

DEVELOPMENT MANAGEMENT COMMITTEE 21st October 2024

Case No: 24/00742/FUL

Proposal: Erection of a new single family dwelling with associated landscaping.

Location: 2 Blacksmiths Lane Abbotsley PE19 6UG

Applicant: Ms Catherrine Gibbins

Grid Ref: 522886 256501

Date of Registration: 20.05.2024

Parish: Abbotsley

RECOMMENDATION - REFUSE

This application is referred to the Development Management Committee (DMC) because the Officer recommendation is contrary to the Parish Council recommendation.

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surroundings

1.1 The application site comprises a pocket of largely undeveloped and disused land north of Blacksmiths Lane in Abbotsley Conservation Area. The site is heavily populated with mature trees and includes a section of the existing residential curtilage of Blacksmith's Cottage. An existing public footpath runs along the south-western boundary of the site and is used to access St Margaret's Church from Blacksmiths Lane.

1.2 The site is in a particularly sensitive location of historic significance within the settings of several Listed Buildings which include the Grade II* Listed St Margaret's Church, Grade II Listed tomb within the graveyard, Grade II Listed Church Farm including barn, and Grade II Listed Blacksmith's Cottage including barn. The adjacent Village Hall (former School) is considered to be a non-designated heritage asset.

Proposal

1.3 The application seeks approval for the erection of a new single family dwelling with associated landscaping.

1.4 It follows a planning application (20/01068/FUL) for three houses that was refused in November 2021 and subsequently dismissed on appeal.

- 1.5 This application is for one two bedroom dwelling on the plot of land adjacent to Blacksmith's Cottage and its barn and accessed from the existing drive shared with Blacksmith's Cottage. With the exception of an external bin and bicycle store, no other external structures are proposed. The footprint and scale of the house are reduced from the previous application and the ridge height has been lowered.
- 1.6 No mature trees are proposed to be removed. There will be an adjustment to the profile of the existing drive to ensure adequate visibility for vehicles entering and exiting the site.
- 1.7 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.
- 1.8 The application is supported by the following documents;
- Heritage Statement
 - Design and Access Statement
 - Preliminary Ecological Appraisal
 - Arboricultural Impact Assessment with Tree Survey and Protection Plan

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (December 2023) (NPPF 2023) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2023 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).
- 2.2 The NPPF 2023 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
- 2.3 Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website [National Guidance](#)

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
- LP1: Amount of Development
 - LP2: Strategy for Development
 - LP3: Green Infrastructure
 - LP4: Contributing to Infrastructure Delivery
 - LP5: Flood Risk
 - LP9: Small Settlements
 - LP10: The Countryside
 - LP11: Design Context
 - LP12: Design Implementation
 - LP14: Amenity
 - LP15: Surface Water
 - LP16: Sustainable Travel
 - LP17: Parking Provision and Vehicle Movement
 - LP25: Housing Mix
 - LP30: Biodiversity and Geodiversity
 - LP31: Trees, Woodland, Hedges and Hedgerows
 - LP32: Protection of Open Space
 - LP34: Heritage Assets and their Settings
- 3.2 Supplementary Planning Documents (SPD) and Guidance:
- Huntingdonshire Design Guide Supplementary Planning Document (2017):
 - Developer Contributions SPD (2011)
 - Huntingdonshire Landscape and Townscape Assessment (2007)
 - Cambridgeshire Flood and Water SPD 2017
 - Huntingdonshire Tree Guidance Note 3
 - Annual Monitoring Report – Part 1 (Housing) 2019/2019 (October 2019)
 - Annual Monitoring Report – Part 2 (Non- Housing) 2018/2019 (December 2019)
 - RECAP CCC Waste Management Design Guide (CCC SPD) 2012
- 3.3 The National Design Guide (2021)
- * C1 - Understand and relate well to the site, its local and wider context
 - * I1 - Respond to existing local character and identity
 - * I2 - Well-designed, high quality and attractive
 - * B2 - Appropriate building types and forms

For full details visit the government website [Local policies](#)

4. PLANNING HISTORY

- 4.1 Relevant Planning History
20/01068/FUL - Erection of three new family houses with associated landscaping and access – Refused – Appeal dismissed

