OFFICER REPORT

Case No: 25/00600/FUL Full Planning Application

Proposal: Proposed single storey front and side extension and change of use of land to residential curtilage (land within the red line only)

Location: 9 Michigan Road St Ives PE27 6SW

Applicant: Mr Asad Abbas

Grid Ref: 530341 272602

DESCRIPTION OF SITE AND APPLICATION

The application site at 9 Michigan Road is occupied by a two-storey detached dwellinghouse located within a residential area in St Ives. The application site falls within Flood Zone 1 of the Environment Agency's Flood Map for Planning and there are no constraints relative to the site.

This application seeks permission for a single storey front and side extension and change of use of land to residential curtilage (land within the red line only).

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

Throughout the lifetime of the application, revised plans have been received which have altered the position of the single storey side extension alongside adjusting the red line and description of the application, with development to take place within the red line only. As such, in this instance, re-consultation was necessary, alongside the conversion of the application from a householder (full) to a full application, due to the change of use of the land within the red line boundary from public amenity space to residential curtilage, discussed in subsequent sections of this report.

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
LP7: Spatial Planning Areas
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP32: Protection of Open Space

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)

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

RELEVANT PLANNING HISTORY

24/01264/HHFUL - Erection of single storey garden room/outhouse to rear (Permission)

CONSULTATIONS

St Ives Town Council - Recommends approval of the application subject to the applicant ensuring they follow guidance from the arboriculturist survey.

HDC Arboricultural Officer - Support application following the submission of additional information, further comments in subsequent sections of this report.

Cambridgeshire County Council Rights of Way Officer - No comment received at the time of determination.

REPRESENTATIONS

None received at the time of determination.

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 St Ives. 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:

- The Principle of Development
- Design and Visual Amenity
- Residential Amenity
- Impact on Trees
- Biodiversity

*The Principle of Development

The application site is located within the built-up area of St Ives, which is a Spatial Planning Area as defined under Policy LP7 of Huntingdonshire's Local Plan to 2036. Whilst in this case the application relates to an extension of an existing dwelling alongside the change of use of land to residential from public amenity space, it is noted that LP7 broadly supports residential development where it is appropriately located within the built-up area of a Spatial Planning area, providing it is in accordance with other policies.

Consideration has also been given to Policy LP32 of the Local Plan, which seeks to protect areas of open space of public value stating 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; or

b. where the loss involves outdoor sport or recreational space:
i. the proposal is for, or includes, development of the space for an alternative outdoor sport or recreational use of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development; or
ii. the loss is justified by an assessment that demonstrates that the space is clearly surplus to the requirements of the current local population and the population of planned development that would be served by the space.

In order to ensure that compensatory measures provide net benefits to the community the proposal will be expected to include enhancement of any remaining open space in cases of partial loss, the enhancement of other existing spaces or new provision that would serve the same community as that being lost. New provision for the loss of sports or recreational open space should be in a form that best meets an identified existing need, as agreed with the Council"

In this case, whilst the section of land within the red line boundary which is to be converted from public open space to residential curtilage is considered as 'open space', it appears that the area is a soft landscaping green buffer and does not provide significant space for sports or recreational activities. It should also be noted that the land in question not designated as a Local Green Space within a Neighbourhood Development Plan and, as stated above, there is no approved neighbourhood plan in place for St Ives. Whilst the land is considered open space accessible to the public, it is noted that only a small section adjacent to the dwelling within the application site is being utilised for the proposals, and as such the majority of the open space is unaffected. Nevertheless, it is noted that there are other similar areas of land in the vicinity and within the wider St Ives spatial planning area, with it being a sustainable location, that are better suited as sport and recreational locations. The red line has also been reduced in comparison with the earlier proposals, whereby the whole of the public open space fell under the red line.

