This application is referred to the Development Management Committee as Yaxley Parish Council's recommendation of refusal is contrary to the Officer's recommendation of approval.

1. DESCRIPTION OF SITE AND APPLICATION

1.1 The application site is located within the built up area on the western edge of Yaxley adjacent to the rear of Folly Close. The land in question is located to the rear of number 9, which is also in the ownership of the applicant. A residential garden of 0.15 hectares in size, the site is contiguous to the residential curtilages to the north south and east. To the west of the site is an agricultural/ equine use, with significant buildings along the boundary. The site is enclosed to the west by strong, dense boundary hedge.

1.2 The application has been submitted as an outline application and seeks planning permission for two residential units on the site outlined in red for the purposes of the planning application. This application considers the principle of the development only, with all other matters reserved. The site is to be accessed from Folly Close, along an adopted access road.

2. NATIONAL GUIDANCE

2.1 The National Planning Policy Framework (2012) sets out the three dimensions to sustainable development - an economic role, a social role and an environmental role - and outlines the presumption in favour of sustainable development. Under the heading of Delivering Sustainable Development, the Framework sets out the Government's planning policies for: building a strong, competitive economy; ensuring the vitality of town centres; supporting a prosperous rural economy; promoting sustainable transport; supporting high quality communications infrastructure; delivering a wide choice of high quality homes; requiring good design; promoting healthy communities; protecting Green Belt land; meeting the challenge of
climate change, flooding and coastal change; conserving and enhancing the natural environment; conserving and enhancing the historic environment; and facilitating the sustainable use of minerals.

For full details visit the government website https://www.gov.uk/government/organisations/department-for-communities-and-local-government

3. PLANNING POLICIES

3.1 Saved policies from the Huntingdonshire Local Plan (1995)
- H31: Residential privacy and amenity standards
- H32: Sub-division of large curtilages
- En20: Landscaping Schemes for New Development
- En25: General Design Criteria
- T18: Access Requirements for new development

3.2 Saved policies from the Huntingdonshire Local Plan Alterations (2002)
- HL5: Quality and Density of Development
- HL10: Housing Provision

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 Huntingdonshire's Local Plan to 2036: Consultation Draft 2017
- LP1: Strategy for Development
- LP3: Contributing to Infrastructure Delivery
- LP6: Key Service Centres
- LP8: The Countryside
- LP10: Design Context
- LP11: Design Implementation
- LP13: Amenity
- LP15: Sustainable Travel
- LP16: Parking Provision
- LP24: Housing Mix
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows

- Place Making Principles - Part 3.7 Building Form

3.6 Policy Weighing - Policy CS1 of the adopted Core Strategy 2009 sets out the criteria for sustainable development and is broadly consistent with the NPPF. Having regard to the NPPF paragraph 215, this policy is considered to have full weight, given the NPPF requirement for development to be sustainable and jointly and simultaneously achieve economic, social and environmental gains. Policy CS3 - Policy CS3 establishes a settlement hierarchy, which paragraph 5.16 of the supporting text explains as having the strategic aim of concentrating development in the larger sustainable settlements that offer the best levels of services and facilities and
protects the character and scale of smaller villages and the countryside, and it will increase opportunities for sustainable lifestyles, reduce the need to travel and make good use of existing infrastructure. Policy CS3 is consistent with the Core Principle in NPPF 17(5) in recognising the intrinsic character and beauty of the countryside. It is further consistent with NPPF 17(3) as the Council can demonstrate a 5 year housing land supply and is therefore meeting the housing needs of its area by concentrating development in Strategic Expansion Locations or in the larger sustainable settlements that offer the best levels of services and facilities whilst at the same time protecting the character and scale of smaller villages and the countryside.

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

4. PLANNING HISTORY

4.1 17/00846/OUT – Erection of dwelling, including associated detached garage and hardstanding. PERMISSION 16.06.2017

4.2 05/01295/OUT - Erection of four dwellings following demolition of existing. REFUSED 17.06.2005

4.3 APP/H0520/A/05/1186359 – Appeal Dismissed

4.4 04/03243/OUT – Erection of two dwellings – Dismissed

4.6 APP/H0520/A/05/1175714 – Appeal Dismissed

4.7 9000146OUT - Erection of three dwellings 9, Folly Close, London Road, Yaxley. REFUSED 08.03.1990

4.8 8901237OUT - Erect three dwellings, 9 Folly Close, London Road, Yaxley. REFUSED 07.07.1989

5. CONSULTATIONS

5.1 Yaxley Parish Council - Recommend refusal due to over-development of the site, impact on neighbouring properties, insufficient access for two properties. The Parish Council would like to point out that the access road for the properties referred to in the application is a service road owned by O & H Hampton.