5. CONSULTATIONS

- 5.1 Abbotsley Parish Council – Support, with the following comments:
- Councillors consider that this is a well presented scheme and is a legitimate infill proposal using an existing access on a low amenity site. This proposes a modest two bedroomed house of a sympathetic scale and design in relation to the existing cottage and barn. The proposed dwelling would have limited impact on the wider surrounding area. Councillors agreed that this is a good design with low eaves and ridge height. The orientation suits the site with good space around the new dwelling. It is felt that dark stained timber and dark profiled metal roof are a good choice of materials. It was considered that traffic using the site would be likely to turn left out of the site to High Street and unlikely to turn right onto Blacksmiths Lane. The ecology, biodiversity, trees and landscaping have all been very sensitively addressed.
 - The bat survey is not up to date, having been carried out in 2018. This is a legal requirement. A comprehensive, current bat survey should be carried out before the granting of any planning permission.
 - Councillors requested further details of the access drive; the proposals do not specify in detail the layout or finish of the surface treatment.
 - The construction phase is of particular concern given the restricted access to the site and Blacksmiths Lane being narrow. It will not be acceptable to have construction vehicles parked in the lane. As such, there should be a condition requiring a construction management plan. It was suggested that an approach could be made with the Village Hall to utilise the car park during construction.
 - Approval is recommended subject to the bat survey being undertaken before any planning permission is granted and a construction management plan being a condition of any planning consent.
- 5.2 HDC Environmental Health Team – Records show that the site was previously part of a blacksmiths/forge and as such may contain metal and hydrocarbons in the ground resulting from the former use. In particular, the proposed dwelling is situated in the location of an infilled pond, the contents of which are unknown and may contain hazardous gas. A land contamination risk assessment (and if necessary a remediation strategy) is recommended, to be secured by condition.
- 5.3 HDC Arboricultural Officer – No objections from an arboricultural perspective. Conditions recommended for the protection of trees on the site during construction.
- 5.4 CCC Highways Department – following amendments to initial Highways comments, revised plans show the access as 5m in

width for 8m from the highway boundary and hard surfaced for the first 5m. There is also an aco-type drain at the highway boundary. Therefore, the effect of the proposed development should be mitigated with standard conditions applied to the permission.

- 5.5 CCC Public Right of Way Officer – no objections to the proposal. Informatives to be secured against the permission.
- 5.6 HDC Conservation Team – Object. It is considered that the proposed development would not preserve the setting to the listed building or the character or appearance of the conservation area.

Full comments are included in the main body of the report below.

6. REPRESENTATIONS

- 6.1 Two representations received from local neighbours, with comments summarised below:
- Blacksmiths Lane is a narrow lane with no passing points. There is no pavement with poor visibility.
 - Proposed visibility splay will not be adequate to allow safe use of the road.
 - Difficulty for vehicles turning into the site, particularly from the left.
 - Unsafe for cars exiting out of the driveway onto the narrow lane.
 - Ash trees may need to be felled.
 - Concern during construction, as difficult site and lane could be blocked and damage caused to the verges.
 - If the cottage is restored, there is the potential for at least 4 cars using the lane, which could be unsafe.

7. ASSESSMENT

- 7.1 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.
- 7.2 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 (2023). 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".
- 7.3 In Huntingdonshire the Development Plan consists of:

- Huntingdonshire's Local Plan to 2036 (2019)
 - Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
- 7.4 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.
- 7.5 The main issues to consider as part of this application are:
- Principle of Development
 - Design, Visual Amenity and impact on the surrounding area and heritage areas
 - Residential Amenity
 - Flood Risk
 - Highway Safety, Access and Parking Provision
 - Biodiversity
 - Impact on Trees
 - Water Efficiency
 - Accessible and Adaptable Homes
 - Developer Contributions
 - Other Matters

Principle of Development

- 7.6 The proposed use of the land as residential must be assessed against the relevant policies.
- 7.7 Local Plan Policy LP2 states that the development strategy for Huntingdonshire is to concentrate development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities.
- 7.8 Abbotsley village is defined as a small settlement under Policy LP9 of the Local Plan.
- 7.9 Policy LP9 states a proposal for development will be supported where it is appropriately located within a built-up area of a small settlement where the amount and location of development proposed is sustainable in relation to the:
- a. level of service and infrastructure provision within the settlement;
 - b. opportunities for users of the proposed development to access everyday services and facilities by sustainable modes of travel including walking, cycling and public transport;

- c. effect on the character of the immediate locality and the settlement as a whole.

Development Proposals on Land well-related to the Built-up Area

A proposal for development on land well-related to the built-up area may be supported where it accords with the specific opportunities allowed for through other policies of this plan.

- 7.10 In determining a built-up area the local plan provides the following definition on page 53: "A built-up area is considered to be a distinct group of buildings that includes 30 or more homes. Land which relates more to the group of buildings rather than to the surrounding countryside is also considered to form part of the built-up area."
- 7.11 In this instance, while Blacksmiths Lane has a semi-rural character, the application site is located in the centre of the village and within a distinct group of buildings which includes 30 or more homes. The application site is therefore considered to form part of the built-up area of Abbotsley.
- 7.12 With regard to parts a. and b. of Policy LP9, Abbotsley has limited services and facilities. The village has a pub, village hall, church and recreation ground although no schools or convenience stores. There is a bus service from the village which can be used to access the market town of St Neots and beyond although it is likely that future occupiers of the development would travel by private vehicle to St Neots approximately 3 miles to the north-west or Great Gransden approximately 2 miles to the east, to access everyday services such as schools and shops.
- 7.13 While the opportunities to access everyday services and facilities by sustainable transport modes are limited, it is considered the limited scale of the proposal would be an appropriate amount of minor development in the Small Settlement of Abbotsley to support the growth of the settlement. The principle of the development is acceptable subject to consideration of the impact on the character of the immediate locality and settlement as a whole.
- 7.14 Part c. of Policy LP 9 requires development proposals to be sustainable in relation to the effect on the character of the immediate locality and the settlement as a whole. A full assessment of the impacts of the proposal upon the immediate setting and surrounding area will be addressed in the proceeding section of the report 'Design, Visual Amenity, and the Impact upon the Character and Appearance of the Area and Heritage Assets'.

