HUNTINGDONSHIRE DISTRICT COUNCIL

24/02339/FUL

OFFICER REPORT

Case No: **24/02339/FUL** **Full Planning Application**

Proposal: **Proposed Full Planning application for exterior works and associated works**

Location: **Public House The Cuckoo 20 Oundle Road**

Applicant: **Boyer Planning C/O Agent**

Grid Ref: **513365 295832**

DESCRIPTION OF SITE AND APPLICATION

The application site at 20 Oundle Road Alwalton is occupied by a two-storey detached property, The Cuckoo Public House, and ancillary outdoor seating and carparking area. The application site is set within Alwalton Conservation Area and there are a number of Listed Buildings in the vicinity.

This application seeks permission for exterior works and associated works.

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

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)

LP2: Strategy for Development
LP9: Small Settlements
LP11: Design Context
LP12: Design Implementation
LP14: Amenity

LP22: Local Services and Community Facilities
LP30: Biodiversity and Geodiversity
LP34: Heritage Assets and their Settings

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 Townscape and Landscape Assessment Supplementary Planning Document (2022)

The National Design Guide (2021)

Alwalton Conservation Area Character Statement (1996)

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:

9401247ADV - Two illuminated signs The Wheatsheaf, Alwalton. (Approved)

9800627FUL - Extension of outside seating area and erection of pergloa and fence. The Wheatsheaf Hotel 20 Oundle Road Alwalton (Approved)

0000554FUL - Erection of entrance lobby and alterations (Approved)

0703767ADV - Display of illuminated and non-illuminated signage (Approved)

17/00174/TRCA - Horse Chestnut T1 - fell because it is moribund and in decline. (Approved)

19/02222/TRCA - T1 Horse Chestnut - removal to ground level to remove risk of failure (Approved)

24/02225/TRCA - T1 Conifer - Fell leaving stump close to ground level T2 Holly - Fell leaving stump close to ground level T3 Horse Chestnut - crown lift to 3m T4 Beech - Crown lift tree 3m (In Progress)

24/02155/ADV - Erection of illuminated and non-illuminated signs to the exterior of the building (Application Invalid on receipt)

CONSULTATIONS

Alwalton Parish Council - Recommend approval.

HDC Conservation Team - No objection, further details in preceding sections of this report.

REPRESENTATIONS

Old Chapel, Church Street - Made the following comments in support:

o The former Wheatsheaf has retained good character appearance, surprised the 'rear stables' has not been revised in years
o Internally Cuckoo 'feels homely'
o Looking forward to alterations
o Is it possible Horse Chestnut Tree in front corner garden to be felled like the other tree was - to enhance the view of the Cuckoo itself.

Officer Comments - Officers have taken note of the above comments. As listed in the relevant planning history section in the previous section of this report, an application for works to a tree in a Conservation Area (24/02225/TRCA) is being considered and this includes the Horse Chestnut Tree in question, which is proposed to have its the crown lifted to 3m. To add, this is not considered as part of this application for planning permission.

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 (2024). 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 a number of adopted neighbourhood plans, however, there is not an adopted neighbourhood plan in place for Alwalton. Therefore, in this case no neighbourhood plans are given weight in the determination of this application.

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.

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

o The Principle of Development
o Design and Visual Amenity
o Impact on Heritage Assets
o Residential Amenity
o Biodiversity

*The Principle of Development

The application site is considered to fall within the built-up area of a Small Settlement as defined by Policy LP9 of the Local Plan to 2036, and a proposal will be supported where the amount and location of development proposed is sustainable in relation to the:

a. level of service and infrastructure provision within the settlement;
b. opportunities for users of the proposed development to access everyday services and facilities by sustainable modes of travel including walking, cycling and public transport;
c. effect on the character of the immediate locality and the settlement as a whole.

Considering points a. and b., these are not wholly relevant to the proposed development as the level of service and infrastructure provision will not change due to the type of development proposed, neither will the opportunities for users of the facility to access this by sustainable modes. Taking into account part c., the external alterations are considered to enhance the positive contribution made to the character and appearance of the area and therefore is acceptable in principle.

Additionally, proposals for development on land well related to the built-up area of a Small Settlement will be considered subject to the provisions of Policy LP22 of the Local Plan to 2036, which defines public houses as a local service and community facility. The proposed development consists of the enhancement of the existing local service, and such development is therefore supported where it:

a. is of a scale to serve local needs;
b. comprises up to a maximum of 600m² net internal floorspace for a main town centre use; and
c. provides for a new service or facility or it retains or enhances an existing service or facility, including through the provision of premises suitable for mixed use or multiple community functions.

