HUNTINGDONSHIRE DISTRICT COUNCIL

24/02022/FUL

OFFICER REPORT

Case No: **24/02022/FUL** **Full Planning Application**

Proposal: **Erection of a single-storey three-bedroom dwelling with habitable accommodation in the roof space**

Location: **Land At Rear Of 1 Field Cottage Road Eaton Socon**

Applicant:

Grid Ref: **517071** **259507**

DESCRIPTION OF SITE AND APPLICATION

This application seeks approval for the erection of a detached, one and a half storey dwelling on land north of No. 1 Field Cottage Road. The proposed dwelling would measure 9.6m by 6m with an eaves height of 3.7m and a ridge height of 6.7m. The dwelling would be of a gable-end design and would be constructed with facing brickwork and timber windows and doors.

The site is within a built-up area of St Neots, adjacent to the Eaton Socon Conservation Area and opposite the Grade II Listed Building of the George and Dragon Public House at 267 Great North Road, Eaton Socon.

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

It is noted that the previous application for the same proposal and design was refused due to heritage concerns and the omission of a wheeled bin UU, this was then dismissed at appeal due to the incorrect completion of the Unilateral Undertaking for the provision of wheeled bins. The appeal decision is considered and noted in the main body of the report in the assessment of this application.

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 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.

The National Design Guide (2021)

* C1 - Understand and relate well to the site, its local and wider context
* I1 - Respond to existing local character and identity
* I2 - Well-designed, high quality and attractive
* B2 - Appropriate building types and forms
*M3 - Well-considered parking, servicing and utilities infrastructure for all users
* H1 - Healthy, comfortable and safe internal and external environment
* H2 - Well-related to external amenity and public spaces
* H3 - Attention to detail: storage, waste, servicing and utilities
* M3 Well considered parking, servicing and utilities infrastructure for all users
* N3 Support rich and varied biodiversity

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: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP6: Waste Water Management
LP7: Spatial Planning Areas
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP25: Housing Mix
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP34: Heritage Assets and their Settings

Neighbourhood Plans:

St Neots Neighbourhood Plan (2016)
Policy A3: Design
Policy PT1: Sustainable modes of transport
Policy PL2: Parking
Policy P4: Sustainable Drainage Systems

Supplementary Planning Documents/ Guidance

*Huntingdonshire Design Guide (SPD) 2017
*Developer Contributions SPD 2011
*Developer Contributions: Updated Costs 2023/24
*Huntingdonshire Landscape and Townscape SPD (2022)
*Huntingdonshire Strategic Flood Risk Assessment (2024)
*Cambridgeshire Flood and Water SPD 2017
*Annual Monitoring Review regarding housing land supply (2024)
*Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
*St Neots Conservation Area Character Assessment (October 2006)

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

PLANNING HISTORY

22/02499/FUL - Erection of a single-storey three-bedroom dwelling – refused 22.12.2023, appeal subsequently dismissed 19.07.2024

CONSULTATIONS

St Neots Town Council recommends approval. The proposal is considered satisfactory in terms of scale and development.

HDC Environmental Health – No objection to the proposal with regard to Environmental Health matters.

HDC Conservation Team – object. It is considered that the proposal is harmful and does not preserve the character nor sustain the significance of the Listed Building The George and Dragon Public House because of the proposed development within its setting. The proposal is also not considered to preserve or enhance the character or appearance of the Conservation Area nor to sustain its significance by the proposed development within the Conservation Area and within its setting. In addition, the proposal is not considered to enhance or better reveal the significance of the Conservation Area as required by Para 213 of the NPPF.

HDC Ecology Officer – following receipt of amended plans and documents there are no objections to the proposal. The revised BNG metric is accepted.

CCC Highways Department - No objections. The following points were noted:

- The site has adequate parking and turning.
- To enable the installation of the vehicular crossing, it is necessary to relocate a lamp column. The applicant will need to contact our street lighting team to obtain permission etc street.lighting@cambridgeshire.gov.uk
- There is a fire hydrant adjacent to the proposed crossing so the applicant should liaise with the relevant utility provider to ascertain if the apparatus if affected.
- In the Local Highway Authority's experience, costs associated with the alteration of street lighting and utilities can be significant so the applicant is encouraged to ascertain the providers' requirements at the earliest opportunity.
- Conditions are to be secured to mitigate the impact of the proposed development on the Public Highway.

