OFFICER REPORT

Case No: 25/01095/FUL Full Planning Application

Proposal: Change of use from Photographic Studio to residential annexe (Retrospective)

Location: 2 Wheatsheaf Cottages Alconbury Hill Alconbury Weston

Applicant: Mrs A McNamara

Grid Ref: 518613 278368

DESCRIPTION OF SITE AND APPLICATION

The application site comprises a semi-detached cottage located to the east of the A1(M) motorway and to the west of a small industrial business park and recycling centre. The property includes the main semi-detached dwelling and a Photographic Studio situated to the south. The cottages are relatively isolated, with no nearby residential properties or local services. Access is provided via the B1043, a single carriageway road running parallel to the A1(M) on its western side. The building is not a designated heritage asset, is outside any designated conservation area, and does not fall within flood zones 2 or 3.

This application relates to the Photographic Studio, permitted under application 9600495FUL, the 'L' shape single storey building to the south of the main dwelling.

It is noted that a previous application sought to subdivide the single dwelling and annexe into two dwellings (application ref 22/00343/FUL) which was refused in November 2022. During the course of that application its was found that planning permission for the photographic studio was granted under reference 9600495FUL, subject to Condition 5, which restricted the permission to Mr. P Herbert and not to the land. Ownership of 2 Wheatsheaf and the annexe transferred from Mr. Herbert to the current applicant on 20 February 2020, as confirmed by Land Registry. As less than ten years have passed since the change of ownership, the development is not immune from enforcement action and currently constitutes a breach of planning control, as the existing permission does not apply to the current owner.

As the Photographic Studio no longer benefits from planning permission, officers must treat the site as having no lawful building eligible for conversion. The proposal should therefore be considered as the erection of a new 1-bedroom residential annexe, rather than a conversion of the Photographic Studio as stated in the application. The annexe proposed also includes kitchen and bathroom facilities.

Officers have familiarised themselves with the site and surrounding area.

NATIONAL GUIDANCE

The National Planning Policy Framework (12th 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 10).'

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.

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

PLANNING POLICIES
Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
LP1 Amount of Development
LP2 Strategy for Development
LP4 Contribution to Infrastructure Delivery
LP6 Wastewater Management
LP10 The Countryside
LP 11 Design Context
LP 12 Design Implementation
LP 14 Amenity
LP 17 Parking Provision and Vehicle Movement
LP 22 Community Facilities and Services.
LP 25 Housing Mix
LP 30 Biodiversity and Geodiversity
LP 31 Trees, Woodland, Hedges and Hedgerows
LP 33 Rural Buildings

Supplementary Planning Guidance/Documents:
Huntingdonshire Design Guide Supplementary Planning Document (2017):
3.1 Place Making Principles
3.7 Building Form

Huntingdonshire Landscape and Townscape Supplementary Planning Document 2022
Huntingdonshire Strategic Flood Risk Assessment 2024.
Huntingdonshire Local Development Framework - Developer Contributions SPD (2011)
Wind Energy Development in Huntingdonshire Supplementary Planning Document - June 2014

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

RELEVANT PLANNING HISTORY
22/00343/FUL- Split single dwelling with annexe into two dwellings.-Refused 15/11/2022
0501473FUL - Extension to dwelling - Permission 05/07/2005
9600495FUL - Erection of a photographic Studio- 14/06/1996

CONSULTATIONS
Alconbury Weston Parish Council - No objection.

CCC Highways -No objection. Following a review of the documents submitted to the Highway Authority in support of the above planning application, the Highways Officer notes that no changes are proposed to the site's access or parking arrangements. As such, it is considered that the proposal would not result in any significant adverse impact on the public highway, should planning permission be granted.

Environmental Health -No objection. This is an annex attached to the main house. Windows facing away from the main road. The garden is shielded from road noise by the building. There is no known source of contamination.

The EHO did however, raise concerns that the annex does appear to be capable of becoming a separate dwelling with its own external entrance and no internal access to it from the main house and with a separate kitchen, bathroom, bedroom, living-room and garden.

REPRESENTATIONS
None received in support or objection to the development proposal at the time of determination.