In this case, the proposal relates to external alterations to an existing facility and so parts a. and b. are not considered wholly relevant as the scale of the facility isn't to be altered. Considering part c., the proposed external alterations clearly enhance an existing service or facility and therefore supports its longevity.

Taking the above into account, the proposal clearly accords with the aims of Policies LP9 and LP22 of the Local Plan to 2036 and is therefore considered to be acceptable in principle subject to compliance with other relevant policies and considerations.

*Design and Visual Amenity

The application site comprises of The Cuckoo Public House, alongside ancillary parking to the rear and outdoor seating to the front of the property. The proposal consists of exterior works to the property and garden area of the application site. The works to the property include a new guard rail to the full length of the plant deck on the existing roof, full decorations to building render and joinery and the removal of ivy planting from the building. The external works to the garden area of the site include a new front lantern with bollard lighting, and all retained existing external lights to be upgraded with new LEDs to existing positions alongside the replacement of LEDs for all existing floodlights.

It must be noted prior to the assessment of the proposed works listed above, the removal of ivy planting from the building alongside the upgrading and replacement of external lights to LEDs, are acts of maintenance as defined through Section 55(2) of the Town and Country Planning Act 1990 (as amended). As a result, these do not constitute acts of development and therefore do not require planning permission, so whilst they are acknowledged in the preceding sections of this report, such maintenance can be undertaken without notifying the LPA and are not considered in the final decision for planning permission.

The proposed external alterations and redecorations to the property remain proportionate to the existing whilst complementing the design and appearance of the property in line with HDC's Design Guide (2017). The decorations to the render and joinery include the use of paints and materials which match the design and appearance of existing, so integrates well within the property and allows the proposed developments to have a neutral impact on the application site and surrounding area.

The alterations to the external garden area to the front of the property which include a new front lantern and the upgrading of existing lighting to LEDs will positively impact the visual amenity of the

application site. This is through increasing the visibility of the property, which already makes a positive contribution to the character and appearance of the surrounding area as a result of its design and materials. This follows guidance in HDC's Design Guide (2017), which states how lighting can be decorative as well as functional.

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

As detailed in previous sections of this report, the application site lies within the Alwalton Conservation Area and there are Listed Buildings in the vicinity and as such the LPA gives regard to:

Section 16(2) of the Planning (LBCA) Act 1990 (as amended) requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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 have made the following comments which have been summarised below and are available in full on HDC's Public Access Site:

"The buildings design and materials make a positive contribution to the character and appearance of the conservation area.
The building is already illuminated, and the proposals appear to update the existing fittings and would have a more positive impact on the surroundings and be less overbearing on the stone walls.
The proposal has a neutral impact on the significance of the conservation area. The proposals have special regard to the preservation and enhancement of the Alwalton Conservation Area, and are therefore in accordance with ss. 72 of the Planning (LBCA) Act 1990, and also with Policy LP34 of the adopted Huntingdonshire Local Plan. The development is in accordance with the contents of paras 202 -221 of the NPPF."

Officers have undertaken a site visit, and after considering the documents submitted as part of the application alongside the favourable comments from the HDC Conservation Officer, it is clear that the proposals make a positive impact on the character and appearance of the Alwalton Conservation Area and have a neutral impact upon the Listed Buildings in the vicinity.

As such, 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 location of the existing property and the type and scale of the proposed exterior and associated works, alongside having regard to the proximity and separation to any adjacent neighbours or dwellings, 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 regarding loss of privacy or overlooking.

Additionally, as the exterior works and alterations to the front garden area do not increase the amount of seating available, there will be no change in terms of noise pollution on nearby residents.

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.

*Biodiversity

Policy LP30 of Huntingdonshire's Local Plan to 2036 states that a development should ensure no net loss in biodiversity and achieve a net gain where possible. The application form details that the proposal would be exempt from Biodiversity Net Gain legislation as it would fall within the de minimis category and the LPA view aligns with this. Given the commercial use of the site as well as the nature and scale of the works proposed it is considered that achieving a net gain would be challenging. Additionally, officers note that there is a small amount of ivy to be removed from the primary frontage of the property. Given the minor amount, it is considered that its value in terms of habitat is low. Further, this could be removed without notifying the LPA, and as such will not impact the biodiversity of the site as it is considered it would be below the threshold. This does not excuse the applicant or their contractor of their responsibilities to the protection of wildlife and their habitats such as nesting birds etc.

Having regard to the above assessment, the proposal will result in no net loss of biodiversity and therefore broadly accords with Policy LP30 of the Local Plan to 2036 in this regard.

*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 significantly detrimental impact upon the amenity of neighbours;
* Is acceptable with regards to the impact on biodiversity;
* 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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