RECOMMENDATION - REFUSE

This application has been referred to Development Management Panel because the Town Council has recommended approval, contrary to the officer recommendation of refusal.

1. DESCRIPTION OF SITE AND APPLICATION

1.1 The site is a plot of land located to the immediate rear (north) of 67 Ermine Street, a detached single storey dwelling formally associated with Stukeley Hall.

1.2 67 Ermine Street is served by a single access point. The site is irregular in shape, to the east lies parkland and to the north west a recent residential development of three detached dwellings and to the north a residential estate. There are a number of trees adjacent to and within the site.

1.3 The proposal seeks the erection of a 3 bedroom detached chalet style dwelling. The application site forms part of the garden of 67 Ermine Street and has been subdivided with close boarded fence. Access to the site is to be gained via the existing access, with a new gravel drive around the recently erected fencing on the eastern boundary.

2. NATIONAL GUIDANCE

2.1 The National Planning Policy Framework (2012)

Paragraph 7 Achieving sustainable development
Paragraph 17 Core Planning Principles
Section 4 Promoting sustainable transport
Section Delivering a wide choice of high quality homes
Section 7 Requiring good design
Section 11 Conserving and enhancing the natural environment
Section 12 Conserving and enhancing the historic environment
3. PLANNING POLICIES

3.1 Saved policies from the Huntingdonshire Local Plan (1995)

- En12: “Archaeological Implications”
- En18: “Protection of countryside features”
- En25: "General Design Criteria"
- H31: “Residential privacy and amenity standards”
- H32: “Sub-division of large curtilages”

3.2 Saved policies from the Huntingdonshire Local Plan Alterations (2002)

- HL5 - Quality and Density of Development

3.3 Adopted Huntingdonshire Local Development Framework Core Strategy (2009)

- CS1: “Sustainable development in Huntingdonshire”
- CS3: "The Settlement Hierarchy"
- CS10: “Contributions to Infrastructure Requirements”

3.4 Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013)

- Policy LP 1 Strategy and principles for development
- Policy LP 10 Development in Small Settlements
- Policy LP 11 The Relationship Between the Built-up Area and the Countryside
- Policy LP 13 Quality of Design
- Policy LP 15 Ensuring a High Standard of Amenity
- Policy LP 17 Sustainable Travel
- Policy LP 18 Parking Provision
- Policy LP 29 Trees, Woodland and Related Features
- Policy LP 31 Heritage Assets and their Settings

3.5 Huntingdonshire Design Guide (2007)

3.6 Huntingdonshire Landscape and Townscape Assessment (2007)

3.7 Developers Contributions SPD

4. PLANNING HISTORY

1400917FUL - Erection of a four bedroom detached 1.5 storey dwelling – withdrawn

1400152EXTDET - Erection of single storey flat roof extension, (extends beyond the rear wall by 8 metres, maximum height of 3 metres and height of 3 metres to eaves) – approved

1300972FUL - Demolition of existing bungalow and erection of three detached one and a half storey dwellings and relocated vehicular access - withdrawn
5. CONSULTATIONS

5.1 Parish Council – Recommend Approval (Copy Attached)

5.2 Cambridgeshire County Council Highway Authority - The proposed access looks to be adequate with regards to geometry and the vehicle to vehicle visibility is in accordance with the speed of the road. Given the above I have no objections to that proposed.

Conditions recommended in relation to no gates to be erected across the approved access unless details agreed with the Local Planning Authority, access to be a minimum width of 5 metres for 10 metres, access to be constructed in accordance with Highway Authority standard and parking area to be provided before occupation and thereafter retained.

6. REPRESENTATIONS

6.1 2 Letters of objection:
- Detrimental impact on view
- Detrimental to highway safety
- Loss of privacy
- Traffic creation/problems
- Road Safety
- Traffic calming is ineffective
- Developers of adjacent site to the North West were advised that any application to further develop No. 67 housing would be steadfastly refused
- Question whether there is to be high density developments in every “postage stamp” of free land?
- Land at 67 Ermine Street is lower than 65, not consider there to be any benefit consider the reverse true in terms of privacy
- Consider the removal of the dilapidated outbuilding was for the benefit of the developer as much as the neighbours. This was for the benefit of the developer as much as anyone else.
- The application states the intention to replant conifers along the boundary. This would have a serious impact on view and light reaching No 65.
- Concern over access on to Ermine Street and its width, opposite another road junction. This part of the road is also badly lit
- Concern over building line, if this was not an issue consider that then everyone with a piece of land to the rear could build on it
- Potential for existing dwelling that marks the entrance to one of the drives to Stukeley Hall (grade II listed building) to become overcrowded by shoehorning a new dwelling into its grounds
- Existing dwelling should be preserved as it has history to the village and not be over developed, if developed it would damage its important parkland setting
- Advised when relocating my house that as it joined the parkland (open countryside) that unable to locate it nearer to the boundary, take it that as this new dwelling joins the same parkland the same rules apply and this application should be refused on those grounds
Question if a preservation order could be placed on the building and its grounds to stop further development destroying historical parts of the village

