RECOMMENDATION

This application is referred to Panel because the applicant has appealed against non-determination of the application and the Parish Council recommendation is contrary to the officer recommendation to refuse. As an appeal has been lodged with the Planning Inspectorate, the Local Planning Authority is not empowered to determine the application. Panel is therefore requested to consider the report and the recommendation so that they may be referred to the Planning Inspectorate as part of the Local Planning Authority’s case at appeal.

1. DESCRIPTION OF SITE AND APPLICATION

1.1 This report relates to an application for a property known as The Sycamores in Little Paxton.

1.2 The site is in a residential area with a back garden fronting onto Gordon Road and a long narrow vehicular access, named Hayling Walk by the applicant, onto Mill Road, classified road B1041. The access serves several dwellings and a pumping station. The site comprises the access, a bungalow and extensive garden with sycamore trees the subject of a Tree Preservation Order.

1.3 The site and much of the surroundings, including part of the access and Gordon Road, are in flood zone 2 where there is a medium or 1:1000 probability of flooding, according to the Environment Agency’s mapping and Huntingdonshire District Council’s Strategic Flood Risk Assessment.

1.4 The site levels rise from the south to the north/Gordon Road. The site is flanked by bungalows to the west and 2-storey houses to the east and south. There are 2-storey houses set around open space north of the site on the north side of Gordon Road.
1.5 The proposal is to construct a new access road to Gordon Road, demolish the bungalow, subdivide the garden and erect 3 detached dwellings and garages. The new buildings would be of brick and clay tiles with white upvc windows. An existing high close-boarded fence to Gordon Road would be removed and replaced with a hedge. Plot 1 would face Gordon Road, plot 2 would back onto Gordon Road and plot 3 would back onto rear boundaries of properties in Willow Close.

1.6 The application is accompanied by:
* a design and access statement
* a flood risk assessment
* Arboricultural Survey by Bob Widd Associates of September 2014 revised on 11th December 2014
* a wheeled bins unilateral undertaking

1.7 The applicant has revised the plans during the processing of the application to widen the access road and amend the scale and layout of the scheme in response to officer concerns about highway safety, the layout of the scheme and scale of the buildings and to clarify and enhance the relationship to the trees the subject of the Tree Preservation Order.

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. Section 6 relates to the delivery of high quality homes; section 7 requires good design and development that reinforces local distinctiveness; and section 10 relates to flooding. Paragraphs 7, 9, 17, 35, 49, 50, 58, 60 and 100-103 of the NPPF are particularly relevant.

2.2 Paragraph 49 of the NPPF states that 'Housing applications should be considered in the context of the presumption in favour of sustainable development'

2.3 The National Planning Policy Framework Planning Practice Guidance: Flood Risk (updated 06 03 2014).

2.4 Environment Agency Standing Advice in relation to flooding.

2.5 BS5837:2012 Trees in relation to design, demolition and construction.

3. PLANNING POLICIES

3.1 Saved policies from the Huntingdonshire Local Plan (1995)
- En18: “Protection of countryside features”
- H31: “Residential privacy and amenity standards”
- H32: “Sub-division of large curtilages”
- H33: “Sub-division of large curtilages affecting protected features”
- En25: "General Design Criteria"
- T18: “Access requirements for new development”
- CS8: "Drainage"
- CS9: "Flood Water Management"
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 2: “Contributing to Infrastructure Delivery”
   • Policy LP 6: “Flood risk and water management”
   • Policy LP 8: “Development in Spatial Planning Areas”
   • 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 28: “Biodiversity and protected species”
   • Policy LP 29: “Trees”
   • Policy LP 30: “Open Space”

3.5 Supplementary Planning Documents:
   • Huntingdonshire Design Guide Supplementary Planning Document 2007, including part 1 about the design process, 1.2.5 about flood risk, 1.2.6 about landscape and townscape and part 2.2 about infilling.
   • Developer Contributions Supplementary Planning Document 2011.
   • Huntingdonshire District Councils Annual Monitoring Report 2014 (dated January 2015) with regards to housing land supply.

4. PLANNING HISTORY

1401636FUL Residential development of three new dwellings with associated access road, garages, parking and services, including demolition of existing bungalow - withdrawn.

