan (2017)
* Houghton and Wyton Neighbourhood Plan (2018)
* Huntingdon Neighbourhood Plan (2019)
* Bury Village Neighbourhood Plan (2021)
* Buckden Neighbourhood Plan (2021)
* Grafham and Ellington Neighbourhood Plan 2020-2036 (2022)
* Great Gransden Neighbourhood Plan 2021 to 2036 (2023)

* The Stukeleys Neighbourhood Plan 2022 to 2036 (2023)
* Sawtry Village Neighbourhood Plan 2022 to 2036 (2023)
* Great Staughton Neighbourhood Plan (2025)

The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

Tilted Balance
NPPF paragraph 78 requires the Council to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against our housing requirement. A substantially revised methodology for calculating local housing need and the reimposition of this as a mandatory approach for establishing housing requirements was introduced on 12th December 2024 in the revised NPPF and associated NPPG (the standard method).

As Huntingdonshire's Local Plan to 2036 is now over 5 years old it is necessary to demonstrate a five year housing land supply (5YHLS) based on the housing requirement set using the standard method. NPPF paragraph 78 also requires provision of a buffer to ensure choice and competition in the market for land.

As Huntingdonshire has successfully exceeded the requirements of the Housing Delivery Test, a 5% buffer is required here. The 5-year housing land requirement, including a 5% buffer, is 5,586 homes. The current 5YHLS is 4,345 homes, equivalent to 3.68 years' supply.

As a result of this, the presumption in favour of sustainable development is applied for decision-taking in accordance with paragraph 11 (d) and footnote 8 of the NPPF in relation to applications involving the provision of housing. This is generally referred to as 'the titled balance'. While no 5YHLS can be demonstrated the Local Plan policies concerned with the supply and location of housing as set out in the Development Strategy chapter (policies LP2, LP7, LP8, LP9 and LP10) of Huntingdonshire's Local Plan to 2036 are considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications.

The main issues to consider are:

o The Principle of Development
o Design and Visual Amenity
o Residential Amenity
o Highway Safety
o Trees, Woodland, Hedges and Hedgerows
o Biodiversity
o Other Issues

*The Principle of the Development

The proposal is for the erection of a dwelling in the garden of an existing dwelling.

Local Plan Policy LP2: Strategy for Development sets out the overarching development strategy for Huntingdonshire through the plan period. The main objectives pertinent to this application are to:

- Concentrate development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities;

- Provide opportunities for communities to achieve local development aspirations for housing, employment, commercial or community related schemes;
- Protect the character of existing settlements and recognise the intrinsic character and beauty of the surrounding countryside;

Four spatial planning areas are designated reflecting their status as the district's traditional market towns and most sustainable centres. Huntingdon is one spatial planning area, which incorporates the whole parish of Huntingdon, with Huntingdon as the primary settlement within this Spatial Planning Area. Approximately three quarters of the objectively assessed need for housing and the majority of employment and retail growth will be focused in the spatial planning areas.

The application site is within a residential area with easy access to Huntingdon Town centre. As such it is accessible to a comprehensive range of services and facilities. The proposed development is for a 1.5 storey bungalow style dwelling and as such is considered to recognise the existing character of the area.

Therefore, it is considered that the proposal accords with LP2 in this regard.

Policy LP7 (Spatial Planning Areas) of Huntingdonshire's Local Plan to 2036 (2019) states:
Residential Development
A proposal for housing development (class 'C3') or for a residential institution use (class 'C2') will be supported where it is appropriately located within a built-up area of an identified Spatial Planning Area Settlement.
In addition to allocated sites, residential development of any scale may be acceptable where it can be successfully integrated within the built-up area of the existing settlement.

The proposal is for the erection of a single new build dwelling within the existing garden of no. 62 Desborough Road. The application site is located within a predominantly residential area, close to local services for Huntingdon and just over a mile from the primary shopping centre of Huntingdon Town Centre and all amenities.

Therefore, it is considered that the proposal accords with LP7 in this regard.

Therefore, whilst the development of housing is supported within the Huntingdon Spatial Planning Area, the proposal must also accord with other policies within the Huntingdonshire Local Plan to 2036.

*Design and Visual Amenity

Policy LP11 of the Local Plan to 2036 states that a proposal will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive, high quality and well-designed places.

Policy LP12 of the Local Plan to 2036 states that a proposal will be supported where it can be demonstrated that it contributes positively to the area's character and identity, creates attractive and appropriately scaled built frontages and enables the wider area to achieve a coherent and integrated built form.

This is also reflected in the Huntingdonshire Design Guide SPD, the National Design Guide and Section 12 of the National Planning Policy Framework.

