OFFICER REPORT

Case No: 25/00734/HHFUL Householder (Full)

Proposal: Erection of garden office to the rear of the property (Retrospective)

Location: 24 Buttermere Huntingdon PE29 6UB

Applicant: Mr Tim Wilkens

Grid Ref: 522892 273034

DESCRIPTION OF SITE AND APPLICATION

The application site at 24 Buttermere is occupied by a two-storey detached dwellinghouse located within a residential area in Huntingdon. The site falls entirely within Flood Zone 2 of the Environment Agency's Flood Map for Planning and the access to the site falls within Flood Zone 3. There are no other constraints relative to the site.

This application seeks permission for the erection of a garden office to the rear of the property (Retrospective).

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

As discussed in the proceeding sections of this report, information that has been provided during the lifetime of the application casts doubt on the nature of the development. Due to lack of information, the Local Planning Authority (LPA) are unable to confirm that this proposal can be dealt with as a householder application. It is possible that this propsal would require full planning permission, but this could only be assessed with the relevant details submitted.

NATIONAL GUIDANCE

The National Planning Policy Framework (December 2024) (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, beautiful and safe 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.

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

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)

LP5: Flood Risk
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP17: Parking Provision and Vehicle Movement

Neighbourhood Plan and relevant policies where applicable

Huntingdonshire Design Guide Supplementary Planning Document (2017):

* Place Making Principles parts 3.7 Building Form and 3.8 Building Detailing

Huntingdonshire Landscape and Townscape Supplementary Planning Document (2022)

Huntingdon Neighbourhood Plan 2018-2026 (2019)

* Policies BE1 Design and Landscaping and BE2 Local Distinctiveness and Aesthetics

Huntingdonshire Strategic Flood Risk Assessment (2024)

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

RELEVANT PLANNING HISTORY

8601956REM - 55 Detached dwellings and garages, Phase 1, Land off Stukeley Road, Huntingdon. (Details Approved)

23/02333/EXTDET - Proposed Single storey rear extension to replace the existing Conservatory (Approved Extension GPD)

CONSULTATIONS

Huntingdon Town Council - State they have no comment to make.

REPRESENTATIONS

None received at the time of determination.

SUMMARY OF ISSUES

The main issues to consider in the determination of this application are:

- Design and Visual Amenity and Impact on Character of the Area
- Residential Amenity
- Highway Safety
- Flood Risk

*Design and Visual Amenity and Impact on Character of the Area

The application site at 24 Buttermere is occupied by a two-storey detached dwellinghouse located within the Stukeley Meadows residential area within Huntingdon. The application seeks retrospective permission for the erection of a garden office to the rear of the property.

When considering the built form of the outbuilding, this is minor in scale and in terms of its location within the application site and in minimal views from the public realm, this is acceptable, and will not result in any significantly detrimental impacts upon the character or appearance of the area. The outbuilding is to measure 3 metres in width and 3.5 metres in length, with a pitched roof consisting of a maximum height of 4.1 metres, and eaves at 2.7 metres. Considering the proposed materials, these are sympathetic of the surrounding area and typical for a development of this nature. As such, the proposals are considered acceptable in terms of design and visual amenity and enhances the appearance of the application site.

Taking the above factors into consideration, the development is considered to be acceptable with regard to design and visual amenity and would not have a significantly detrimental impact upon the appearance of the area. It therefore accords with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036, and Policies BE1 and BE2 of the Huntingdon Neighbourhood Plan 2018-2026 (2019).

However, Policies LP11 and LP12 also require that a proposal should respond positively to its context and contribute to the area's character and identity. Throughout the lifetime of the application, it has become apparent that the use of the building exceeded that which would be expected of an ancillary office building for personal use as presented. Liaison with other officers of the LPA indicated that the building was being used for a business which involved clients/ customers visiting the site. Officers have attempted to clarify this position with the agent and also determine hours of operation, nature of use, volume of customers etc., but this information has not been forthcoming. It is accepted that such uses could occur reasonably within a residential setting, but with the absence of this information, and the ability to impose suitable conditions, the LPA are unable to be definitive that the use would not result in a detrimental impact on the residential character of the area by virtue of increased vehicle movements, parking, noise, odour etc. As such, it is considered that it would be contrary to Policy LP11 and Policy LP12(a) of Huntingdonshire's Local Plan to 2036.

