# OFFICER REPORT

**Case No:** 25/00854/FUL Full Planning Application

**Proposal:** New summerhouse in the rear garden for dog grooming (retrospective)

**Location:** 3 Chadley Lane Godmanchester Huntingdon

**Applicant:** Mrs Linda Sabey

**Grid Ref:** 524516 270623

## DESCRIPTION OF SITE AND APPLICATION

The application property of No. 3 Chadley Lane is situated within a residential area of Godmanchester and comprises of a semi-detached dwelling of a gambrel roof design. The property is located within the Godmanchester Neighbourhood Plan boundary, is within the Godmanchester Post Street Conservation Area and historic core. The property is also in close proximity to a number of Grade II Listed Buildings. The application property is also located in Flood Zone 2.

This application seeks approval for the erection of an outbuilding for dog grooming purposes at No. 3 Chadley Lane, Godmanchester. This application is retrospective with the works having been undertaken. The timber outbuilding is of a lean-to design and measures 1.8m by 3m with an eaves height of 2m and a maximum height of 2.4m.

This application has been accompanied by the following:

- Planning Statement;
- Heritage Impact Assessment;
- Flood Risk Report;
- An accompanying statement by the applicant.

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

## NATIONAL GUIDANCE

The National Planning Policy Framework (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.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, 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 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
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP34: Heritage Assets and their Settings

Godmanchester Neighbourhood Plan 2017-2036 - adopted 2017

Policy GMC11: Ensuring development maintains and enhances the character of the Town and reflects its heritage and history
Policy GMC21: Growing new capacity for small scale businesses in the Town
Policy GMC22: Reducing traffic and congestion on Godmanchester's roads

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

Supplementary Planning Documents (SPD) and Guidance:

Huntingdonshire Strategic Flood Risk Assessment (2024)
Huntingdonshire Design Guide Supplementary Planning Document 2017
Developer Contributions SPD 2011
Huntingdonshire Landscape and Townscape SPD (2022)
Cambridgeshire Flood and Water SPD 2017

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
* N3 - Support rich and varied biodiversity
* 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

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

## PLANNING HISTORY

There is no relevant planning history at the property.

## CONSULTATIONS

Godmanchester Town Council - Recommends refusal of planning permission due to highway safety concerns, noise concerns, waste-water concerns and a lack of information in relation to hours of operation, days of operation and the number of dogs on site.

Cambridgeshire County Council Highway Authority - No objections to the proposal based on the information provided.

Huntingdonshire District Council Conservation Officer - No comments.

Huntingdonshire District Council Environmental Health - Raised concerns over potential noise impacts, however, recommended conditions be imposed on any planning permission granted.

## REPRESENTATIONS

Two letters of objection were received during the course of the application. The concerns raised have been summarised below:

- Summerhouse already installed and dogs being groomed
- Scale of the proposed outbuilding, dominating the garden;
- Noise and disturbance impacts;
- Highway safety (parking);
- Provision of services (electricity, water etc) and disposal of dog hair and grooming waste

## 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 48 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:

o Huntingdonshire's Local Plan to 2036 (2019)
o Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
o St Neots Neighbourhood Plan 2014-2029
o Godmanchester Neighbourhood Plan (2017)
o Houghton and Wyton Neighbourhood Plan (2018)
o Huntingdon Neighbourhood Plan (2019)
o Bury Village Neighbourhood Plan (2021)
o Buckden Neighbourhood Plan (2021)
o Grafham and Ellington Neighbourhood Plan 2020-2036 (2022)
o Great Gransden Neighbourhood Plan 2021 to 2036 (2023)

o The Stukeleys Neighbourhood Plan 2022 to 2036 (2023)
o Sawtry Village Neighbourhood Plan 2022 to 2036 (2023)
o Great Staughton Neighbourhood Plan 2021 to 2036 (2025)

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 are:

- The Principle of Development
- Design and Visual Amenity
- Residential Amenity
- Highway Safety
- Flood Risk and Surface Water
- Biodiversity

*The Principle of the Development

The application is located within a built-up area of Godmanchester, which the adopted Huntingdonshire Local Plan to 2036 identifies as forming part of the Huntingdon Spatial Planning Area. As such, Policy LP7 (Spatial Planning Areas) of the Local Plan is considered relevant in this instance.

