OFFICER REPORT

Case No: 25/00830/FUL Full Planning Application

Proposal: Proposed two storey side extension and change of use of land within the red line to residential curtilage

Location: 17 Tay Close St Ives PE27 3FY

Applicant: Mr and Mrs Bensaud

Grid Ref: 531760 273020

DESCRIPTION OF SITE AND APPLICATION

The application site at 17 Tay Close is occupied by a two-storey semi-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 two-storey side extension and change of use of land within the red line to residential curtilage.

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 alongside the alteration of the application description, with a change of use of the land within the red line, which is retrospective. 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 part of the land within the red line boundary from an area of soft landscaping to residential curtilage, discussed in subsequent sections of this report.

Further revised plans have since been received following the conversion of the application which alters the position of the close boarded fence on the boundary of the application site. In this instance, on the balance of fairness, further consultation on this matter was not considered to be necessary.

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
LP17: Parking Provision and Vehicle Movement
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows

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

8700567HUNT - 62 dwellings and access, (Phases 4 and 5), off Waveney Road, St. Ives (Permission)

CONSULTATIONS

St Ives Town Council - No comment received at the time of determination.

Cambridgeshire County Council Highways Officer - No objections, further comments in subsequent sections of this report.

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
- Biodiversity
- Impact on Trees
- Impact on Highway Safety

*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 a landscaped verge, it is noted that LP7 broadly supports residential development where it is appropriately located within the built-up area of a Spatial Planning area. Additionally, when considering the existing use of the site, a site visit confirms that a close boarded fence has been erected in place of the landscaped verge to allow for additional private amenity space. From this, it is clear that a residential character within the red line boundary has already been established, and it is therefore considered that an extension to the existing dwelling would be acceptable in principle providing it is in accordance with other policies.

*Design and Visual Amenity

The application site at 17 Tay Close is occupied by a two-storey semi-detached dwellinghouse located within a residential area in St Ives. The application seeks permission for the erection of a two-storey side extension, with the change of use of the land within the red line to residential curtilage.

When considering the proposed extension, this measures approximately 3.4 metres in width and 6.7 metres in length. The extension includes a pitched roof, matching that of the host dwelling and measures a maximum ridge height of 7.2 metres, with eaves at approximately 4.8 metres. Whilst concerns were raised from the Parish Council in the prior application for householder planning permission, when taking into account the proposed dimensions compared to the form of the existing dwelling, it is considered that the proposals is of an acceptable scale and do not appear as overbearing within its surroundings. Alongside this, with the proposed extension set in from the existing dwelling to the rear, this allows the extension to act subservient to the dwelling. Therefore, it is considered that the addition would have a neutral impact on the wider area and would not appear as overbearing when taking into account the existing dwelling and the built form of the surrounding street scene. Additionally, the single storey porch element extending up the wall of the

primary elevation demonstrates good design, linking with the existing front porch and integrates well within the surrounding street scene. Further, the two-storey extension is to also be successfully integrated within the application site through the use of materials to match the existing dwelling.

The erection of a close boarded fence and the change of use of land to allow for additional residential amenity space is considered acceptable with regard to visual amenity when taking into account the character of the surrounding area. Further, revised plans received which have reduced the prominence of the close boarded fence to the street, which is now in line with the proposed side extension and set back 0.7 metres from the boundary. This allows for the provision of soft landscaping between the application site and the street, reducing the impact of the proposals on the character and appearance of the street scene.

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 location of the proposed extension on the corner of Tay Close, alongside the separation to adjacent dwellings and the staggered nature of the surrounding 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.

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.

*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 existing 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.

*Impact on Trees

As part of the retrospective change of use of the land within the red line to residential curtilage and to facilitate the erection of the two-storey side extension, this has involved the removal of the soft landscaping verge between the dwelling on the application site and the highway, as mentioned in preceding sections of this report, with the replacement of a close boarded fence to allow for an increase in amenity space. This has resulted in a harsh boundary treatment along the boundary of the application site when comparing this to the surrounding street scene. As such, revised plans have been received which will set the close boarded fence back 0.7 metres, in line with the side elevation of the proposed extension and will allow for the reimplementation of soft landscaping, providing a green edge between the dwelling and the street. This provides a more natural barrier and is in line with the character of the existing street scene, and promotes additional plantation. As such, on balance, it is considered that the proposals are therefore acceptable in terms of impact on trees and broadly accord with Policy LP31 of the Local Plan to 2036.

*Impact on Highway Safety

Due to the nature of the application and the location of the extension on the corner of the junction of Tay Close, Cambridgeshire County Council's Highways Officer has been consulted. They note that the revised application for full planning permission concerns the change of use of land within the red line, and that their comments from the previous consultation have not altered. The Highways Officer begins by stating that whilst the western corner of the proposed extension is within 200mm of the highway boundary, indicative highway records indicate that this would not affect the visibility splays when exiting Tay Close, which is further supported by the staggered nature of the surrounding street scene. Additionally, when considering the nature of the area as residential, and both arms of Tay Close being cul-de-sac, it is determined that vehicle volumes and speeds will be low, and will therefore not result in any adverse effect upon highway safety in the vicinity. This addresses the concerns presented from the Parish Council within the prior application for householder planning permission, with the proposals considered acceptable with regard to highway safety.

Taking the favourable comments from CCC Highways into account and the above assessment, it is considered that the proposal is acceptable with regards to vehicle movement and will not have a detrimental impact on highway safety in the locality. The proposal therefore accords with Policy LP17 of the Local Plan 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;
* Is acceptable with regard to biodiversity;
* Would not have a detrimental impact on highway safety in the vicinity.

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.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs.

CONTACT OFFICER:
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