Officer Response: The Agent has corrected this and supplied the correct certificate indicating that Certificate B has been completed and the relevant notice has been served to the landowners of the access road.

5.2 County Council Highways Officer - The proposed development is served directly from a private road, which has adequate existing access to the public highway for the types of vehicles associated with the development. Parking and turning is indicated as being away from the public highway and the vehicle movements associated to that proposed is not considered to be significant.
5.3 Given the above, no objections are raised to that proposed development subject to conditions (which will be included should planning permission be granted by members of DMC).

5.4 **HDC Waste Manager** - The collection point will be from Folly Close and not the rear of the houses as shown on the map.

5.5 **Wildlife Trust** - This professional ecological advice has been provided in accordance with the Service Level Agreement held with Huntingdonshire District Council. I have reviewed the ecological information provided with the above application, and am satisfied with the conclusions in the Preliminary Ecological Appraisal that with suitable mitigation and supervision of works by an Ecological Clerk of Works, the proposals would be unlikely to have significant negative impacts on wildlife. Should permission be granted, the mitigation and enhancement recommendations made in the PEA report should be required by way of a suitably worded planning condition.

6. **REPRESENTATIONS**

6.1 The owners/occupiers of the following addresses have made representations:
- 1 Folly Close, Yaxley
- 2 Folly Close, Yaxley
- 3 Folly Close, Yaxley
- 4 Folly Close, Yaxley
- 5 Folly Close, Yaxley
- 7 Folly Close, Yaxley
- 8 Folly Close, Yaxley
- 35 London Road, Yaxley
- 33 London Road, Yaxley

6.2 The representations can be summarised as follows:
- Two proposed dwellings are overdevelopment and intensification of the application site.
- Concerns regarding close proximity of two dwellings to the rear gardens of properties along Folly Close.
- Two new dwellings will result in more traffic and intense use of Folly Close and its service road.
- The road to 9 Folly Close is narrow and not suited for much more intense use of traffic.
- Many homeowners in this immediate area own at least two vehicles. Two new dwellings would bring up to four vehicles using a narrow access road in and out of Folly Close, causing intense use and more traffic, plus associated noise.
- Access to the proposed development is in my opinion is inadequate as it will make use of a service road with unsuitable and unsafe access to the busy A15.
- The current sewerage service from 9 Folly Close, passes through nearby properties and has been subject to many blockages and spills into my garden. An objection is raised to any proposal that sought to utilise this path to the main sewerage system.
- This proposal is not in keeping with the surrounding character and is not sympathetic to the current community.
- Unclear if the proposed dwellings are to be single storey or two storeys.
- The proposed dwellings that are to be erected will be located close to existing boundaries.
- Residents of Folly Close wish for their properties to remain private and do not wish to be overlooked.
- Proposed vehicles resulting from two new dwellings will result in over intensification and use of the A15.
- We have been told that there would be no more houses built near to Folly Close.
- The property known as 9 Folly Close is accessed by an undrained, unnamed concrete farm road which is not part of Folly Close, an owned, private and maintained road by residents of Folly Close.

Officer Response: The above representations are a summary of the comments that have been received. Full details of the representations can be inspected via the comments section on the public access application file. Whilst a number of these comments are not relevant given that the application is in outline only (with all matters reserved), all relevant comments have been addressed in the main body of the report.

7. ASSESSMENT

7.1 The report addresses the principal, important and controversial issues which are in this case:
- The Principle of Development
- The Design of the Proposal in Relation to the Character and Appearance of the Area.
- The Impact on the Amenity of Neighbours and Future Occupiers
- Impact on Trees, Hedges and Ecology
- Highway Safety and Parking Provision
- Third Party Representations
- Other Issues

The Principle of Development

7.2 The principle of development at this site for residential dwellings has previously been established under application reference: 17/00846/OUT. This application determined that due to the site’s strong landscaping and vegetation, which segregates it from the neighbouring open countryside and by virtue of it falling within continuous group of 30 or more houses the application site, the site falls within the built up area of Yaxley.

7.3 Policy CS3 (The Settlement Hierarchy) of the Core Strategy identifies Yaxley as a ‘Key Service Centre’, in which development schemes of moderate and minor scale and infilling may be appropriate within the built-up area.