Design, Visual Amenity and impact on the surrounding area and Heritage Assets

- 7.15 The application site lies within the Abbotsley Conservation Area and is within the setting of the Grade II Listed Blacksmith's Cottage and barn, which is also within the ownership of the applicant. Several other listed buildings are within close proximity of the site, including the Grade II* Listed St Margaret's Church, Grade II Listed tomb within the graveyard, Grade II Listed Church Farm including barn. The adjacent Village Hall (former School) is considered to be a non-designated heritage asset.
- 7.16 The character of Blacksmiths Lane is a quiet unmarked road with grassed verges and hedgerows. Several buildings (many of which are listed) sit loosely in spacious plots either side of the lane. Extensive vegetation and high hedges soften the appearance of buildings and provide visual enclosure to the lane. Where the application site abuts Blacksmiths Lane the boundary is more open and demarked by several deciduous trees. There are currently fragmented views across the site towards the rear of the former school buildings.
- 7.17 Blacksmith's Lane is one of a cluster of five timber framed and thatched cottages located at the east end of Blacksmith's Lane, which is an historic hollow way eroded into the hillside. Despite intermittent modern development the character of the built form in this location is strongly rural and of a modest vernacular scale. A footpath runs along the west boundary of the plot towards the church and from this it is possible to view the listed building and associated barn through the intermittent boundary planting.
- 7.18 The development proposes the erection of a new single family dwelling with associated landscaping, which includes creating a terrace cut into the hillside, hard and soft landscaping and the erection of a bin and cycle store.
- 7.19 Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 7.20 Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.21 Para. 205 of the NPPF set out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Para. 206 states that 'Any harm to, or loss of, the significance of a designated heritage asset

(from its alteration or destruction, or from development within its setting), should require clear and convincing justification...'. Para. 208 goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use.

7.22 Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice.

7.23 Policy LP11 of the Local Plan states that proposals will be supported where it is demonstrated that they positively respond to their context and draw inspiration from the key characteristics of their surroundings, including the natural, historic and built environment.

7.24 Policy LP12 of the Local Plan states that proposals will be supported where they contribute positively to the area's character and identity and where they successfully integrate with adjoining buildings, topography and landscape.

7.25 Officers have given special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

7.26 It is noted that planning permission for the erection of 3 dwellings under application 20/01068/FUL was refused permission and dismissed at appeal. The current proposal corresponds to Unit 3 of that scheme. The Inspector noted in the appeal statement that:

- 1) Unit 3 is intended to resemble the aesthetic of a converted barn [...] owing to the manner in which the church is read and experienced I do not consider that Unit 3 would adversely affect its setting or significance.
- 2) Unit 3 would occupy a significantly larger footprint when compared to either the cottage or the barn. In the context of the Cottage's diminutive scale and modest proportions, Unit 3 would have a domineering and overbearing presence. It would also have an unacceptable urbanising influence upon various views available from either the lane or the southern end of the adjoining footpath.
- 3) Owing to its size and prominence in the street scene, and to it necessitating the removal of some established planting in the proximity of the lane, Unit 3 would contrast unacceptably with the typically green and rural makeup of the lane to the detriment of the CA's character and appearance considered as a whole.

7.27 Setting to the Listed Building

With regard to the appeal decision the Inspector indicated that Unit 3 would dominate the setting to the listed building. This proposal has reduced the footprint of the dwelling by 18.5 square meters and lowered the dwelling 1m into the hillside to reduce its ridge height. Nevertheless, the Blacksmiths Lane Elevation indicates that the dwelling ridge height would be approximately 150cm above the cottage ridge height and 80cm over the barn ridge height. The footprint of the revised dwelling would be 15m in length by 5.3m in width giving a footprint of 79.5 square meters. The footprint of the barn is approximately 10m in length and 5m wide at its widest point giving a footprint of 50 square meters. The irregular footprint of the cottage is approximately 10m in length and 5.2m wide at its widest point giving a footprint of approximately 50 square meters. The footprint of the proposed dwelling would therefore be 29.5 square meters larger than the footprint of either the barn or the cottage. The massing would also appear larger as the height of the walls to the eaves would be taller, 3.75m in height to allow more spacious accommodation under the roof. Combined with a ridge 3m above the eaves this would increase the massing of the building and clearly contrast with the vernacular proportions of the historic buildings nearby.