The HDC Urban Design Team has been consulted on the proposal and has no objections, noting that it is considered acceptable in design terms, subject to conditions securing exterior finish details and the provision of secure cycle parking.

The proposed dwelling is a 1.5-storey bungalow with a ridge height of 6,050 mm and eaves height of 2,390 mm. It includes a subservient rear projection (ridge height 5,535 mm) and a projecting gable porch on the front elevation (ridge height 3,660 mm). It is to be constructed of brick and concrete roof tiles to match that of the neighbouring property to the north (no. 62). The form, massing, building line, and orientation are consistent with the adjacent property to the north, no. 62 Desborough Road.

The proposed dwelling is set back from Desborough Road behind a retained hedgerow. The side boundary treatment along Eaton Close has been revised from the existing continuous 1.8m Close Boarded Fence to a stepped arrangement: a 1.2m high section of fencing in front of the side-facing kitchen, dining, and bedroom windows, rising to 1.8m high to enclose the rear garden. The repositioned fence line allows space for native hedgerow planting, which improves the current situation and aligns with the HDC Design Guide SPD requirements for public-facing boundaries.

Side elevation windows serving the kitchen, dining, and bedroom areas will provide visual interest in the elevation facing Eaton Close.

The proposed garden measures approximately 6 metres in depth to the rear and up to 5.7 metres in width to the side. While modest in size relative to the adjacent property and the scale of the dwelling, it is not considered uncharacteristically small within the local context.

Refuse storage is provided within a dedicated enclosure to the side of the dwelling and is acceptable. Details of secure cycle parking will be secured by condition.

As such it is considered that the proposed dwelling follows the characteristics of the properties within the immediate area. Therefore, it is considered that the scale, bulk and design of the development would not harm the general character of the area. The proposal, therefore, accords with LP11 and LP12 of Huntingdonshire's Local Plan to 2036 (2019)

*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.

The proposal is for the erection a single dwelling within the rear garden of no. 62 Desborough Road. It is positioned to the south of the existing property within the existing garden of the property. The plot is to be divided along the southern section of the plot, with parking to the rear of the property. The proposed dwelling is of 1.5 storeys with a single storey subservient rear projection. This is 2.5 metres to the eaves, with the roof sloping away from the shared boundary with the adjacent property to the north (no.62), with a ridge height of 5.5 metres and a depth of 5.7 metres. Fenestration details at first floor level are high level velux windows providing light and ventilation to the bedrooms.

It is acknowledged that the rear projection will result in some overshadowing of the neighbouring property to the north, however this is mitigated by the reduced height of the projection and the direction of the roof slope. It is therefore, considered that the proposed dwelling would not have a significant detrimental impact on the amenity of the neighbouring property such to warrant refusal of the application.

The proposed ground floor windows in the side elevation overlooking Eaton Close serve a kitchen, dining room and sitting room. These windows will be partially screened by the proposed boundary treatment. At first floor level there is a small window to a bedroom. Within the roof are high level velux windows providing light and ventilation to the bedrooms, which have limited external views. The proposed windows all overlook the front gardens of dwellings opposite on Eaton Close, which are already open to view. It is therefore considered that the proposal is acceptable in this respect.

Windows in the ground floor side elevation overlooking No 62 Desborough Road are to a toilet/shower room and snug. These will be screened from No 62 by boundary treatment which will be subject to condition. No rooflights are proposed in the side of rear projecting wing facing No. 62 Desborough Road. It is therefore considered that the proposal is acceptable in this respect.

A set of double patio doors are proposed in the ground floor of the rear elevation. These will be screened by proposed boundary treatment and are over 12m from side elevation of the nearest dwelling – No 1 Eaton Close. The first-floor window is to a bedroom and will overlook, in the main, the side elevation and front garden of No. 1 Eaton Close. As the front garden is already overlooked, and the proposed window is over 12m away from the side elevation of No 1 Eaton Close it is considered that in this instance the degree of overlooking that will be experienced is not sufficient to justify a refusal of planning permission.

Therefore, on balance, the proposal is considered to be acceptable with regard to its impact on residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework in this regard.

*Highway Safety and Parking Provision

Policy LP17 states that a proposal will be supported where it incorporates appropriate space for vehicle movements, facilitates accessibility for service and emergency vehicles and incorporates adequate parking for vehicles and cycles. Policy LP16 seeks safe physical access from the public highway.

Vehicle parking for the proposed dwelling, including use of the retained garage, is located to the rear and accessed from Eaton Close. Parking for no. 62 remains via the existing side driveway to the north. This arrangement is acceptable and reflects feedback provided during pre-application discussions. Pedestrian access to the new dwelling is also from Eaton Close.