7. **ASSESSMENT**

7.1 Paragraph 215 of the NPPF requires that ‘...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

7.2 Paragraph 216 states that ‘...decision-takers may also give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

The main issues to consider are:
- the principle of development
- impact on the character and appearance of the area,
- impact on amenity,
- impact on trees,
- parking and highway safety
- contributions

**Principle of residential development**

7.3 Paragraph 49 of the National Planning Policy framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF seeks to provide high quality homes and in the case of rural areas the NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 53 states that Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

7.4 Policy CS3 of the Adopted Core Strategy identifies Great Stukeley as a Smaller Settlement in which residential infilling will be appropriate within the built-up area. Policy LP 10 of the Draft Local Plan states that a proposal which is located within the built-up area of a Small Settlement will be considered on individual sustainability merit and having regard to other policies in the Local Plan.

7.5 In terms of considering the principle of the development the application site is considered to lie within the built-up area of Great Stukeley when considered against policy CS3 of the Core Strategy.
7.6 These policies are consistent with the National Planning Policy Framework particularly paragraph 7 which details the three dimensions of sustainable development and can be given significant weight. Policies in the emerging Local Plan may be subject to change and therefore limited weight can be attributed to policy LP10.

7.7 In considering the sustainability matters, due regard is had to the fact that Great Stukeley has limited services. Residents are likely to access services in Huntingdon. Policy LP10 also states that the effect on the character of the settlement and surroundings will be considered as part of the sustainability issue.

7.8 The development may be supported in principle, however it is necessary to consider whether the site it considered acceptable for development in all other regards.

**Impact on the character and appearance of the area**

7.9 67 Ermine Street once had an historic association with the Hall, being the former gatehouse to Stukeley Park, and it contributes to the understanding of the arrangement of parkland (Stukeley Park) around the listed building. The building is considered to be an attractive historic building of architectural interest and it is an appropriate form of development on the edge of the planned landscaping which characterises the appearance of the land north of Ermine Street.

7.10 67 Ermine Street is located on an irregular shaped plot with parkland to the east. The dwelling has been recently been extended with a single storey flat roof extension under the prior approval procedure. This side of Ermine Street within the immediate locality is characterised by dwellings / buildings set back from the highway in relatively spacious plots. Development is linear in form along Ermine Street, although a residential estate does lie to the rear of the properties along Ermine Street. There are no examples of in-depth development along this part of Ermine Street. Whilst there are a number of buildings to the rear of 65 Ermine Street these are all ancillary and subservient to the main dwelling.

7.11 Since the withdrawal of the previous application a fence has been erected on site which subdivides the site to provide 67 Ermine Street with a smaller garden. This permits access to the rear of the site to the south east. This area of the site is slightly higher than the land with the enclosed amenity space associated with No. 67. Within this space there are two trees, whilst these are indicated to be retained there are concerns that the provision of the access way given the differences in levels may result in harm to these existing trees.

7.12 Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development and is indivisible from good planning. Paragraph 58 aims to ensure development amongst other issues responds to the local character history and reflects the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation and seeks to ensure a visually attractive result of good architecture. Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
7.13 The proposed dwelling has been designed to have regard to the existing dwelling on the site. Whilst the proposal incorporates a hipped roof and is of a chalet style, it is not considered that the dwelling is of a good design or appropriate scale, by virtue of the elongated width and mass of the roof of the dwelling when compared to the existing gatehouse dwelling.

7.14 67 Ermine Street fronts the road and is considered well related to the parkland setting. In contrast, the proposed dwelling is greater in width than the host dwelling and there is less space around it.

7.15 The proposed dwelling would be visible in part through the existing access, from the adjacent parkland and right of way, Ermine Street to the north west, particularly when the trees are not in leaf and also from the adjacent highway. Having regard to the siting, scale and design of the proposed dwelling the development is considered to result in a dwelling and curtilage which is not sympathetic to the locality including the parkland setting.

7.16 It is considered that the addition of a dwelling to the rear of the gatehouse would result in back land development, with a contrived access route. Development of this form would be out of keeping with the character of the area, which is of a linear form along Ermine Street and would result in a dwelling and curtilage not of a size and form sympathetic to the locality. The proposed development would fail to respect the established pattern of development, and would fail to positively contribute to the character and appearance of the rural area.