7.28 Considering both the footprint and ridge height of the proposed dwelling it would not be equal or subservient to either the barn or the cottage and would dominate the setting to the listed building. The extensive areas of visible walls and roof combined with the large area of brick paving around the building and the bin and cycle stores would mean that the development would have an urbanising influence on the setting to the listed building. This would fail to preserve the natural rural setting to the listed building and the way in which the significance of that setting to the listed building can be experienced.

7.29 Impact on the Conservation Area

The proposed dwelling would have a significant presence within the street scene due to its length, height and massing. While this may be partly mitigated by existing trees and new planting most views of the building will take in its length rather than its gable end as shown in the Blacksmiths Lane Elevation. At certain times of the year screening from trees will be limited. The building will feature prominently in views from Blacksmiths Lane and in particular the adjacent footpath. Its modern proportions, massing, appearance and hard landscaping would read as part of the modern development in the village thereby eroding the historic rural character and contribution of vernacular buildings to the significance of the conservation area.

7.30 Level of Harm

The level of harm to the setting of the Listed Building and to the character and appearance of the Conservation Area would be less than substantial under the terms of the NPPF (2023). Paragraph 207 of the NPPF (2023) states where a development proposal will

lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The submitted Heritage Statement did not identify any public benefit of the proposal. Whilst this application seeks to erect one private dwelling which would contribute as a windfall site to the housing need, the Local Planning Authority are able to demonstrate a 5- year housing land supply and as such any public benefits to arise from the proposal (e.g. construction employment and the occupants use of local services) are considered to be negligible and would not outweigh the identified harm to the setting of the Listed Building or the Conservation Area

- 7.31 Officers consider the proposal would not preserve the setting to the listed building or the character and appearance of the Abbotsley Conservation Area. The proposed development, therefore, does not accord with Policies LP11, LP12 and LP34 of the adopted Huntingdonshire Local Plan to 2036, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework.

Residential Amenity

Amenity of neighbouring properties

- 7.32 Policy LP14 states that a proposal will be supported where a high standard of amenity is maintained for all occupiers of neighbouring land and buildings.
- 7.33 It is considered that the location of the proposed dwelling provides a sufficient separation distance from Blacksmith's Cottage to ensure that there would be no significant overshadowing or overlooking of the neighbouring properties.
- 7.34 The proposed dwelling is formed within the existing Blacksmiths Cottage curtilage. The fenestration details have been designed to minimise the use of windows serving habitable rooms facing neighbouring gardens. The east elevation facing the cottage consists of several high level rooflights which would not lead to direct overlooking.
- 7.35 Overall, it is considered that a high standard of amenity would be provided for users and occupiers of the development and would not result in any significant detrimental impact in terms of residential amenity upon neighbouring properties. The proposal is therefore considered to accord with Policy LP14 of the Huntingdonshire Local Plan to 2036 and the NPPF (2023) in this regard.

Flood Risk

- 7.36 The application site is in Flood Zone 1 as identified by the Huntingdonshire Strategic Flood Risk Assessment (SFRA) 2017 which means it has a low probability of flooding and is not subject to the sequential and exceptions tests as set out within the NPPF. The site is less than 1 hectare in size and is also shown on the SFRA maps to be at the lowest risk of surface water flooding. Therefore, as per the NPPF (2023), there is no requirement for the submission of a site-specific Flood Risk Assessment.
- 7.37 Given the limited scale of the proposal for one residential dwelling, it is considered there would be no significant additional surface water run-off impacts and that precise details of surface and foul water drainage would be satisfactorily addressed as part of building regulations. The proposal therefore accords with Policies LP5 and LP15 of the Huntingdonshire Local Plan to 2036 and the NPPF (2023) in this regard.

Highway Safety, Access, and Parking Provision

- 7.38 The existing vehicular access is to be adapted and used by both the existing Blacksmith's Cottage and the proposed new dwelling. Amended plans have been approved by Cambridgeshire County Council Highways Department that show the access as 5m in width for 8m from the highway boundary and hard surfaced for the first 5m. There is also an aco-type drain at the highway boundary. Therefore, the effect of the proposed development should be mitigated with standard conditions applied to the permission.
- 7.39 The representation comments are noted. However, the Highways Authority, as the statutory consultee is satisfied with the amended site plan. Subject to conditions, it is considered that the proposal would not result in a detrimental impact on highway safety. Construction works may result in some disruption within the area, but this would be for a limited period and is not considered to be of a material planning matter.
- 7.40 The dwelling benefits from designated covered and secure areas for cycle storage which could accommodate 1 cycle per bedroom as required by Policy LP17 of the Local Plan. Adequately screened bin storage is also provided.
- 7.41 Overall, it is considered that the proposed development would not have a severe detrimental impact on highway safety, or the local road network and the proposed site is sufficiently accessible with visibility splays suitable for the speed of the road and enough space within the site to accommodate appropriate levels of parking and turning. Subject to conditions, the proposal is considered to accord with Policies LP16 and LP17 of the Huntingdonshire Local Plan to 2036 and the NPPF (2023) in this regard.

