OFFICER REPORT

Case No: 24/01856/HHFUL **Householder (Full)**

Proposal: **Addition of a patio and garden path alongside additional alterations to the design and layout of the garden**

Location: **Abbotts End High Street Hemingford Abbots**

Applicant: **Mrs Amanda Roland-Convey**

Grid Ref: **528799 270629**

DESCRIPTION OF SITE AND APPLICATION

The application site at Abbotts End is occupied by a Grade II Listed two-storey semi-detached dwellinghouse located within a residential area in Hemingford Abbots. The site falls within the Hemingfords Conservation Area and is in Flood Zone 3 on the Environment Agency's Flood Map for Planning.

This application seeks permission for the addition of a patio and garden path in the rear garden, alongside additional alterations to the design and layout of the garden.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area. During the lifetime of the application, the description has been revised to reflect that the application also included additional alterations to the design and layout of the garden. Given the neutral impact, on the balance of fairness further consultation on this matter was not considered to be necessary.

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
LP15: Surface Water
LP34: Heritage Assets and their Settings

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)

The Hemingfords Conservation Area Character Assessment (2008)

Huntingdonshire Strategic Flood Risk Assessment (2017)

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

RELEVANT PLANNING HISTORY

Given the historic nature of the property there is an extensive planning history associated with it. The history from 1987 onwards is available to view on HDC's Public Access Site. The most recent, relevant planning history is detailed below:

17/01814/TRCA - Fell what is believed by a tree specialist to be a Fruit tree. Tree is adjacent to and leaning towards a protected wall (Consent)
17/01973/TRCA - Pear tree - fell as it is completely infested by ivy. Have checked with arborist who recommends removal, as it cannot be salvaged. (Consent)

18/02333/TRCA - Plum Tree (T5) - Fell because the tree is now shapeless and has unfortunately been ravaged by ivy. (Consent)

19/00204/HHFUL - Rear extension single storey (Permission)

19/00249/LBC - Rear extension single storey (Consent)

22/00838/TRCA - T1 Sycamore - crown lift to 5.2m above ground level over the road and 3m above ground level over grass verge. T2 Ash - Crown lift to 4m above ground level over the road (Consent)

24/01857/LBC - Addition of a patio and garden path (Withdrawn)

CONSULTATIONS

Please note the below consultees were on both the HHFUL and subsequently withdrawn LBC applications and whilst no comments were made on the HHFUL, as it relates to the same development it is considered reasonable to accept them on this application.

Hemingford Abbots Parish Council - Remain neutral, no comments for or against the application.

HDC Conservation Team - Works do not require Listed Building Consent - no comment.

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
- Impact on Heritage Assets
- Residential Amenity
- Flood Risk

*Design and Visual Amenity

The application site at Abbotts End, High Street is a semi-detached Grade II Listed Building located within the Hemingfords Conservation Area. The surrounding area depicts the character of a typical rural town, and there are a number of Listed Buildings in the vicinity of the application site. The works which are proposed concern the addition of a patio and garden path in the rear garden of the dwelling, alongside additional alterations to the design and layout of the garden. Due to the location at the rear of the property, it is considered that the proposal would have a neutral impact on the design or visual appearance of the street scene or wider area.

Overall, taking the above factors into consideration the proposed development is considered to be acceptable with regard to design and visual amenity and would not have a significantly detrimental impact upon the character or appearance of the area. It therefore accords with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036 in this regard.

*Impact on Heritage Assets

In assessing development within the curtilage of a Listed Building, it should be regarded that:

Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Para. 205 of the NPPF sets out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

Para. 206 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'

Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.

As this is the case, HDC's Conservation team have been consulted and having reviewed the documents state that Listed Building Consent is not required for this application and as such they have no comment to make. An application for Listed Building Consent (24/01857/LBC) was submitted alongside this application, but this has been withdrawn on the back of the above comments made by HDC's Conservation team.

Officers have undertaken a site visit to the application site and determine that there will be no negative impact upon the designated heritage assets. It is concluded that the proposal enhances the setting of the Listed Building through improving the design and layout of the garden, and encourages more useable space within the curtilage of the Listed Building.

Therefore, it is considered that the proposed development is acceptable with regards to its impact on the designated heritage assets. It therefore accords with Policy LP34 of the Local Plan to 2036, the provisions of the NPPF (2024) and the Planning (LBCA) Act 1990.

*Residential Amenity

Given the scale and type of proposal as the alteration to the design and layout of the rear garden at the application site, and having regard to the proximity and separation to the adjacent dwellings with high boundary walls, it is not considered that there would be any unacceptable material impacts in terms of overbearing or loss of light, nor would there be any issues relating to overlooking or loss of privacy.

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 Huntingdonshire's Local Plan to 2036 in this regard.

*Flood Risk

The application site lies in Flood Zone 3, as 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 3, and in this case the application does not include any specific flood risk assessments. However, the Heritage and Design Statement submitted as part of the application highlights the mitigation measures that will be used to limit the risk of flood in the locality. This includes the addition of adequate drainage and the use of permeable surfaces to protect against surface water flooding, which shall be secured through a condition. Officers have also taken into consideration the type and scale of the development and it is considered that the scale of development would not result in significant issues in terms of surface water or altering flood risk when taking into account the surrounding area.

Therefore, subject to condition the development is considered to be 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 Policies LP5 and LP15 of the Local Plan to 2036.

*Conclusion

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

* Is of an appropriate scale and design
* Would not have a harmful impact upon the character and appearance of the area;
* Would not have a harmful impact upon the designated heritage assets;
* Would not have a significantly detrimental impact upon the amenity of neighbours;
* Would not have a harmful impact upon flood risk in the area.

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