7.17 The proposal is contrary to policies En25 and H32 of the Local plan, policy CS1 of the Adopted Core Strategy, Draft Policies LP10 and LP13 of the Local Plan to 2036: Stage 3, and the Design Guide. These policies are consistent with the emphasis in the National Planning Policy Framework on the importance of good design, and the protection of local distinctiveness, particularly paragraphs 7, 17, 56, 58, and 60 and can be given significant weight in the determination of this application. However, policies within the emerging Local Plan may be subject to change and therefore limited weight can be attributed to policies LP10 and LP13.

Impact on amenity

7.18 The separation distance between the front of the proposed dwelling and rear of the host dwelling measures 20 metres. A close boarded fence divides the site. Given the separation distance, the fact that the proposed dwelling is one and a half storey in height, with no windows/rooflights within the front elevation), it is not considered that the proposal would have a significant detrimental impact on amenity by reason of overlooking, overshadowing or being overbearing. It is recognised that there is likely to be some noise and disturbance with the use of the proposed gravel driveway, however given the separation space this is not considered to result in a significant detrimental impact on amenity.

7.19 No. 65 is located to the west / north west of the application site. No. 65 is located on higher ground than the application site and first floor
dormer windows face towards the site and 67 Ermine Street. A fence forms the boundary. The windows of No. 65 face towards the proposed parking area for the dwelling. Whilst they may overlook this area this would result in any significant detrimental impact on amenity as this cannot be considered to be private amenity space.

7.20 The dwelling has been designed with two windows along this side elevation, one serving a bathroom and the other a bedroom. A door is also proposed to the utility room. Given the separation space and boundary treatment that exists, this would not result in a significant detrimental impact on amenity by reason of overlooking.

7.21 Having regard to the proposed separation between the proposed dwelling and 65 Ermine Street the development would not have an overbearing impact on neighbours.

7.22 There are concerns however with the relationship of the proposed dwelling and private amenity space of No. 65, more specifically with the patio area which is located between the garage and dwelling but not readily visible on the site plan. Having regard to the relationship of the proposed dwelling and private amenity, it is considered that this would result in a significant detrimental impact on amenity by reason of overshadowing. In light of this the proposal is not considered to comply with policy H34 of the Local Plan, policy LP15 of the Draft Local Plan to 2036 and the NPPF as these policies are considered to be consistent with the core planning principle in the National Planning Policy Framework (paragraph 17) of securing a good standard of amenity for all existing and future occupants of land and buildings. However, the policies within the emerging Local Plan may be subject to change and therefore limited weight can be attributed to this policy.

Trees:

7.23 The trees to the north of the site are protected by a Tree Preservation Order. However, given the positioning of the new dwelling away from these trees, there would be no harm to these trees.

7.24 As already detailed there are two trees within the access route to the proposed dwelling, whilst indicated to be retained there are concerns over the feasibility of their retention and provision of the access. If development were permitted, then these trees should be retained. If this were not possible then replacement trees should be planted.

7.25 The Parish Council in their recommendation require a condition for a mixed native species hedgerow along the boundary with Great Stukeley Hall parkland. Whilst this application is not being recommended for approval, the applicant has advised they are agreeable to this request and should the application be approved, this detail should be secured by planning condition.

7.26 The proposal if permitted would comply with policies En18 and LP29 subject to the imposition of appropriate conditions, to either retain the trees or provide replacement trees. A refusal could not be justified on tree grounds alone. These policies are consistent with the NPPF paragraph 17 which seeks to conserve and enhance the natural environment, however as policy LP29 is an emerging policy it can only be afforded limited weight.
Parking and Highway:

7.27 Parking is available on the site. Whilst no dedicated cycle parking is indicated, there is space within the site to enable this to be provided securely.

7.28 The County Council Highway Authority has been consulted on the access and they have advised that the proposed access looks to be adequate with regards to geometry and the vehicle to vehicle visibility is in accordance with the speed of the road. Whilst noting concerns have been raised in the representations received, the Highway Authority has no objections to the development. It is not considered that this development harms highway safety.

7.29 The proposal therefore accords with policies LP17 and LP18 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013). These policies are consistent with the NPPF paragraph 32 that requires safe and suitable access to the site for all people, however as these are emerging policies they can only be afforded limited weight.

Archaeology:

7.30 Although the County Council has not commented on this application, they did comment on planning application 1300972FUL which was subsequently withdrawn. These comments stated that ‘records indicate that the site lies in an area of high archaeological potential. Archaeological excavations directly to the sites west revealed multi-period remains (including human remains) ranging from the Romano-British period through to the post-mediaeval period (HER No. ECB3536). The site is adjacent to the route of Ermine Street (a Roman road - HER No. MCB15034) and is likely to have remains associated with this road within its boundary. Two Roman burial mounds are also present within 300m to the north west of the current application area (HER No. MCB3249 & MCB3250).