SUMMARY OF ISSUES
The main issues to consider in the determination of this application are:
- Principle of Development
- Design and Visual Amenity
- Residential amenity
- Highway safety

*Principle of Development
As detailed above, this application relates to the photographic studio permitted under application reference 9600495FUL, which comprises the L-shaped, single-storey building located to the south of the main dwelling. It is noted that a previous application (ref: 22/00343/FUL) sought to subdivide the main dwelling and annexe into two separate dwellings. That application was refused in November 2022. During the course of that assessment, it was established that planning permission for the photographic studio had been granted under 9600495FUL, subject to Condition 5, which restricted the use of the building to Mr. P Herbert personally, rather than to the land.

Land Registry records confirm that ownership of 2 Wheatsheaf and the annexe transferred from Mr. Herbert to the current applicant on 20 February 2020. As fewer than ten years have passed since this change of ownership, the development is not immune from enforcement action. Consequently, the current use constitutes a breach of planning control, as the existing permission does not extend to the current owner.

As the Photographic Studio no longer benefits from planning permission, officers must treat the site as having no lawful building eligible for conversion. The proposal should therefore be considered as the erection of an attached new 1-bedroom residential annexe, rather than a conversion of the Photographic Studio as stated in the application.

The application site forms part of the residential curtilage associated with no. 2 Wheatsheaf Cottages, Alconbury Hill, Alconbury and the proposal seeks to erect an attached 1-bedroom residential annexe within this curtilage. The annexe proposed also includes kitchen and bathroom facilities.

Material considerations in the determination of this application are whether the proposed annexe has a functional and physical linked to the principal dwelling.

Physical Link
The proposed annexe would be situated within the residential curtilage of No. 2 Wheatsheaf Cottages, positioned towards the southwest corner of the application site. It would take the form of a narrow, elongated single-storey building. The proposed annexe would also share a vehicular access with the principal dwelling.

The rear garden of No. 2 would be subdivided into two distinct areas, one serving the proposed annexe and the other retained for the host dwelling. A connecting gate would provide access between the two private amenity spaces.

While the annexe would share a party wall with No. 2, there would be no internal connection between the two buildings. The annexe would be self-contained, comprising a single bedroom, bathroom, and kitchen.

Notably, the internal layout closely mirrors that of the previously refused scheme for subdivision into two dwellings (ref: 22/00343/FUL), including separate living facilities and a private rear garden. These features indicate that the annexe could function independently from the host dwelling, with no shared internal spaces or communal facilities.

In light of the above, whilst the proposed annexe would be within the curtilage of the principal dwelling and share its vehicular access, given the absence of shared rooms, internal access, or integrated outdoor space, Officers consider that the proposed annexe does not demonstrate a sufficient physical relationship with the principal dwelling to be regarded as ancillary accommodation.

Functional Link
The application is not accompanied by any supporting information to demonstrate how the proposed use of the annexe would be ancillary to the host dwelling.

Specifically, no details have been provided regarding the intended occupier of the annexe or their relationship to the occupants of the principal dwelling at No. 2 Wheatsheaf Cottages. During the course of the application, Officers provided the applicant with an opportunity to submit the necessary information; however, this was not forthcoming.

In the absence of such information, Officers are unable to establish a clear functional link between the proposed annexe and the host property. As a result, the proposal does not sufficiently demonstrate that the annexe would operate as ancillary accommodation.

The proposed annexe introduces a building with limited physical connection to the principal dwelling, and no justification has been provided to demonstrate a genuine need for ancillary accommodation. In the absence of such justification, the proposal does not align with the characteristics typically associated with ancillary use. As a result, the development would effectively introduce a standalone residential unit within the countryside, which is not supported by the spatial strategy or policies of the Huntingdonshire Local Plan to 2036. The proposal falls outside the specific development opportunities permitted in rural areas and therefore conflicts with Policies LP2 (Strategy for Development) and LP10 (The Countryside). Accordingly, the principle of the proposed development is not supported. Whilst the Council is unable to currently demonstrate its 5 year housing land supply, this would not result in a sustainable form of development, where the benefits of a new dwelling would significantly and demonstrably outweigh the harm, contrary to the NPPF.

*Design and Visual Amenity
Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036 state that developments should respond positively to their context, draw inspiration from the key characteristics of its surroundings and contribute positively to the area's character and identity.

Notwithstanding the above points with regards to the legal status of the building the application seeks retrospective permission for the erection of a single-storey residential annexe.

The building as existing is a narrow, elongated single-storey building with attached conservatory. The conservatory shares a boundary wall with the host dwelling. The building has a shed roof. The principal elevation of the building does not have any openings and is blank in appearance. Fenestration is to the rear and north elevation of the building.