7.4 Policy LP6 of the Huntingdonshire’s Local Plan to 2036: Consultation Draft 2017 also defines Yaxley as a Key Service Centre, whereby a proposal which includes housing will be supported where it is appropriately located within the built-up area.

7.5 It is therefore considered that the use of this site for the erection of two dwellings, with accompanying garages is acceptable in principle and complies with policies CS3 and emerging policies LP9 of the
The Design of the Proposal in Relation to the Character and Appearance of the Area;

7.6 Whilst there is a presumption in favour of sustainable development the National Planning Policy Framework defines sustainability as having three strands - social, economic and environmental. One of the NPPF’s core principles is to ‘always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings’. Good design is a key aspect of sustainable development and is indivisible from good planning. Paragraph 53 of the NPPF also states that LPAs should consider setting policies to resist inappropriate development of residential gardens where for example, development would harm the local area.

7.7 As the application is submitted as outline only with all other matters reserved, no detailed plans have been submitted. Paragraph 5.5 of the Design and Access Statement outlines neighbouring dwellings within the immediate vicinity as “bungalows and the proposal will directly reflect this style of dwelling.” Paragraph 5.9 states that “taking into account the previous decisions, it is proposed that the dwellings will be limited to single storey in height. The indicative layout also shows the layout will limit any visual impact. The proposal will be minimally visible from the public realm.”

7.8 The Urban Design Officer was asked to review the application in its outline form and raised a number of concerns in their consultation response including concerns about parking provision, garage sizes, bin collection points and drag distances, the orchard located within the rear curtilage, the layout of the proposed dwelling and the resulting amenity concerns arising from this layout towards neighbours at both nos 3 & 4 Folly Close.

7.9 In relation to garages and parking provision, the officer required further understanding as to how visitors will be accommodated, including the functionality of turning spaces. At least 2 spaces minimum would be required. Furthermore, the proposed garages would need to meet Design Guide dimensions and as per the emerging plan 1 bike space per bedroom needs to be accommodated on plot.

7.10 A revised layout plan was submitted by the agent in response to the garage and parking concerns raised by the Urban Design Officer. The garages shown on the indicative plan now measure at 6.5 m x 4 m. The agent has also confirmed that cycle storage is able to be accommodated within the garage. This is in accordance with the garage design (including cycle storage) measurements in the Huntingdonshire Design Guide (Page 95). The amended plan supplied by the agent also includes an indicative layout with the addition of 4 spaces. Based on the indicative plan provided, there is sufficient turning area on site.

7.11 Given that the application is in outline only, and in light of the above it is considered that the proposal is acceptable in terms of impact on character and appearance of the area.
7.12 The previous application for one dwelling at this site determined that a well-designed, small scale bungalow would be appropriate, bearing in mind the form and the size of the site. In addition to this, a simple yet attractive external treatment would also be expected which would form a sympathetic form of development that would fall in line with the above policies. It was considered that a new single storey dwelling had the potential to sit amicably alongside the existing properties within the vicinity.

7.13 The agents in their Design and Access Statement have indicated that careful consideration has been given to the impact upon privacy and overshadowing/loss of sunlight daylight and “the indicative layout demonstrates that residential development can be undertaken whilst protecting the residential amenity of neighbouring dwellings along with those of future occupiers.”

7.14 It is acknowledged that the character of this area of Folly Close is one of a tightly knit residential area. However, any proposed noise that may be experienced from the impact of two dwellings can be associated with normal day to day use of the existing dwellings.

7.15 Further acknowledgement and weight can be given to previous planning history on this application site. For example, in the case of 04/03243/OUT, amenity was not considered as an issue in the subsequent appeal, neither in the 2005 appeal decision nor the approval of the outline approval in 2017.

7.16 Also, in summing up, the appeal decision of APP/H0520/A/05/1186359, the inspector concluded that a suitable layout could be designed which would provide satisfactory living conditions for future occupants and the situation of the frontage property and would be no different from many corner plots and many modern cul-de-sac developments. The inspector did not consider that the concerns envisaged by Local Plan Policy H35 necessarily applied in this case. This point was likewise highlighted and agreed with by the planning officer in the 2017 report.

7.17 As this application is an outline application with all matters reserved, there is limited detail on the proposed layout of the dwellings. However it has been confirmed that they are to be of a single storey although final design and scale will be formally considered at reserved matters stage.

7.18 It is considered that the amenity to the neighbours at 1, 2, 3 and Folly Close would be protected by virtue of the sufficient separation distance between the rear of the these properties and the eastern boundary of the site.