REPRESENTATIONS

Comments have been received from three neighbouring properties, summarised below:

- Access to Great North Road – labour and marking of the road needs to be considered – access is hazardous.
- The established hawthorn hedge should be retained, as its removal would severely degrade the bank of the brook on both sides of the boundary line and have a detrimental impact on wildlife.
- It is not clear how sewage and drainage will be dealt with, needs to be addressed in more details as the current drainage system is not designed to cope with an additional load.
- Request for developer to confirm that sewage will not run through the land and under the property of no. 1 Field Cottage Road.

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 (2021). 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:
o Huntingdonshire's Local Plan to 2036 (2019)
o Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
o St Neots Neighbourhood Plan 2014-2029 (2016)
o Godmanchester Neighbourhood Plan (2017)
o Houghton and Wyton Neighbourhood Plan (2018)
o Huntingdon Neighbourhood Plan (2019)
o Buckden Neighbourhood Plan (2021)
o Bury Neighbourhood Plan (2021)
o Grafham and Ellington Neighbourhood Plan (2022)
o Great Gransden Neighbourhood Plan (2023)
o Sawtry Neighbourhood Plan (2023)
o The Stukeleys Neighbourhood Plan (2023)

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 reserved matters application are:

- The principle of development
- Design, Visual Amenity and Impact Upon Heritage Assets
- Residential Amenity
- Highway Safety, Parking Provision and Access
- Flood Risk and Surface Water
- Biodiversity
- Developer Contributions
- Accessible and Adaptable Homes
- Water Efficiency

*Principle of Development

The proposal is for a single storey three bedroom dwelling with habitable accommodation in the roof space, within the land rear of the existing dwelling at no.1 Field Cottage Road, Eaton Socon. The site is located within the built-up residential area of Eaton Socon and is in a sustainable location in terms of bus routes, walking and cycling distances with access to a range of facilities, so the proposal can be supported on accessibility grounds. It is therefore considered that the proposal meets the objectives of the NPPF. It is within the St Neots Spatial Planning Area as

defined by the adopted Huntingdonshire Local Plan to 2036. As such, Policy LP7 of the adopted Local Plan is considered relevant.

Policy LP7 (Spatial Planning Areas) of Huntingdonshire's Local Plan to 2036 (2019) states:
Residential Development
A proposal for housing development (class 'C3') or for a residential institution use (class 'C2') will be supported where it is appropriately located within a built-up area of an identified Spatial Planning Area settlement.

The proposal therefore accords with Policy LP7 of the Huntingdonshire Local Plan to 2036 and the NPPF (2023) in this regard and the principle of the proposal is therefore acceptable in spatial planning terms, subject to other material considerations.

*Design, Visual Amenity and Impact on Heritage Assets

Policy LP11 of the Huntingdonshire Local Plan to 2036 requires new development to respond positively to its context. Policy LP12 requires new development to contribute positively to the area's character and identity and to successfully integrate with adjoining buildings.

Policy LP34 states that a proposal within, affecting the setting of, or affecting views into or out of, a conservation area should preserve, and wherever possible enhance, features that contribute positively to the area's character, appearance and setting as set out in character statements or other applicable documents.

The Council will consider the significance of a designated heritage asset and where there is less than substantial harm, this will be weighed against the public benefits of the proposal. Where there is deemed to be substantial harm, then the proposal would need to achieve substantial public benefits to outweigh that harm.

The application site is adjacent to the Eaton Socon Conservation Area and is opposite the Grade II Listed George and Dragon Public House.

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.

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.

Para. 212 of the NPPF set 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. 213 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.

The proposed site is currently an open green area with a boundary wall and grass verge to the west, which continues beyond the site to the north and south along Great North Road. It is directly opposite The George and Dragon Public House, a Grade II Listed Building.

The proposed dwelling would be of a gable-end design with dormer windows on the front elevation roof slope and a mock chimney stack on the south-side elevation. The dwelling would measure

9.6m by 6m with an eaves height of 3.7m and a ridge height of 6.7m and would be approximately 1m from the public highway of Great North Road. The submitted Planning Statement indicates that the proposed dwelling would be constructed with facing brickwork and timbers windows and doors with specific details to provided by way of condition.