Biodiversity

- 7.42 Policy LP30 of the Huntingdonshire Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible, through the planned retention, enhancement and creation of habitats and wildlife features, appropriate to the scale, type, and location of development.
- 7.43 Paragraph 180 part d) of the NPPF (2023) states that planning policies and decisions should contribute to and enhance the natural and local environment by: minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 7.44 The application is accompanied by a Preliminary Ecology Appraisal. The report states that the site is dominated by a mix of commonplace semi-natural habitats that do not represent an overriding constraint to future development. Significant impacts on protected animal species are not predicted in relation to the proposed development. However, a number of precautionary impact avoidance and reduction measures are recommended in relation to site clearance and construction which can be secured by condition.
- 7.45 Biodiversity Net Gain
The Development is exempt from mandatory Biodiversity Net Gain as it falls under the definition of a self-build and custom build application, as it (i) has no more than nine dwellings, (ii) is no larger than 0.5 ha, and (iii) consists exclusively of dwellings that are self-build or custom housebuilding.
- 7.46 Overall, it is considered that the ecological impacts of the development have been fully assessed and could be minimised by complying with the recommended mitigation and enhancement measures secured by condition. Therefore, the proposal is considered to be in accordance with Policy LP30 of the Huntingdonshire Local Plan to 2036 and the NPPF (2023) in this regard.

Impact on Trees

- 7.47 This application is accompanied by an Arboricultural Impact Assessment, Tree Survey and Protection Plan. The site is mainly grass, which has not been managed for some time, with bramble and other vegetation starting to encroach from the surrounding hedges.

- 7.48 The arboricultural report states that the most significant individual tree is a mature open grown ash in the northern part of the site. It has some ivy but is sound and healthy looking. Along the south boundary next to Blacksmiths Lane is a row of mixed trees including a sycamore, an ash and two oaks. The oaks are the best trees of the group, although they are growing close together and becoming co-dominant. There is also a line of four ash trees, numbers, running across from the west side. These are drawn up and slender due to growing close together and all four have extensive decay cavities in the lower trunks that have developed from damage in the past. The footpath and road are well within falling distance and these trees need to be removed for safety. This would be noticeable from the road in front, but they are set back into the site behind the row of trees along the frontage, which will mitigate the visual impact on the wider area. A poor quality cherry plum also needs to be removed to improve visibility at the entrance.
- 7.49 The Arboricultural Officer has been consulted on the proposal and has no objections from an arboricultural perspective. It is noted that there are a small number of trees near to the proposal which will require protection during construction, and therefore a planning condition is recommended. Further conditions are advised for an arboricultural method statement and arboricultural monitoring throughout construction.
- 7.50 Overall, it is considered that subject to conditions, the proposal is considered to be in accordance with Policy LP31 of the Huntingdonshire Local Plan to 2036 and the NPPF (2021) in this regard.

Water Efficiency

- 7.51 Policy LP12 of the Local Plan to 2036 states that new dwellings must comply with the optional Building Regulation requirement for water efficiency set out in Approved Document G of the Building Regulations. While confirmation of compliance from the Applicant/Agent has not been sought given the concerns raised with regards to aspects of the application, a condition could be attached to any approval decision to ensure compliance with the above.

Accessible and Adaptable Homes

- 7.52 Policy LP25 of the Local Plan states that proposals for new housing will be supported where they meet the optional Building Regulation requirement M4(2) 'accessible and adaptable homes' unless it can be demonstrated that site specific factors make this impractical or unviable. While confirmation of compliance from the Applicant/Agent has not been sought given the concerns raised with regards to aspects of the application, a condition could be

attached to any approval decision to ensure compliance with the above.

Developer Contributions

7.53 The application is not accompanied by a completed Unilateral Undertaking for the provision of wheeled bins and therefore fails to comply with part H of the Developer Contributions Supplementary Planning Document (2011) and Policy LP4 of the Local Plan to 2036.

Conclusion

7.54 The proposal is for the erection of a new single family dwelling with associated landscaping.

7.55 Policy LP34 states that a proposal within, affecting the setting of, or affecting views into or out of, a conservation area should preserve, and wherever possible enhance, features that contribute positively to the area's character, appearance and setting as set out in character statements or other applicable documents.

7.56 The Council will consider the significance of a designated heritage asset and where there is less than substantial harm, this will be weighed against the public benefits of the proposal. Where there is deemed to be substantial harm, then the proposal would need to achieve substantial public benefits to outweigh that harm.

7.57 The level of harm to the setting of the Listed Building and to the character and appearance of the Conservation Area would be less than substantial under the terms of the NPPF (2023).