5. CONSULTATIONS

5.1 Little Paxton Parish Council – Original plans: RECOMMEND approval (COPY ATTACHED): no detrimental impact on either the area or neighbouring properties. The Council recommends planning conditions for the control of parking and access of construction traffic, adequate provision for highways & pedestrian access and adequate provision for sewage.

Revised plans: Any response will be reported to Panel.

5.2 Environment Agency – The application will need to be the subject of a sequential test applied by the Local Planning Authority.
5.3 **HDC Engineer** - No objection on flood issues. The floor level of 15mAOD seems adequate.

5.4 **Anglian Water** - Any response will be reported to Panel.

5.5 **Cambridgeshire County Council Transportation** – No objection to amended plans.

5.6 **HDC Environmental Protection** - No objection subject to land contamination risk assessment (and if necessary a remediation strategy) prior to the commencement of development.

6. **REPRESENTATIONS**

6.1 Original plans:
   Indah Sayang- 2 letters:
   * no objection to layout and access from Gordon Road,
   * concern about foul sewer capacity/sewer problems, suggest new sewer required
   * seek retain reversing/turning point at top of existing access.

6.2 1 Carisbrooke, Hayling Walk: broadly in favour of the size and type of the proposal. However, concerns as above.

6.3 1 objection from The Willows, 1, Hayling Walk
   - Impact on visual amenity
   - Inadequate drainage arrangements
   - Inadequate landscaping/ intervening screening
   - Inadequate on-site parking/turning/etc
   - Loss of privacy from plot 3 rear openings
   - Disturbance
   - overbearing height compared to existing bungalow.
   - sewer concerns

6.4 Suggest relocate building to 3m from boundary, increase height of fence to 2.1m with lattice top and provide mature plants to screen plot 3

6.5 1 Willow Close—comments:
   * The proposed access to Gordon Road appears excessive. Gordon Road is a busy route through the village and is used by Longsands pupils and Primary school parents and children
   * Concern about accidents.
   * Welcome tree retention but consider overhanging bough of preserved oak tree needs work from site side.

6.6 A representation from one of the site owners:
   * note lane is not ‘Hayling Walk’ and should be known as ‘off Mill Lane’ or ‘Mill Lane’.
   * street name sign needs relocation, address of application site needs amending,
   * supports proposal.

6.7 Amended plans: any response will be reported to Panel.
7. ASSESSMENT

7.1 Having regard to the relevant planning guidance and policies, and other planning considerations, there is no objection to the demolition of the existing bungalow and the main issues are the:

- principle of the dwellings in this location
- land drainage/flooding
- design and effect on the character and appearance of the area
- effect on the TPO trees
- access and highway safety implications
- impact on the amenities of the adjoining neighbours

Principle:

7.2 The site is in a residential area/built-up area of Little Paxton, where there is satisfactory access to public transport and services. Little Paxton is a key service centre as defined by policy CS3 of the Adopted Core Strategy where development of moderate and minor scale and infilling may be appropriate within the built up area subject to traffic and environmental considerations. This policy is compliant with the NPPF (section 6) and therefore carries significant weight. The development also complies with policies LP1 and LP8 of the Draft Local Plan. These are also NPPF-compliant, although given the draft status of the Local Plan, only limited weight can be attached to them at the moment.

7.3 Therefore, there is no objection to the principle of the additional houses on the site in settlement policy terms if the proposal is acceptable in all other respects including flooding.

Land drainage/flooding:

7.4 The site and much of the surroundings, including part of the access and Gordon Road, are in flood zone 2 where there is a medium or 1:1000 probability of flooding, according to the Environment Agency and Huntingdonshire District Council’s Strategic Flood Risk Assessment. The three dwellings would therefore be located in this area.

7.5 Paragraph 100 of the NPPF states that 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.'

7.6 Planning applications for development in Flood Zones 2 and 3 should be subject to a Sequential test. Paragraph 101 states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. The application site is not considered to represent an area of land with the lowest probability of flooding, being in Flood Zone 2. Insufficient information has been submitted by the applicant to allow the Local Planning Authority to carry out a sequential test for flood risk as the site lies with an area which is defined as being a flood zone 2 which is at medium risk of being flooded (between 1 in 100 and 1 -1000 year floods). Therefore, the Sequential test has not been passed, and the application is unacceptable for this reason.
7.7 A site-specific Flood Risk Assessment (FRA) has been submitted to the LPA. Floor levels would be 15m AODN, which is higher than the minimum floor level of 14.74m AODN (Ordnance Datum Newlyn) agreed with the Environment Agency. The EA has not commented on the merits or otherwise of the FRA but it is considered that the development could be appropriately flood resilient and resistant with details secured by condition and it is relevant to note that each house has a first floor refuge.