For the reasons given above, it is concluded that whilst it is noted that the remaining open space could be utilised for recreation purposes, the loss of the space within the red line to be converted to residential curtilage as part of the proposals cannot be reasonably considered to cause any harm to the ability of the public to use this space. Therefore, whilst the loss of this section of land is acknowledged, the proposals are considered to be acceptable in terms of Policy LP32 of the Local Plan and acceptable in principle subject to other material considerations.

*Design and Visual Amenity

The application site at 9 Michigan Road is occupied by a two-storey detached dwellinghouse located within a residential area in St Ives. The application seeks permission for the erection of a single storey side and front extension, with the change of use of the land within the red line to residential curtilage.

When considering the proposed front extension, this measures approximately 6.1 metres in width and extends forward from the front elevation of the existing dwelling by 3.4 metres. The extension includes a pitched roof, measuring a maximum ridge height of approximately 3.7 metres with eaves at 2.7 metres. Considering the proposed dimensions to the existing dwelling, the front extension is minor in scale, therefore it is considered that the addition would have a neutral impact on the wider area. It must be noted that guidance in Huntingdonshire District Council's (HDC) Design Guide (2017) states extensions to the front of the property should be avoided as building out from the front creates an unbalanced façade and disrupts the line of the street. However, taking the wider context into account, this would not be the case for this application. The proposed front extension is integrated within the street scene, as the layout of the existing and surrounding detached dwellings are not 'flat fronted', and there are numerous examples of front extensions along Michigan Road and the surrounding residential area. Its integration is also supported by the use of materials to match existing. As such, in terms of design and materials used, the proposed front porch is considered acceptable in this instance and will not have a detrimental impact on the character or appearance of the surrounding area.

When considering the proposed side extension, this is also minor in scale when comparing to the host dwelling, and is set back from the proposed front extension by 1.6 metres. The extension measures 8 metres in depth and extends from the side elevation by 3.6 metres. The side extension has a pitched roof, matching that of the proposed front extension and the host dwelling, with a maximum height of 4.1 metres and eaves at 2.7 metres. Its integration is also supported by the proposed use of materials to match the existing dwelling, and is considered acceptable in terms of design and will not have a detrimental impact on the character of the 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.

*Residential Amenity

Given the scale and location of the proposed extensions, alongside the separation to adjacent dwellings and the staggered nature of the built form, 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.

Given that part of the proposed side extension will be occupied by a w.c., a condition shall be attached to the permission for the proposed window serving the w.c. to be obscure glazed. This is in order to prevent any overlooking from adjacent properties, thus ensuring a high standard of residential amenity for the occupiers of 9 Michigan Road.

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.

*Impact on Trees

Whilst the application site has no trees which are afforded protection by Tree Preservation Orders (TPOs), there is a significant tree located within the public open space adjacent to the red line boundary, and found within the applicant's ownership, which makes a positive contribution to the character and appearance of the area. As such, HDC's Arboricultural Officer has been consulted, and originally raised some concerns over the application, with a lack of information regarding the trees in and around the application site. As a result, an Arboricultural Method Statement has been submitted, which provides good detail on the construction exclusion zone, the location and type of protective fencing, alongside any monitoring required. The Arboricultural Officer concluded that, providing the fencing is installed correctly prior to works being undertaken, this should satisfy the protective requirements and will not result in harm to any trees.

It is also noted that the Arboricultural Officer highlighted some discrepancies with the red line boundary, which have since been resolved as a part of revisions to the application and indicates that no development will be encroaching upon public land. Additionally, the proposed side extension has been stepped forward, resulting in the proposals being located further away from the root protection area of the tree to the east of the application site. As such, providing that the works comply with the submitted protective measures, which shall be secured by condition, the development is considered to be acceptable with regard to its impact on trees and therefore accords with Policy LP31 of the Local Plan to 2036.

*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. In addition, given the residential use of the site as well as the nature of the works proposed, it is considered that achieving a net gain would be challenging.

Having taken this into account, the proposals therefore broadly accord with Policy LP30 of the Local Plan to 2036 and are acceptable 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;
* Would not have a significantly detrimental impact upon trees;
* Is acceptable with regard to biodiversity.

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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