During the course of the previous application (22/00343/FUL) the Urban Design Officer raised concerns that the front elevation is entirely blank resulting in poor surveillance over the parking area and reduced legibility of the dwelling. In this case, the retrospective application does not seek to install fenestration on the front elevation of the annexe to overcome this concern. As this application is for an annexe and not new dwelling and is existing on site, whist the appearance is not ideal the introduction windows could not be insisted upon in this instance.

*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.

Residential Amenity Impacts for Future Occupants
The proposed annexe would comprise a small hallway, shower room, living area, kitchen, and one bedroom, with access to private amenity space. Although the building lacks fenestration on the front elevation, all habitable rooms are served by rear windows, providing adequate daylight. Officers therefore consider the internal layout to offer sufficient space and natural light.

However, as outlined above, the proposal is considered to represent a new dwelling in the countryside due to the absence of a clear physical and functional ancillary relationship with the host property.

During the previous application (ref: 22/00343/FUL), the Environmental Health Officer requested a noise assessment. That application was refused due to insufficient information, as it failed to demonstrate how noise impacts from surrounding land uses would be mitigated.

In this case it is noted that the EHO raised no objection to the proposal with regard to environmental health matters as the proposal is annexe accommodation. The EH Officer did, however, raise concerns that the annex does appear to be capable of becoming a separate dwelling with its own external entrance and no internal access to it from the main house and with a separate kitchen, bathroom, bedroom, living-room and garden.

Were a new dwelling being proposed issue of noise could be taken into consideration but as the proposal is for an annexe it is not considered a noise assessment could be insisted upon as the impact would be the same as those in the host dwelling.

Residential Amenity Impacts for Existing Occupants
Due consideration shall be paid to the overshadowing, overlooking and overbearing residential amenity impacts associated with the proposed annexe on the occupants of No.2 Wheatsheaf Cottages.

The proposed annexe would include a kitchen positioned adjacent to the existing dwelling, with its main outlooks to the rear and side, away from No. 2. The annexe's habitable rooms, namely the living room and bedroom, would be at ground level and sufficiently distanced from the host property to avoid harmful overlooking.

While the annexe would sit slightly forward of the host dwelling, with a narrow and constrained junction between the two buildings, the only ground-floor window serving the lounge of No. 2 may experience some degree of overshadowing during parts of the day. However, given the single-storey nature of the proposal, officers consider that any impact on daylight would not be significant.

*Highway safety
Policy LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.

Cambridgeshire County Council as the Local Highway Authority have reviewed the proposal and raise no objection in consideration to highways safety. The Highways Officer notes that no changes are proposed to the site's access or parking arrangements. As such, it is considered that the proposal would not result in any significant adverse impact on the public highway, should planning permission be granted.

Annexes would not be expected to have their own or independent car parking arrangements, due to their functional relationship with the host dwelling. However if 2 independent units of accommodation were being proposed, a layout showing how they could operate independently of each other would be required.

The site layout with 4-5 cars seem to indicate that annexe and house needs separate parking but that is not is what is being applied for. Therefore the parking and access could not be a reason for refusal in this instance.

Conclusion
Having regard to the applicable national and local planning policies, and having taken all relevant material considerations into account, is therefore recommended that planning permission should be refused for the following reasons;

1. The annexe is fully self contained (bedroom, livingroom, kitchen and shower room) with no internal connection to the main house, it has its own front and rear access doors that can be accessed independently from the main house, its own rear patio/garden area fenced off by 1.8m high fence from the main garden, and space for independent parking on the site frontage. No justification has been provided to demonstrate a functional relationship with the host dwelling, e.g. shared services, communal facilities, caring responsibilities etc. Therefore the annexe is considered to be tantamount to the creation of an independent dwelling, with no physical or functional relationship with the host dwelling. As a result, the development would effectively introduce a standalone residential unit within the countryside, which is not supported by the spatial strategy or policies of the Huntingdonshire Local Plan to 2036. The proposal falls outside the specific development opportunities permitted in rural areas and therefore conflicts with Policies LP2 and LP10 of the Huntingdonshire Local Plan to 2036, and would not result in a sustainable form of development, contrary to the NPPF.

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CONTACT OFFICER:
Enquiries about this report to **Charlotte Dew**