Cambridgeshire County Council Highways Department has been consulted on the proposal and has no objections to the proposed development. It is noted that the proposed access is similar in nature to surrounding properties serving single dwellings. Access and parking details will be secured by condition.

Therefore, the proposal is considered acceptable in terms of its impact on highway safety and therefore accords with Policy LP16 and LP17 of Huntingdonshire's Local Plan to 2036 and Section 9 of the National Planning Policy Framework in this regard.

*Trees, Woodland, Hedges and Hedgerows

Policy LP31 of the Local Plan to 2036 states a proposal will only be supported where it seeks to conserve and enhance any existing tree, woodland, hedge or hedgerow of value that would be affected by the proposed development.

An Arboricultural Assessment has been submitted in support of the proposed development. The HDC Arboricultural Officer has been consulted on the proposal and has no objections. It is noted that the site is not within a Conservation Area and there are no trees of high value on the site and therefore any impact from the development will be low.

Therefore, the proposals are considered to accord with Policy LP31 of Huntingdonshire's Local Plan to 2036.

*Biodiversity

Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated. Policy LP30 of the Local Plan to 2036 also requires development proposals to ensure no net loss in biodiversity and provide a net gain in biodiversity where possible, through the planned retention, enhancement and creation of habitats and wildlife features, appropriate to the scale, type and location of development.

In addition, since the previous application was determined there is now a statutory requirement for sites to deliver 10% Biodiversity Net Gain (BNG). The effect of paragraph 13 of Schedule 7A to the Environment Act 2021 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

Under the terms of the legislation, confirmation of the Biodiversity Gain Plan will be required following the granting of planning permission, which shall be secured by a Biodiversity Net Gain condition.

The Biodiversity Net Gain Metric has been completed and is accompanied by a report. Section 8 of the Biodiversity Net Gain Report confirms that the proposal meets the minimum 10% statutory biodiversity net gain requirement, as a result of on-site planting of a new hedge to the southern boundary, which shall be secured by condition.

Therefore, subject to conditions, the proposals are considered to accord with Policy LP30 of Huntingdonshire's Local Plan to 2036.

*Flood Risk

Given that the site is at the lowest risk of flooding according to the Huntingdonshire Strategic Flood Risk Assessment 2017 and Environment Agency Flood Map for Planning (Flood Zone 1) and the proposal is for minor development, the sequential and exceptions tests for flooding nor the submission of a flood risk assessment are considered necessary in this instance in accordance with the NPPF and NPPG.

Given the low flood risk and minor scale of development, officers are satisfied that full details of the surface and foul water drainage can be secured as part of building regulations and other relevant legislative requirements in this instance.

Overall, the proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore accords with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework in this regard.

* Other Issues

Accessible and Adaptable Dwellings

Policy LP25 of the Local Plan to 2036 requires proposals that include housing to meet the optional Building Regulation requirement M4(2)" Accessible and adaptable dwellings" unless it can be demonstrated that site specific factors make this unachievable. No statement has been provided to confirm that the proposed development is designed in accordance with and will be built in accordance with the M4(2) standards. Therefore, this will be secured by condition to ensure that the development is built in accordance with these standards and that they are maintained for the life of the development.

Water Efficiency

Policy LP12 (j) of the Local Plan to 2036 states that new dwellings must comply with the optional Building Regulation requirement for water efficiency set out in Approved Document G of the Building Regulations. A condition will be attached to any consent to ensure compliance with the above, in accordance with Policy LP12 (j) of Huntingdonshire's Local Plan to 2036.

Developer Contributions

A Unilateral Undertaking to secure the provision of wheeled bins has been submitted as part of the application process. The development is therefore considered to be in accordance with Policy LP4 of Huntingdonshire's Local Plan to 2036 in this regard.

Community Infrastructure Levy (CIL)

The development will be CIL liable in accordance with the Council's adopted charging schedule; CIL payments will cover footpaths and access, health, community facilities, libraries and lifelong learning and education.

*Conclusion
The proposed development is considered to be compliant with the relevant national and local policy as it:

* The principle of the development of this site for residential purposes is acceptable;
* Is of an appropriate scale and design;
* Would not have a significantly detrimental impact upon the amenity of neighbours;
* Would not have a significantly detrimental impact upon trees, woodland, hedges and hedgerows;
* Would not have a significantly detrimental impact upon biodiversity and geodiversity.
* Would not adversely affect flood risk in the locality;
* There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

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:
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