eclipse
PLANNING SERVICES

12 Church Green, Ramsey
Cambridgeshire PE26 1DW
T: 01487 710650

Our Ref: 1249
Your Ref:

Date: 15 May 2025

Planning Services
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon
PE29 3TN

Dear Sir,

Retrospective Planning Application for Change of Use of Amenity Land to Garden and the Erection of a New Garden Fence and Gate at 17 Valiant Square, Bury (PP-14013183)

On behalf of our client, Ms Marshall, please find enclosed a full planning application for the retrospective change of use of amenity land to garden and the erection of a new garden fence and gate at 17 Valiant Square, Bury.

The application comprises:

- Completed application form;
- Site location plan (drawing no. 25:613/LP);
- Site block plan (drawing no. 25O:613/01);
- Site photos;
- Biodiversity Checklist;
- Policy Checklist;
- Validation Checklist.

The Proposal

This is a retrospective planning application that seeks permission to change the use of a small area of amenity land located adjacent to No. 17 Valiant Square to the east and south to private garden and to retain the 2m high fence and gate that encloses it. The site was bought and enclosed by the applicant in 2023 and has been used as an extended garden since then.

No. 17 is a corner plot located on the junction of Tunkers Lane to the north and Valiant Square to the east, in an established residential area.

There is no relevant planning history.

Planning Policy Context

The development plan for these purposes consists of the Huntingdonshire Local Plan to 2036 (HLP), adopted in May 2019 and the Bury Neighbourhood Plan (BNP) made in 2021.

HLP Policies LP11, LP12, LP14, LP30, LP31 and LP32 seek to ensure that all new development is well designed, safeguards amenity, biodiversity, trees and hedges and open space.

There are no relevant policies with the BNP.

Planning Assessment

The main considerations in the determination of this application are the principle of development, (including visual amenity), residential amenity and biodiversity.

Principle of Development and Visual Amenity

The site is located within the built up area of the Ramsey Spatial Planning Area and it is not designated as Local Green Space under BNP Policy NE1.

HLP Polices LP11 Design Context and LP12 Design Implementation are relevant and support development proposals that respond positively to its context and deliver attractive, useable and long lasting buildings and spaces.

HLP Policy 32 states that a proposal that would lead to the whole or partial loss of an area of open space of public value will only be supported where there would be no significant adverse impact on the character of the surrounding area and: (a) the loss is minimised where possible and compensatory measures are put in place that provide a net benefit to the community that is served by the space, which will be judged in terms of availability, accessibility, quality and quantity.

Valiant Square is a perimeter residential development around an area of open space located to the rear of the existing dwellings that is accessed from Vulcan Close and Valiant Square to the west and east; including to the rear of No. 17. Dwellings are set back from the road.

As stated above, No.17 is a corner plot and this is a retrospective application to retain the new enclosed garden area which extends 3.1m and 7.5m respectively beyond the original rear (southern) and side (eastern) boundaries. The land was previously open amenity land grassland, comprising a small part of the access between Nos. 17 and 18 leading to the larger area of centralised open space and a grass verge to the side of No. 17.

In terms of the impact on the character of centralised area of open space, given the size proposed garden extension in this direction (3.1m deep) and its location at the north eastern end, there is no adverse impact on either the approach which is still circa 6-7m wide and remains enclosed by rear garden fences, or on the functionality of the main body of the open space.

With regards to the impact on the Valiant Square frontage, the original garden was enclosed with a closed boarded fence and trellis and this boundary treatment has been continued. Whilst the close boarded fencing enclosing the site is now on a different alignment, a 2m grass verge has been maintained between it and the kerbside and it does not project forward of the front elevation of the dwelling.

Given the wider residential nature of the area, the proposed use of the land as an extended and enclosed garden is appropriate and compatible and there is no significant adverse impact from the proposal on the character of the surrounding area.

Residential Amenity

HLP Policy 14 Amenity is relevant and supports proposals that provide and maintain a high standard of amenity for all users and occupiers of the proposed development and for users and occupiers of neighbouring land and buildings respectively.

The application site is surrounded by residential dwellings and gardens and the change of use proposed is therefore considered to be compatible with the surrounding area. Whilst the change of use would result in a larger garden for No. 17, it would still be used by a single dwelling and would not result in any significant increase in noise and disturbance to the neighbouring residential properties.

Biodiversity and Trees

Policies LP30 and LP31 requires development proposals to investigate potential adverse impacts on biodiversity and trees respectively. NPPF paragraphs 187 and 193 seek to protect and enhance biodiversity.

The site is not covered by any wildlife site designation. The Council's Biodiversity Checklist has been submitted with the application and the proposal is considered to be subject to the de minimis biodiversity net gain exemption as less than 25sqm of habitat is affected by the change of use and new fencing.

The proposal is for a change of use from amenity grassland to garden land, with the majority of the new garden laid to grass, enhanced with some ornamental planting to improve biodiversity. This is not dissimilar in biodiversity terms.

No trees or hedging have been removed or adversely affected to accommodate the enlarged garden and fencing.

Overall, it is considered that the proposed use of the land as an extended and enclosed garden area is appropriate and that there is no significant adverse impact on the character of the surrounding area, residential amenity or biodiversity.

We trust the above and enclosed are self-explanatory, but please do not hesitate to contact me should you need to discuss this application submission further.

We look forward to receiving confirmation that this application has been registered in due course.

Yours sincerely



Kathryn Slater
Director
(kslater@eclipseplanningservices.com)

Cc. Tracey Marshall