This application seeks approval for the erection of an outbuilding to accommodate a dog grooming business at the property of No. 3 Chadley Lane, Godmanchester. The application has been accompanied by a statement which indicates the business would be operated on a pre-booked appointment basis, working 2-3 days a week with a maximum of 2-3 dogs a day. The proposal would fall under Use Class E (Commercial, Business and Service) - however, is not classified as a main town centre use, in line with the National Planning Policy Framework.

While Policy LP7 does not specifically mention the type of proposed development, given the application is located within a built-up area of a Spatial Planning Area, it is considered to be in accordance with the aims of the policy.

Policy GMC21 of the Godmanchester Neighbourhood Plan states that development proposed to provide small-scale and "micro-business", A2, B1 and D2 - class employment opportunities will generally be supported, in particular start-up space on flexible terms. Any such use will need to ensure that its impact on light, noise and air is acceptable and delivery, customer and employee access arrangements do not impact on public or neighbour amenity.

Accordingly, the principle of development is considered to be acceptable in this instance, namely the provision of a dog grooming business in a built-up area of a Spatial Planning Area, subject to all other planning matters being addressed.

*Design, Visual Amenity and Impact Upon the Character of the Area

The Local Planning Authority is required to ensure that special regard is given to preserving the listed buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Local Planning Authority is also required to ensure that with respect to any buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72. This is also reflected

in Policy LP34 of the Huntingdonshire Local Plan to 2036, Policy GMC11 of the Godmanchester Neighbourhood Plan and Section 16 of the National Planning Policy Framework.

Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context. Policy LP12 states that new development will be expected to be well designed and that a proposal will be supported where it can be demonstrated that it contributes positively to the area's character and identity and successfully integrates with adjoining buildings and landscape. This is also reflected in the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024).

This application seeks approval for the erection of an outbuilding for dog grooming purposes at No. 3 Chadley Lane, Godmanchester. The timber outbuilding is of a lean-to design and measures 1.785m by 3m with an eaves height of 2m and a maximum height of 2.402m.

The application site is situated within the Godmanchester Post Street Conservation Area and is in close proximity to a number of Grade II Listed Buildings.

While the outbuilding is considered to be small in scale, due to the size of the existing private amenity space, the outbuilding encompasses a large proportion of the garden. Notwithstanding this, it is recognised that an outbuilding of this scale could be constructed (for purposes ancillary to the use of the main residential dwellinghouse) under permitted development, and indeed other dwellings on Chadley Lane have similar outbuildings in the rear garden. As such, it would be unreasonable to refuse planning permission in this instance on the basis of the scale of the outbuilding.

It is also worth noting that the design, appearance and finishing materials of the outbuilding are considered to be acceptable. The outbuilding is located to the rear of the property where it is not visually prominent from the public highway and is limited to screened views from Post Street. As such, the proposal is not considered to result in any visual harm on the character and appearance of the surrounding area or the Godmanchester Post Street Conservation Area. Furthermore, it is not considered to impact the setting of nearby Listed Buildings.

As such, the development is considered to be in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of Huntingdonshire's Local Plan to 2036, Policy GMC11 of the Godmanchester Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2024) 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.

Policy GMC21 of the Godmanchester Neighbourhood Plan states that development proposed to provide small-scale and "micro-business", A2, B1 and D2 - class employment opportunities will generally be supported, in particular start-up space on flexible terms. Any such use will need to ensure that its impact on light, noise and air is acceptable and delivery, customer and employee access arrangements do not impact on public or neighbour amenity.

Given the scale of the proposed outbuilding and its siting adjacent to the neighbouring properties outbuilding, the proposal is not considered to result in any detrimental overbearing, overshadowing or loss of light impacts on any neighbouring properties amenities.

However, given the proposed use of the building for a dog grooming business and taking into account the matters raised by the occupiers of neighbouring properties and the Parish Council,

further consideration on the potential impact on residential amenity in terms of noise, odours, and waste disposal have been considered.

In terms of waste disposal, no details have been submitted by the applicant on how they intend to dispose of any waste associated with the business. However, it is considered that a commercial waste bin can be procured which is separate from household waste and further details of this can be secured and conditioned on any grant of planning permission where necessary.