7.58 It is considered that the proposal would fail to preserve the natural rural setting to the listed building and the way in which the significance of that setting to the listed building can be experienced.

7.59 Officers consider the proposal would not preserve the setting to the listed building or the character and appearance of the Abbotsley Conservation Area. The proposed development, therefore, does not accord with Policies LP11, LP12 and LP34 of the adopted Huntingdonshire Local Plan to 2036, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework.

7.60 Having regard to all relevant material considerations, it is concluded that the proposal would not accord with local and national planning policy. Therefore, it is recommended that planning permission be refused.

8. RECOMMENDATION – REFUSE for the following reason:

1. The proposed scale and massing of the dwelling would have an urbanising influence on the setting of the Listed Building and would result in a significant presence within the street scene. The development would considerably alter this semi-rural and verdant historic space within Abbotsley Conservation Area as the proposed dwelling would create a strident element within the original historic curtilage of the Grade II Listed Blacksmiths Cottage and Barn which would detract from its setting and would cause harm to its significance within the historic core of the village. The harm identified to the designated heritage assets is significant but would be defined as less than substantial in accordance with Paragraph 208 of the NPPF (2023) which requires this level of harm to be weighed against the public benefits of the proposal, where appropriate, securing its optimum viable use. The level of harm caused to the designated heritage assets would not be outweighed by the public benefits of this minor development of one dwelling in this rural small settlement with limited sustainability benefits and the proposal is therefore contrary to Policies LP2, LP9, LP11, LP12 parts a, b & c, and LP34 of the Huntingdonshire Local Plan to 2036, and paragraph 208 of the NPPF 2023.
2. The application is not accompanied by a completed Unilateral Undertaking for the provision of wheeled bins and therefore fails to comply with part H of the Developer Contributions Supplementary Planning Document (2011) and Policy LP4 of the Huntingdonshire Local Plan to 2036.

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:

Enquiries about this report to **Olivia Manton Development Management Officer** – olivia.manton@huntingdonshire.gov.uk

ABBOTSLEY PARISH COUNCIL

Clerk to the Council: Katie Bates, Bridge House, 27 Church Street, Buckden, St Neots, Cambridgeshire PE19 5TP

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www.abbotsleyparishcouncil.gov.uk

Olivia Manton
Development Control
Huntingdonshire District Council

18th June 2024

Dear Olivia

**24/00742/FUL – Erection of a new single family dwelling with associated landscaping
2 Blacksmiths Lane, Abbotsley**

Abbotsley Parish Council considered this application at its meeting held Thursday 13th June 2024.

All members of the Parish Council present voted unanimously to recommend **approval** of the application subject to matters raised below.

Councillors considered that this is a really well presented scheme and is a legitimate infill proposal using an existing access on a low amenity site. This proposes a modest two bedroomed house of a sympathetic scale and design in relation to the existing cottage and barn. The proposed dwelling would have limited impact on the wider surrounding area. Councillors agreed that this is a good design with low eaves and ridge height. The orientation suits the site with good space around the new dwelling. It is felt that dark stained timber and dark profiled metal roof are a good choice of materials. It was considered that traffic using the site would be likely to turn left out of the site to High Street and unlikely to turn right onto Blacksmiths Lane. The ecology, biodiversity, trees and landscaping have all been very sensitively addressed.

Councillors would point out, however, the bat survey is not up to date, having been carried out in 2018. This is a legal requirement. A comprehensive, current bat survey should be carried out before the granting of any planning permission.

Councillors requested further details of the access drive; the proposals do not specify in detail the layout or finish of the surface treatment.

The construction phase is of particular concern given the restricted access to the site and Blacksmiths Lane being narrow. It will not be acceptable to have construction vehicles parked in the lane. As such, there should be a condition requiring a construction management plan. It was suggested that an approach could be made with the Village Hall to utilise the car park during construction.

The Parish Council therefore recommended approval subject to the bat survey being undertaken before any planning permission is granted and a construction management plan being a condition of any planning consent.