7.31 We therefore consider that the site should be subject to a programme of archaeological investigation and recommend that this work should be commissioned and undertaken at the expense of the developer....'

7.32 Should the application have not been recommended for refusal then a condition would have been considered necessary to secure a programme of archaeological work.

7.33 The proposal if permitted would comply with policy En12, and Draft Local Plan policy LP31 subject to the imposition of appropriate conditions. These policies are consistent with the NPPF paragraph 17 which seeks to conserve heritage assets, however as policy LP31 is an emerging policy it can only be afforded limited weight.
Bin Contributions:

7.34 At the time of writing the report the applicant had not submitted a completed Wheeled Bin Contribution Unilateral Undertaking. The applicant has been requested to complete this undertaking. Should the Wheeled Bin Contribution Unilateral Undertaking not have been received and completed by the date of the Development Management Panel meeting then it is recommended that an additional reason for refusal is added, that being that the development fails to accord with the Developer Contribution SPD.

Other Matters not already taken into consideration:

7.35 Detrimental impact on view – this is not a material consideration as there is no right to a private view

7.36 Concern over the intention to replant conifer trees along the boundary to 65 Ermine Street is noted, however this would not require the approval of the Local Planning Authority

7.37 Reference is made to another site and its replacement and associated impact on the countryside, although noting this point each case is considered on its own merits

7.38 Question whether the Council could put a preservation order on the building and its grounds to stop further development destroying historical parts of the village – the Local Planning Authority do not have any powers to place such an order. Anyone wishing to suggest a building for listing would need to contact English Heritage, the details and forms that would need to be completed and the criteria used to determine how buildings are chosen are set out on English Heritage’s website. The decision on whether to list a building is taken by Secretary of State for Culture, Olympics, Media and Sport and as such is out of the control of the Council.

Conclusion

7.39 The proposed development is not considered to be acceptable resulting in harm to the character and appearance of the area and to neighbour amenity.

7.40 Having regard to applicable national and local planning policies and having taken all relevant material considerations into account, it is therefore recommended that planning permission should be refused.

8. RECOMMENDATION – REFUSE for the following reasons

1. The proposed development does not represent good design, and would result in a dwelling and curtilage not of a size and form sympathetic to the locality. The addition of a dwelling to the rear of the gatehouse would result in back land development, with a contrived access route. Development of this form would be out of keeping with the character of the area, which is of a linear form along Ermine Street. The proposed development fails to contribute positively to the character and appearance of the rural area. The proposal is contrary to policy En25 and H32 of the Local plan, policy CS1 of the Adopted
The proposed development, by virtue of its height, depth and proximity to the boundary, would harm the private amenity space associated with No. 65 Ermine Street by reason of overshadowing. The proposal is contrary to policy H31 of the Local Plan and LP15 of the Draft Local Plan to 2036 and paragraph 17 of the NPPF.
Comments were submitted at 4:16 PM on 03 Dec 2014 from Mrs Carole Pollock.

Application Summary
Address: Land At 67 Ermine Street Great Stukeley
Proposal: Detached dwelling
Case Officer: Michelle Nash

Customer Details
Name: Mrs Carole Pollock
Email: parishclerk.spc@btinternet.com
Address: 5 Gore Tree Road, Hemingford Grey, Cambridgeshire PE28 9BP

Comments Details
Commenter Type: Town or Parish Council
Stance: Customer made comments in support of the Planning Application
Reasons for comment:
Comments: The Stukeleys Parish Council recommend approval as the plans are for a modest building that does not detract from the historic setting of lodge nor the street scene BUT with a condition should require a mixed native species hedgerow along the boundary with Great Stukeley Hall parkland.
NOTES:
1. This drawing is to be read in conjunction with all other service and structural engineers calculations, drawings and specifications.
2. All dimensions are to be checked on site before ordering or construction commence, any discrepancies/alterations are to be reported to the architect.
3. All levels shown are indicative and are to be confirmed on site with the architect and client.
4. All dimensions are in millimetres unless shown otherwise.

PROJECT:
NEW BUILD - CHALET BUNGALOW
67 ERMIN STREET, GREAT STUKELEY

DRG TITLE:
PLANNING APPLICATION - SITE PLANS

DATE: 28/09/14
DRG No: NEW BUILD
SHEET No: 1 OF 3
SCALE: 1:500
SIZE: A1
1. This drawing is to be read in conjunction with all other service and structural engineers calculations, drawings and specifications.
2. All dimensions are to be checked on site before ordering or construction commence, any discrepancies/alterations are to be reported to the architect.
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