However, the proposed dog grooming business is considered to result in unacceptable noise and disturbance impacts on the directly adjacent neighbouring properties as the level of activity associated with the proposal would be over and above what would typically be expected in a domestic residential setting. The building is a timber outbuilding with glazing and double doors along the majority of the front elevation, with very little room inside the building given all the necessary equipment. Accordingly, it is likely that the doors will be left open whilst grooming the dogs, and this is confirmed in one of the neighbour objections which states that 'on occasions so far when dog grooming has taken place, doors have been left open.' Furthermore, the impacts would be exacerbated for the neighbouring property of No. 4 Chadley Lane, Godmanchester as the properties have an open shared rear garden with no boundary fencing between the two properties.

It is worth noting that definitive hours and days of operation have not been proposed as part of this application. The applicant has suggested 2-3 dogs per day (by appointment only), 2 - 3 days per week in the accompanying information. Whilst this is a relatively low number of visiting customers proposed, it is still considered that the impact on the residential amenity of neighbouring occupiers in terms of the coming and goings and noise and disturbance of customers and their dogs would not be acceptable in this instance.

As such, the proposed development is considered to result in unacceptable impacts on neighbouring properties amenities and is therefore contrary to Policy LP14 of Huntingdonshire's Local Plan to 2036, Policy GMC21 of the Godmanchester Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024) in this regard.

*Highway Safety

Policies LP16 and 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.

Policy GMC22 of the Godmanchester Neighbourhood Plan states that development proposals must demonstrate that they will not have a significant cumulative impact on the transport network.

The existing property of No. 3 Chadley Lane does not have any off-street car parking provision and does not include any as part of the proposal. Chadley Lane benefits from limited on-street car parking with no formal turning area and a public car park approximately 150m north-west off Post Street.

The Highway Authority have been consulted on the application and state that following a review of the documents provided, it is noted that the proposal is for a small-scale dog grooming business, operating 2-3 days per week with no weekends or bank holidays proposed. The clients will be pre-booked and no parking is offered with clients being advised to park in nearby public car parks.

While the proposal does not include any off-street car parking, given the existing arrangements and the level of anticipated comings and goings as a result of the dog grooming business, the Local Planning Authority and Local Highway Authority do not consider the proposal to result in any unacceptable impacts on highway safety.

As such, the proposal is deemed to be in accordance with Policy LP17 of Huntingdonshire's Local Plan to 2036, Policy GMC22 of the Godmanchester Neighbourhood Plan and Section 9 of the National Planning Policy Framework (2024) in this regard.

*Flood Risk

The application site is located on land within Flood Zone 2 in accordance with Environment Agency mapping and the Huntingdonshire Strategic Flood Risk Assessment (2024) and therefore has a medium probability of flooding. This application has therefore been accompanied by a Flood Risk Report.

The flood risk vulnerability of the proposed development is 'less vulnerable' in accordance with the Planning Practice Guidance, which is compatible with land within Flood Zone 2. Furthermore, as stated in paragraph 176 of the National Planning Policy Framework (2024), as the application seeks approval for minor development, sequential and exception tests are not required.

The submitted Flood Risk Assessment includes flood mitigation measures that are considered appropriate and reasonable for the scale of development proposed and can be secured by condition.

As such, the proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore would be in accordance with Policies LP5 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework (2024) in this regard.

*Biodiversity

As established earlier in this report the lean-to structure and outbuilding is already in place. The site is a residential garden consisting of predominantly hard surfacing and so is considered to offer little value in terms of biodiversity. Whilst the proposals do not include measures to achieve a net gain in biodiversity there is not considered to be any net loss in this instance.

It is also worth noting that given the nature and size of the development, it would be exempt from demonstrating a biodiversity net gain.

Overall, the Local Planning Authority are satisfied that the proposed development would be in accordance with Policy LP30 of the adopted Huntingdonshire Local Plan and Section 15 of the National Planning Policy Framework in this regard.

*Conclusion

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development, due to its nature, residential location and lack of noise mitigation measures (including boundary treatments), would result in unacceptable noise and disturbance impacts on neighbouring residential properties. As such, the proposal would be contrary to Policy LP14 of Huntingdonshire's Local Plan to 2036, Policy GMC21 of the Godmanchester Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024) in this regard.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is concluded that the proposed development is contrary to policy and not acceptable. There are no overriding material considerations that indicate that permission should be granted in this instance. Therefore, it is recommended that the application be refused.

**CONTACT OFFICER:**
Enquiries about this report to **Jennifer Wallis**