7.8 However, as the Sequential test has not be adequately demonstrated, the proposal is contrary to policies CS9 of the Huntingdonshire Local Plan 1995, CS1 of the Adopted Core Strategy, LP6 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013) and paragraphs 100 and 101 of the National Planning Policy Framework and paragraphs 018 – 022 of the Planning Practice Guidance.

7.9 Full weight can be given to the adopted policies CS9 and CS1, which accord with the NPPF, and limited weight can be given to to LP6 as the Draft Local Plan is at a relatively early stage and has yet to be subjected to examination in public.

Design and character and appearance of the area:

7.10 The existing bungalow has a large plot compared to others in the area and so it is considered that to erect 3 dwellings on the site need not result in plot sizes out of character with the area or an unduly cramped development. The loss of the space around the existing bungalow is not considered to be contrary to draft policy LP30 as the space does not make a significant contribution to the distinctive form, character and setting of a settlement, does not creates a focal point, is not part of a heritage asset or its setting, is not part of a formal sport or recreation area and the site is not of particular value for ecology/wildlife.

7.11 The main concern is the bulk, height and design of the dwellings.

7.12 There is a mix of dwelling types, design and size in the area ranging from modest bungalows to the west, larger dormer chalet properties further west, modest semi-detached houses and terraces to the north, larger detached houses to the east and south.

7.13 However, the new dwellings would be large compared to the surrounding dwellings, having a frontage of approximately 14.35m with a maximum side elevation of approximately 8.75m and a main ridge height of 9.325m suggesting 3-storey proportions in an area of 1 and 2 storey dwellings. The highest part of the roof would be 4.375m high from eaves to ridge.

7.14 The roofs are to be part-hipped but the main ridges of the new dwellings will be approximately 4.2m higher than the ridges of the two bungalows west of the site (9 Gordon Road and 11 River Close), 1.155 higher than the ridge of 21 Gordon Road to the north-east and 1.965m higher than highest wing of The Willows to the south. Although the new houses would be set in spacious plots, it is considered that the new houses would, due to their height and bulk, appear incongruous in their setting. Plot 1 would, despite the slight
reduction in eaves and ridge height of the part closest to the bungalow to the west, 9 Gordon Road, be particularly incongruously large and bulky next to 9 Gordon Road, which is part of a group of 3 modest bungalows (5, 7, 9 Gordon Road) west of the site. Although the new houses would be set back from Gordon Road behind the belt of trees and new hedge, the houses would be visible from Gordon Road and plot 1 will therefore be ‘read’ with 9 Gordon Road in the street scene.

7.15 The three new houses would be of a similar span to the widest part of 21 Gordon Road but would be longer and higher than that property. The proportions of the proposed houses are not considered to be pleasing due to the mass of the buildings being incongruous in their setting and, for:
* plots 1 and 2, the poorly detailed roof which has a high vertical division in the roof by the master bedroom wing (front and back of plot 1 and front of plot 2), which unbalances the appearance of the otherwise part-hipped roof plus the unduly wide 8.75m side elevation and
* plot 3, the bulk of the roof which entails a ridge approximately 9.3m long at 9.325m high and the unduly wide 8.75m side elevation.

7.16 The design of the existing dwellings is not distinguished but design of the proposed houses is not considered to satisfy the National Planning Policy Framework and the Huntingdonshire Design Guide Supplementary Planning Guidance 2007 requirements to seek high quality design and reinforce local distinctiveness. The design, with bulky forms and high roofs, would not respond well to the surroundings or reflect the generally simple, modest forms of the dwellings in the area.