*Residential Amenity

Given the location of the outbuilding to the rear of the application site alongside having regard to the separation and distance to adjacent properties, it is not considered that there are any unacceptable material impacts in terms of overlooking or loss of privacy, nor are there be any issues relating to overbearing or loss of light due to the single story nature and the scale of the outbuilding.

Overall, taking these factors into account the development is considered acceptable in terms of overshadowing, overbearing impact, overlooking, loss of privacy, loss of light and would not have a significant impact upon residential amenity and therefore accords with Policy LP14 of HDC's Local Plan to 2036.

However, Policy LP14 also require that a proposal should be acceptable in terms of predicted noise impacts, obtrusive light and odour. In this instance, with the use of the outbuilding involving clients/ customers visiting the site and the absence of the type of business use within the outbuilding, it is unclear whether this would result in any adverse noise impacts or odour would occur as a result. Further, correspondence with other officers of the LPA indicated that the outbuilding may be used for business purposes during evening hours and on weekends, which may be unsuitable within a residential area. However, with the absence of confirmation as to if this is the case, the LPA are unable to confirm whether this will have a detrimental impact on the amenity of neighbours by virtue of noise, odour, obtrusive light etc. As such, it is considered that the development would be contrary to Policy LP14 of Huntingdonshire's Local Plan to 2036 in this regard.

*Highway Safety

Whilst parking provision and vehicle movement would not normally be a consideration for a development of an outbuilding for ancillary office use, with the use of the outbuilding determined as being for business use which involves clients/ customers visiting the site, an assessment on highway safety would be necessary in this instance, with the Local Highways Authority required to be consulted as a result. Taking into account Policy LP17 of the Local Plan to 2036, this ensures that a development should provide sufficient space and parking provision to meet the needs of users and residents, alongside minimising impacts on neighbouring uses. With a lack of information regarding the number of clients visiting the site and the scheduled hours of operation, and with the surrounding streets characterised as residential cul-de-sacs, it cannot be determined if the use of the outbuilding would result in any detrimental harm to parking provision or highway safety in the vicinity. As such, the development would also be contrary to Policy LP17 of Huntingdonshire's Local Plan to 2036.

*Flood Risk

The application site lies entirely within Flood Zone 2, with the access to the front of the site falling within Flood Zone 3, and thus is liable to flood. It is noted that as the proposal would be considered 'minor development' as per the NPPF (2024), it is therefore not subject to Sequential or Exception Tests. The NPPF however does state that a Site-Specific Flood Risk Assessment should accompany applications for development within Flood Zone 2, which whilst in this case has not been provided, the submitted flood tick sheet highlights that the floor level of the proposed garden room is set at the same level as the existing property. Further, officers have considered the type and scale of the proposed outbuilding, and it is considered that the proposals do not result in significant issues in terms of surface water or altering flood risk when taking into account the surrounding area.

Therefore, taking the above into account the development is considered to be broadly acceptable with regard to its approach to flooding and will not (given its scale and use) result in an increased risk of flooding in the locality. It therefore accords with Policy LP5 of the Local Plan to 2036.

*Conclusion

The proposed development is not considered to be compliant with the relevant national and local policy as:

* As a result of insufficient information submitted, the LPA are unable to be definitive that the use of the outbuilding would not result in a detrimental impact on the residential character of the area by virtue of increased vehicle movements, parking, noise, odour etc. As such, it is considered that it would be contrary to Policy LP11 and Policy LP12(a) of Huntingdonshire's Local Plan to 2036.

* With insufficient detail provided to determine the type of business use within the outbuilding, it is unclear whether this would result in any adverse noise impacts or odour would occur as a result. Further, with no information submitted regarding the opening ours of the business, the LPA are unable to confirm whether this will have a detrimental impact on the amenity of neighbours by virtue of noise, odour, obtrusive light etc. As such, it is considered that the building would be contrary to Policy LP14 of Huntingdonshire's Local Plan to 2036 in this regard.

* With a lack of information regarding the number of clients visiting the site and the scheduled hours of operation, it cannot be determined if the use of the outbuilding would result in any detrimental harm to parking provision or highway safety in the vicinity. As such, the development would also be contrary to Policy LP17 of Huntingdonshire's Local Plan to 2036.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be refused.

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CONTACT OFFICER:
Enquiries about this report to **Josh France**