The overall scale and siting of the proposed dwelling as well as the gable-end design are considered to be acceptable given the variety of dwellings along the streetscene of Great North Road and the surrounding area. Given the sensitive location of the proposed dwelling and the importance of the materials, the Local Planning Authority would require specific details of the materials to be conditioned prior to development commencing.

As a result of the development, approximately half of the existing green space would be turned into hardstanding, with a further proportion of it to become paving, so that less than a quarter of the existing green space is to be retained. What is to be retained is restricted to small areas between the house and ancillary features including patio, cycle store, bin store, etc. The proposal also includes two new accesses onto Great North Road - a new footpath and a vehicle driveway over the existing grass verge.

It is noted that the recent appeal decision, dated 19 July 2024 recognised a range of sizes, styles, roof forms, materials and front boundary treatments. It stated that although the proposal would infill the space between the brook and 1 Field Cottage Road there would be sufficient space that it would not appear as a cramped form of development, with no.1 retaining a similar depth of garden as its neighbours. In addition, the appeal decision noted that the cottage design of the proposed dwelling would reflect the historic village character identified in the Character Assessment. The varied pattern to the streetscape also means that the proposal would not appear out of place in terms of size, spacing or the rhythm of the development. It was noted that the dwelling would be set at a similar distance from Duloe Brook as the dwelling on the other side and those opposite, and therefore it would not affect the established greenery which marks its route.

Therefore, whilst the consultee comments from the Conservation Officer are noted, taking the appeal decision into account and the comments of the Planning Inspector, it is considered that the proposal would not result in overdevelopment of the site and would not harm the general character of the area such that a recommendation of refusal on heritage grounds could be substantiated. Therefore, the proposal would accord with Policies LP11, LP12 and LP34 of Huntingdonshire's Local Plan to 2036 and Policy A3 of the St Neots Neighbourhood Plan in this regard.

*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.

The closest neighbouring residential properties that are likely to be impacted upon as a result of the proposed development are No. 1 Field Cottage Road, No. 3 Field Cottage Road, No. 38 Nene Road and No. 254 Great North Road, Eaton Socon.

The proposed dwelling would be approximately 1m from the shared boundary with No. 1 Field Cottage Road at its closest point, which would comprise of a 1.8m high close boarded fence. While the proposed development would result in some overbearing impacts on the neighbouring properties amenities, given the scale and siting of the proposed dwelling, the impacts are not considered to be severe enough to warrant refusal of planning permission in this instance. Furthermore, given the proposed dwellings siting north of the existing property and no upper-floor south-side elevation windows, the proposal would not result in detrimental overshadowing or overlooking impacts on the neighbouring property of No. 1 Field Cottage Road.

It is also worth noting that while the proposed dwelling would reduce the private amenity space of No. 1 Field Cottage Road, there is considered to remain adequate space and the proposed dwelling would provide a high standard of amenity for future owners/occupiers of the proposed dwelling.

The rear garden of No. 3 Field Cottage Road backs onto the proposed application site. However, there is a distance of 16.7m between the proposed dwelling and the boundary and accordingly given the separation distances involved, no overlooking impact is anticipated.

With regards to No. 254 Great North Road and No. 38 Nene Road, the proposed dwelling is not considered to result in any detrimental overbearing, overshadowing or overlooking impacts due to the scale of the proposed dwelling, distance to neighbouring properties and the existing dense trees along Duloe Brook screening the majority of the proposal.

Therefore, taking the above factors into consideration, the proposal is considered to be acceptable with regard to its impact on residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework in this regard.

*Highway Safety, Parking Provision and Access

Policy LP17 states that a proposal will be supported where it incorporates appropriate space for vehicle movements, facilitates accessibility for service and emergency vehicles and incorporates adequate parking for vehicles and cycles. Policy LP16 seeks safe physical access from the public highway.

The proposed dwelling would be accessed via a proposed access point off Great North Road - a classified B road, subject to a 30mph speed limit.

Whilst the third party neighbour comments are noted, and in accordance with the previous findings of the Planning Inspector, the proposed access is considered to be of an acceptable width to serve the proposed dwelling, would provide adequate vehicular and pedestrian visibility splays in both directions and is in an area that allows for movements in and out without interrupting the crossing points or traffic calming measures. As such, the proposed access is considered to be acceptable, subject to the imposition of conditions recommended by the Local Highway Authority.