7.17 The applicant has declined to amend the scheme further.

7.18 The NPPF encouragement for housing provision has been taken into account, and it is acknowledged that the site would provide 2 additional dwellings. However, the NPPF (paragraph 56) makes it clear that great importance should be attached to the design of the built environment and that good design is a key aspect of sustainable development. Paragraph 64 advises that planning 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. It is concluded that the scheme should be rejected as it would be contrary to policies En25 and H32 of Huntingdonshire Local Plan (1995), HL5 of Huntingdonshire Local Plan Alterations (2002), CS1 of the Adopted Huntingdonshire Local Development Framework Core Strategy (2009), LP1 and LP13 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013) and the requirements of the National Planning Policy Framework (including paragraph 17, bullet point 4 and paragraphs 56, 60 and 64) and the Huntingdonshire Design Guide Supplementary Planning Guidance 2007 to seek high quality design and reinforce local distinctiveness. Full weight can be given to the adopted policies En25, H32, HL5, and CS1 and to the adopted Huntingdonshire Design Guide Supplementary Planning Guidance 2007 which all accord with the NPPF. Limited weight can be given to LP1 and LP13 as the Draft Local Plan is at a relatively early stage and has yet to be subjected to examination in public.
Trees:

7.19 The site has a number of mature trees within it; notably several fine sycamores the subject of a Tree Preservation Order reference TPO/328. The trees make a valuable contribution to the public realm, being visible in views along Gordon Road and from public paths and areas of open space such as those adjoining Booth Way and Sweeting Avenue and contrasting with parts of the built up area where there are few groups of mature trees.

7.20 The amendments to the scheme enhance the relationship of the properties to the trees, notably by re-orientating plot 1 so that its front will face Gordon Road and the trees, thus allowing the private amenity space for plot 1 to be to the south. This allows the plot to take advantage of a south-facing outlook to the rear which is likely to result in reduced future pressure to lop or fell the trees. The Council's Arboricultural Officer considers that the scheme relates satisfactorily to the trees and that there need be no harm to them during the demolition or construction stage subject to conditions relating to protection during construction.

7.21 There is adequate separation between the trees to avoid undue pressure to lop and fell the significant trees in the construction phase and longer term future once the houses are occupied. However, if the scheme had been approved, conditions would have been required to secure details of service locations such as for drains and external lights, details of hard and soft landscaping and maintenance and a pre-start meeting to alert the contractors and applicant to the tree protection issues and removed permitted development rights for hardstandings, outbuildings and extensions under the Town & Country Planning (General Permitted Development) Order 1995 to avoid harm to the trees.

7.22 It is considered that the scheme can satisfy policies En18 of the Huntingdonshire Local Plan (1995), HL5 of Huntingdonshire Local Plan Alterations (2002 and LP29 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013). Full weight can be given to the adopted policies En18 and HL5 which accord with the NPPF. Limited weight can be given to LP29 as the Draft Local Plan is at a relatively early stage and has yet to be subjected to examination in public.

Access and highway safety:

7.23 The existing access to the west is a single track lane with a narrow junction onto the classified road which is unsuited to the intensification of use by two extra households. The application therefore proposes a new access to Gordon Road. The new access appears to meet the County Council’s requirements and adequate parking and turning space has been provided. The proposal will not cause undue harm to highway safety and can therefore be approved, subject to confirmation from the County Council of conditions including securing a suitable construction and the necessary visibility splays.

7.24 A condition could have been attached to secure cycle parking for the new dwellings to encourage alternatives to motor journeys, had the scheme been considered acceptable in all other respects.
7.25 The proposal is acceptable in terms of the highway safety and parking implications and satisfies policy CS1 of the Adopted Huntingdonshire Local Development Framework Core Strategy (2009) and LP1, LP17 and LP18 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013) which have considerable weight being in accordance with paragraph 35 of the National Planning Policy Framework as safe and suitable access to the development can be achieved.

Amenities of adjoining dwellings:

7.26 The proposal will increase disturbance and activity in and around the site, but it is considered that this will not cause undue harm.

7.27 The proposal will alter the outlook for the residents of The Willows at 1 Hayling Avenue due to the bulk and proximity of the dwelling on plot 3. However, it is considered that there is adequate separation to avoid undue adverse effects. A condition can be imposed to obscure glaze and fix closed the two first floor ensuite windows of plot 3 (on the south side and rear) and secure the proposed 1.8m high boundary fence with 300mm trellis between plot 3 and The Willows to preserve the privacy of the occupiers of The Willows to a satisfactory degree.