Yours sincerely



Clerk to Abbotsley Parish Council

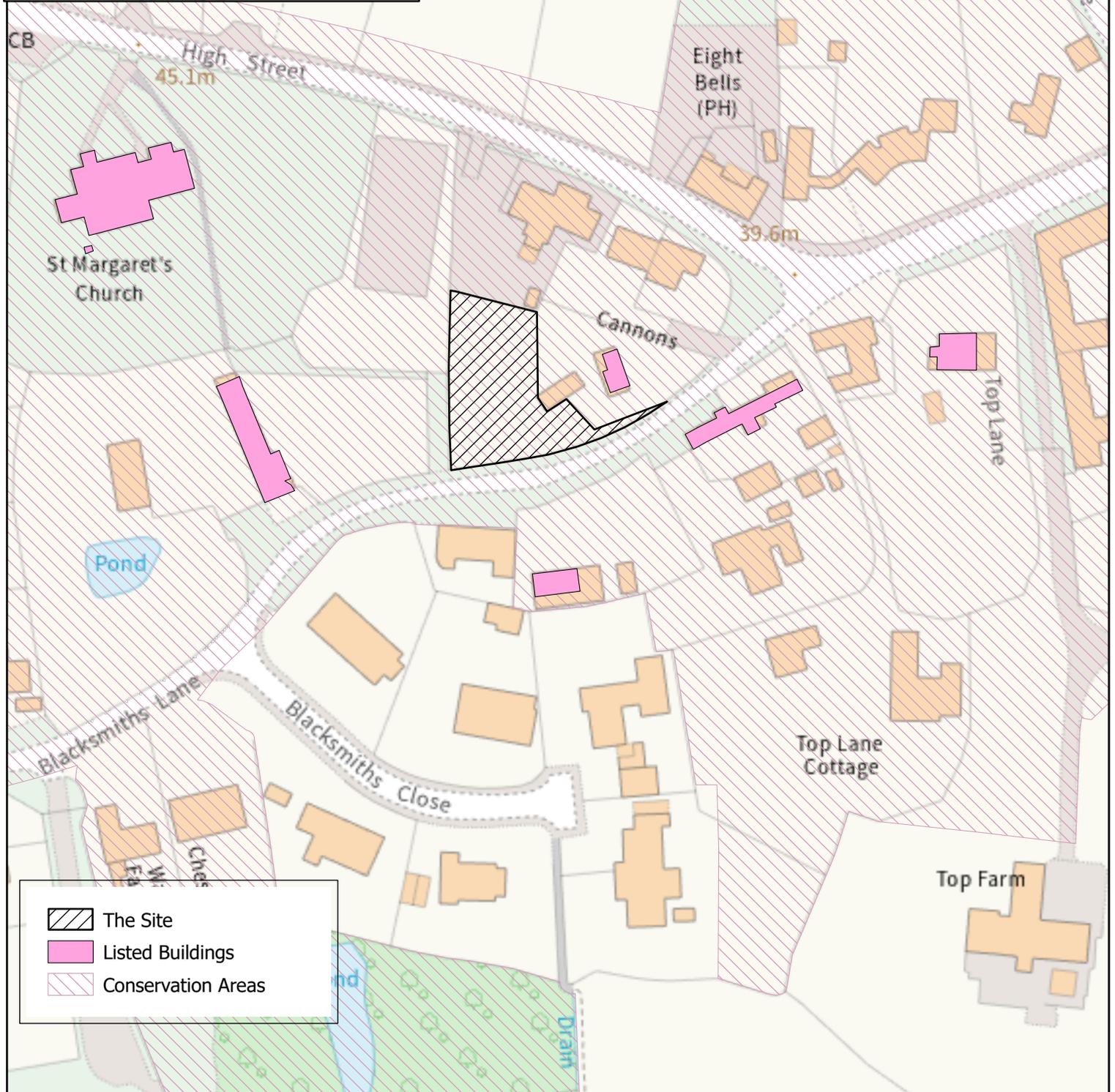
Development Management Committee

Application Ref: 24/00742/FUL



Scale = 1:1,250

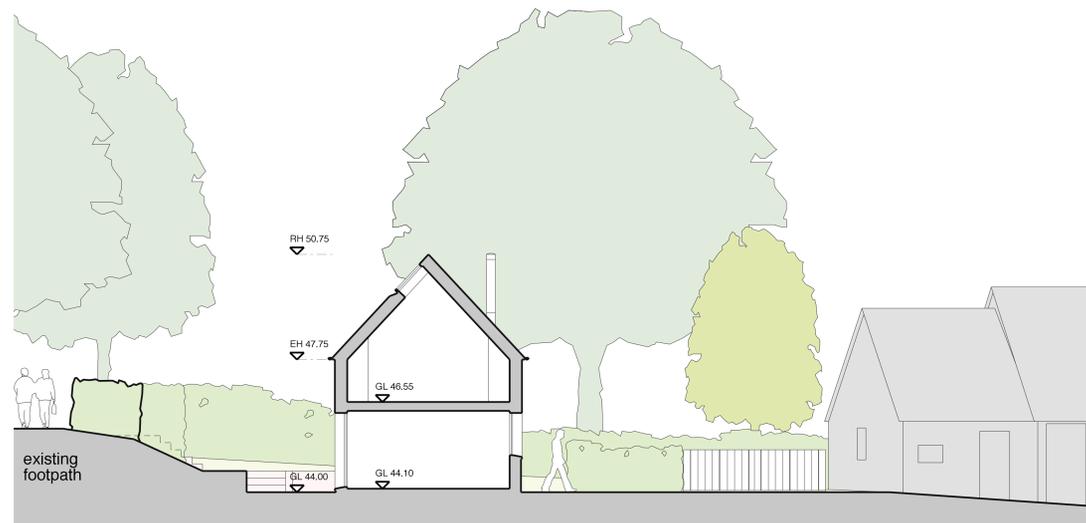
Date Created: 09/10/2024



	The Site
	Listed Buildings
	Conservation Areas

- Key:
- Development Site
 - Boundary of land in the same ownership as the development site