The proposal involves the erection of a three-bedroom dwellinghouse and seeks to provide an adequate area of hard surfacing to the side and rear of the property to provide off-street car parking provision. Furthermore, the proposal involves the erection of a cycle store that would house at least three bikes - the required number by LP 17 for a three bedroom dwellinghouse.

Overall, subject to appropriate conditions the proposal is considered acceptable in terms of its impact on highway safety and therefore accords with Policy LP17 of Huntingdonshire's Local Plan to 2036 and Section 9 of the National Planning Policy Framework in this regard.

*Flood Risk

The site is at the lowest risk of flooding according to the Huntingdonshire Strategic Flood Risk Assessment 2017 and Environment Agency Flood Map for Planning (Flood Zone 1) and the proposal is for minor development. Accordingly, the sequential and exceptions tests for flooding nor the submission of a flood risk assessment are considered necessary in this instance in accordance with the NPPF and NPPG.

Given the low flood risk and minor scale of development, officers are satisfied that full details of the surface and foul water drainage can be secured as part of building regulations and other relevant legislative requirements in this instance.

Overall, the proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore accords with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework in this regard.

*Biodiversity

Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated. Policy LP30 of the Local Plan to 2036 also requires development proposals to ensure no net loss in biodiversity and provide a net gain in biodiversity where possible, through the planned retention, enhancement and creation of habitats and wildlife features, appropriate to the scale, type and location of development.

In addition, since the previous application was determined there is now a statutory requirement for sites to deliver 10% Biodiversity Net Gain (BNG). The effect of paragraph 13 of Schedule 7A to the Environment Act 2021 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

In this instance it is noted that evidence has been provided showing the purchase of off-site credits through The Environment Bank. Under the terms of the legislation, confirmation of the Biodiversity Gain Plan will be required following the granting of planning permission. Whilst the provided details are noted, final confirmation will be secured by a Biodiversity Net Gain condition.

Whilst the proposals at this stage do not indicate any measures for biodiversity enhancement, given the proposal would be located on an area of existing amenity space associated with the existing dwellinghouse of No.1 Field Cottage Road, the Local Planning Authority are satisfied that the proposal would ensure no biodiversity net loss. Further, it is noted that it was not deemed that a Preliminary Ecological Appraisal was required on the previous application or appeal and therefore has not been submitted with this subsequent application. A condition will be secured against the granted planning permission to secure specific details of biodiversity enhancement measures.

It is therefore considered that subject to conditions, the arboricultural and ecological implications of the development are acceptable and there would be no contravention of Policies LP30 and LP31 of the Local Plan and the NPPF 2024 in this regard.

*Developer Contributions

A Unilateral Undertaking to secure the provision of wheeled bins has been submitted as part of the application process. The development is therefore considered to be in accordance with Policy LP4 of Huntingdonshire's Local Plan to 2036 in this regard.

*Accessible and Adaptable Dwellings

Policy LP25 of the Local Plan to 2036 requires proposals that include housing to meet the optional Building Regulation requirement M4(2)" Accessible and adaptable dwellings" unless it can be demonstrated that site specific factors make this unachievable. No statement has been provided to confirm that the proposed development is designed in accordance with and will be built in accordance with the M4(2) standards. Therefore, this will be secured by condition to ensure that the development is built in accordance with these standards and that they are maintained for the life of the development.

*Water Efficiency

Policy LP12 of the Local Plan to 2036 requires proposals that include housing to comply with the optional building regulation for water efficiency, as set out in Approved Document G. No statement has been provided as to whether the proposed development is to be designed in accordance and built in accordance with the LP12 (j) standards. This can be secured by condition.

Therefore, it is considered that subject to a condition to retain the proposed measures in perpetuity the proposed development would accord with Policy LP12 of Huntingdonshire's Local Plan to 2036 and the NPPF (2023) in this regard.

*Community Infrastructure Levy (CIL)

The development will be CIL liable in accordance with the Council's adopted charging schedule; CIL payments will cover footpaths and access, health, community facilities, libraries and lifelong learning and education

There are no other material planning considerations which have a significant bearing on the determination of this application.

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

* The principle of the development of this site for residential purposes is acceptable;
* Is of an appropriate scale and design;
* 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 significantly detrimental impact upon trees, woodland, hedges and hedgerows;
* Would not have a significantly detrimental impact upon biodiversity and geodiversity.
* Is acceptable with regards to the impact on biodiversity;
* Would not adversely affect flood risk in the locality;
* 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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