7.19 In terms of waste management and collection, The RECAP Waste Management Design Guide Supplementary Planning Document (2012) states that residents should not have to move waste more than 30m to any designated storage area within the boundaries of the property and that any designated storage area
within the boundaries of the property should not be more than 25m distance from the collection point.

7.20 The document goes on to state that where properties do not share waste containers, residents should take their waste storage containers to the collection point for the purpose of emptying, which is either within the curtilage of the property or the kerbside depending on the requirements of the particular local authority. A consultation response with Huntingdonshire’s Waste Management has confirmed that a collection point for the proposed dwellings would be on Folly Close, not located down the existing access road past number 9 Folly Close as no refuse vehicle will be able to pass down the narrow access road.

7.21 The agent has supplied differing plans showing potential collection points, but each have been deemed unsuitable given the above outlined reasons. The application is in outline only, and it is considered that a reason for refusal on the basis of the above issue would be difficult to defend on appeal. As such, a condition will be included should any planning permission be granted to determine the most appropriate location and a solution for bin collection and bin storage points.

7.22 The proposal is therefore considered to meet the requirements of policy in terms of amenity at this stage.

Impact on Trees, Hedges and Ecology

7.23 There are a number of trees on site which were previously intended to be removed during the assessment of the previously approved application for one dwelling. A tree survey which accompanied the previous outline application identified a number of trees for removal in the survey as they were considered to be of a low quality or in such a condition that they cannot be realistically retained as living trees in the context of the current land use for longer than 10 years.

7.24 Correspondence received from the agent has confirmed that the trees and the rear orchard have been removed from the application site. Whilst the loss of trees within this setting is regrettable, these trees were not protected by virtue of either a Tree Preservation Order or bring inside a Conservation Area; therefore, little could have been done by the LPA to prevent their removal. Any future Reserved Matters application that is received can however be subject to a Hard and Soft Landscaping scheme.

7.25 A Preliminary Ecological Appraisal has also been submitted as part of this application proposal. It has been submitted as the Site lies within 750m of a Special Area of Conservation (SAC) for Great Crested Newts, and there is a lake within 250m. The appraisal has been reviewed by the Wildlife Trust who declares that they are satisfied with the conclusions reached in the report and that with suitable mitigation and supervision of works by an Ecological Clerk of Works, the proposals would be unlikely to have significant negative impacts on wildlife. They have however requested that should planning permission be granted, the mitigation and enhancement recommendations made in the PEA report should be required by way of a suitably worded planning condition.
Highway Safety and Parking Provision:

7.26 Access for the proposed new dwelling is to be taken via a strip of land to the west of 9 Folly Close. The access is to be a minimum of 4 metres in width. Satisfactory visibility splays onto Folly Close and London Road are available and will remain unchanged. The development proposals will not significantly increase vehicular traffic using these junctions and the surrounding highway network. Adequate parking and turning is also to be provided on site to allow all vehicles to access and egress the site in a forward gear.

7.27 The County Council Highways Officer has reviewed the plans and the highways information provided. The Officer has commented that the private road has adequate access to the public highway for types of vehicles that could be associated with this development. The Officer has also noted that parking and turning is indicated as being away from the public highway and the vehicle movements associated to that proposed is not considered to be significant.

7.28 Given the above, the Highways Officer has no objection the proposed and should planning permission be granted has recommended the inclusion of a number of standard highway planning conditions.

Third Party Representations

The third party representations that have been received are addressed in the table below.