7.28 It is considered that the remainder of the development is satisfactorily sited to avoid undue adverse effects on the other neighbouring residents. However, due to the scale and proximity of the dwellings to the neighbouring properties, had the application been recommended for approval, it would have been appropriate to remove permitted development rights for extensions and windows in order to avoid future harm to neighbour amenity.

7.29 The proposal will not cause significant harm to the amenities of the occupiers of the adjoining dwellings. The proposal satisfies policy H31 of the Huntingdonshire Local Plan 1995 and LP15 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013). These policies are consistent with the core planning principle in the National Planning Policy Framework (paragraph 17 bullet point 4) of securing a good standard of amenity for all existing and future occupants of land and buildings.

Other matters:

7.30 Biodiversity – the applicant will need to avoid harm to nesting birds by timing the tree and ground works to satisfy the wildlife protection legislation.

7.31 The applicant has made satisfactory provision for wheeled bins.

7.32 Possible site contamination could have been addressed by condition if the application had been approved.

7.33 Third party matters not addressed above:
    * foul sewer capacity/sewer problems- any response from Anglian Water will be taken into account. A condition could secure suitable foul drainage if necessary.
* area at end of existing access by gate to site used as a reversing/turning point- the applicant has no proposals to reduce the space by enclosing it.
* address: the reference to ‘Hayling Walk’ is based on the applicant’s submission and the ordnance survey plan. The address has been checked with HDC Street naming who advise that the road name/address is used by several properties and has been in place since at least 1999.
* any works to a preserved tree will need the consent of the Local Planning Authority’s Arboricultural Officer.

Conclusion:

7.34 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that, if the Local Planning Authority had been empowered to determine the application, the application would have been refused.

8. RECOMMENDATION

8.1 Panel note the officer report and confirm that, if the Local Planning Authority had been empowered to determine the application, the application would have been refused for the following reasons:

1. The proposed houses would not be of a height, bulk and design sympathetic to the locality and would detract from the character and appearance of the area, contrary to policies En25 and H32 of Huntingdonshire Local Plan (1995), HL5 of Huntingdonshire Local Plan Alterations (2002), CS1 of the Adopted Huntingdonshire Local Development Framework Core Strategy (2009), LP1 and LP13 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013) and the requirements of the National Planning Policy Framework (including paragraph 17, bullet point 4 and paragraphs 56, 60 and 64) and the Huntingdonshire Design Guide Supplementary Planning Guidance 2007 to seek high quality design and reinforce local distinctiveness.

2. Insufficient information has been submitted by the applicant to allow the Local Planning Authority to carry out a sequential and exceptions test for flood risk as the site lies with an area which is defined as being a flood zone 2 which is at medium risk of being flooded (between 1 in 100 and 1-1000 year floods). The proposal is therefore considered to be contrary to policies CS9 of the Huntingdonshire Local Plan 1995, CS1 of the Adopted Core Strategy, LP6 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013) and paragraphs 100 and 101 of the National Planning Policy Framework and paragraphs 018 – 022 of the Planning Practice Guidance.

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CONTACT OFFICER:
Enquiries about this report to Sheila Lindsay Development Management Officer 01480 388247
Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 8:16 AM on 06 Feb 2015 from Mrs Jenny Gellatly.

**Application Summary**

**Address:** The Sycamores Hayling Walk Little Paxton St Neots PE19 6LR

**Proposal:** Residential development of 3 new dwellings with associated access road, garages, parking and services, including demolition of existing bungalow.

**Case Officer:** Sheila Lindsay

[Click for further information]

**Customer Details**

**Name:** Mrs Jenny Gellatly

**Email:** littlepaxton@hotmail.com

**Address:** 11 Hayling Avenue, Little Paxton, St Neots, Cambridgeshire PE19 6HG

**Comments Details**

**Commenter Type:** Town or Parish Council

**Stance:** Customer made comments in support of the Planning Application

**Reasons for comment:** It was agreed that the planning application will have no detrimental impact on either the area or neighbouring properties. The Council recommends planning conditions for the control of parking and access of construction traffic, adequate provision for highways & pedestrian access and adequate provision for sewage.
Legend

- The Site
- Conservation Area