<table>
<thead>
<tr>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two proposed dwellings are overdevelopment and intensification of the application site.</td>
<td>The Urban Design Officer and the previous inspector report have determined that this site can adequately accommodate two dwellings.</td>
</tr>
<tr>
<td>Concerns regarding close proximity of two dwellings to the rear gardens of properties along Folly Close.</td>
<td>The Urban Design Officer and the previous inspector report have determined that this site can adequately accommodate two dwelling, in addition it is officers position that a sufficient separation distance will remain to prevent an unacceptable impact on residential amenity by way of overbearing or increased sense of enclosure.</td>
</tr>
<tr>
<td>Two new dwellings will result in more traffic and intense use of Folly Close and its service road.</td>
<td>The County Council Highways Officer has no objection to the access road and associated vehicle usage with a development of this nature.</td>
</tr>
<tr>
<td>The road to 9 Folly Close is narrow and not suited for much more intense use of traffic.</td>
<td>The County Council Highways Officer has no objection to the access road and associated vehicle usage with a development of this nature.</td>
</tr>
<tr>
<td>Many homeowners in this immediate area own at least two vehicles. Two new dwellings would bring up to four vehicles using a narrow access road</td>
<td>The County Council Highways Officer has no objection to the access road and associated vehicle usage with a development of this nature.</td>
</tr>
<tr>
<td>Statement</td>
<td>Reason</td>
</tr>
<tr>
<td>-----------</td>
<td>--------</td>
</tr>
<tr>
<td>in and out of Folly Close, causing intense use and more traffic, plus associated noise.</td>
<td>The County Council Highways Officer has no objection to the access road and associated vehicle usage with a development of this nature.</td>
</tr>
<tr>
<td>Access to the proposed development is in my opinion inadequate as it will make use of a service road with unsuitable and unsafe access to the busy A15.</td>
<td>This is not a material factor in considering the merits of the proposal.</td>
</tr>
<tr>
<td>The current sewerage service from 9 Folly Close, passes through nearby properties and has been subject to many blockages and spills into my garden. An objection is raised to any proposal that sought to utilise this path to the main sewerage system.</td>
<td>The Urban Design Officer and the previous inspector report have determined that this site can adequately accommodate two dwellings, detailed design will be considered at reserved matters stage.</td>
</tr>
<tr>
<td>This proposal is not in keeping with the surrounding character and is not sympathetic to the current community.</td>
<td>The Urban Design Officer and the previous inspector report have determined that this site can adequately accommodate two dwellings, detailed design will be considered at reserved matters stage.</td>
</tr>
<tr>
<td>Unclear if the proposed dwellings are to be single storey or two storeys.</td>
<td>As outlined in the report above and the accompanying Design and Access Statement, the proposed dwellings and garages are intended to be single storey in height, detailed design will be considered at reserved matters stage.</td>
</tr>
<tr>
<td>The proposed dwellings that are to be erected will be located close to existing boundaries.</td>
<td>Whilst the proposed dwellings are to be located adjacent to boundaries, they will follow the pattern of development that is consistent with the grain and design of that used in the wider area.</td>
</tr>
<tr>
<td>Residents of Folly Close wish for their properties to remain private and do not wish to be overlooked.</td>
<td>The Urban Design Officer and the previous inspector report have determined that this site can adequately accommodate two dwellings without significant residential amenity impact.</td>
</tr>
<tr>
<td>Proposed vehicles resulting from two new dwellings will result in over intensification and use of the A15.</td>
<td>The County Council Highways Officer has no objection to the access road and associated vehicle usage with a development of this nature.</td>
</tr>
<tr>
<td>We have been told that there would be no more houses built near to Folly Close.</td>
<td>No evidence has been provided to support such statement. Irrespective, there is no restriction on any application proposal at this site.</td>
</tr>
<tr>
<td>The property known as 9 Folly Close is accessed by an undrained, unnamed concrete farm road which is not part of Folly Close, an owned, private and maintained road by residents of Folly Close.</td>
<td>This is not material to the consideration of the proposal.</td>
</tr>
</tbody>
</table>
Infrastructure Requirements

7.29 The application is accompanied by provision for refuse (appropriate coloured waste storage containers - wheeled bins) in the form of a unilateral undertaking (UU).

7.30 The UU meets the three tests of being necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development as required by the Community Infrastructure Levy Regulations 2010. In other cases, Planning Inspectors have agreed that a UU is reasonable and meets the tests set out in the NPPF and Regulation 122 of the Community Infrastructure Levy Regulations 2010, for example in appeal decisions relating to 1301676FUL (see paragraph 3 of the decision) and 1400078FUL (see paragraphs 20-21 of the decision).

7.31 The proposal therefore complies with the requirements of the NPPF and CIL regulations and Policy CS10 of the Core Strategy 2009, the requirements of the Developer Contributions Supplementary Planning Document 2011, policy LP2 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013) and policy LP3 of Huntingdonshire's Local Plan to 2036: Consultation Draft 2017.

Conclusion

7.32 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 harmful impact to onsite ecology.
* Would not have a harmful impact upon highway safety.
* Provides necessary contributions to infrastructure requirements

8. RECOMMENDATION - APPROVAL subject to conditions to include the following

• Reserved Matters within 3 Years
• Reserved Details (All Matters)
• In accordance with plans
• Hard and Soft Landscaping
• Ecology as per report conclusions.
• INFORMATIVE: Proactive
• INFORMATIVE: Details of Reserved matters.
• INFORMATIVE: CIL
• INFORMATIVE: Fee for Conditions

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to Nathan Makwana Development Management Officer 01480 388406