- Materials:
- Grass lawn
 - Brick paver path
 - Gravel
 - Hard surfacing, material TBC



Section AA



First Floor Plan

Roof Plan

P3	25.7.24	LC	CB
Access drive amended to suit highways feedback			
P2	17.5.24	LC	
GF plan & section amended to show bike store			
P1	12.4.24	BH	
Issued for planning			
Revision	Date	By	Checked

For Planning

Proposed Plans and Section

Church Farm, Abbotsley

1897_P23_P3

Scale: 1:100 at A1
 1:200 at A3
 Date: 08.01.24
 Drawn: LC

BHA

BURD HAWARD ARCHITECTS LTD
 24 Wolsey Mews
 London NW5 2DX
 T +44 20 7267 9815
 E studio@burdward.com

Ground Floor Plan



- Key:
- Development Site
 - Boundary of land in the same ownership as the development site
 - - - - - Line of existing public sewer

- Materials:
- Grass lawn
 - Brick paver path
 - Gravel permeable surface
 - Hard surfacing, material tbc

- ① Proposed gravel permeable surface with timber edging
- ② Proposed brick paving
- ③ Proposed brick landscape walls
- ④ Proposed brick steps
- ⑤ Proposed native species grass lawn
- ⑥ Proposed native species hedgerow
- ⑦ Existing hedgerow enhanced
- ⑧ New wildflower grassland margins
- ⑨ Proposed log piles along base of hedgerow at rear boundary

Proposed native species tree:



Existing trees:



P2	25.7.24	LC	CB
Access drive amended to suit highways feedback			
P1	17.5.24	LC	
Issued for planning			
Revision	Date	By	Checked

For Planning

Proposed External Works Plan
 Church Farm, Abbotsley

1897_P24_P2

Scale: 1:100 at A1
 1:200 at A3
 Date: 08.01.24
 Drawn: LC

BHA
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 24 Wolsey Mews
 London NW5 2DX
 T +44 20 7267 9815
 E studio@burdhaward.com

Ground Floor Plan



Key:
 Development Site
 Boundary of land in the same ownership as the development site



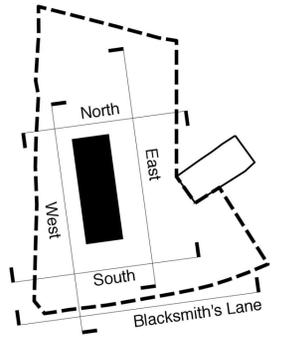
P4	25.7.24	LC	CB
Access drive amended to suit highways feedback			
P3	20.5.24	LC	
dimensions to site boundary shown			
P2	16.5.24	LC	
dimensions to neighbouring boundaries shown			
P1	12.4.24	BH	
Issued for planning			
Revision	Date	By	Checked

For
 Planning

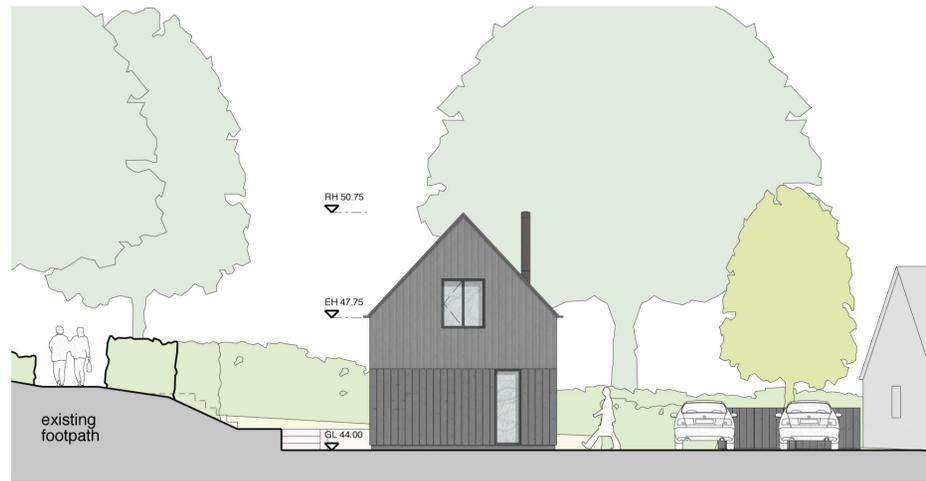
Proposed Site Plan
 Church Farm, Abbotsley
1897_P22_P4

Scale: 1:100 at A1
 1:200 at A3
 Date: 08.01.24
 Drawn: LC

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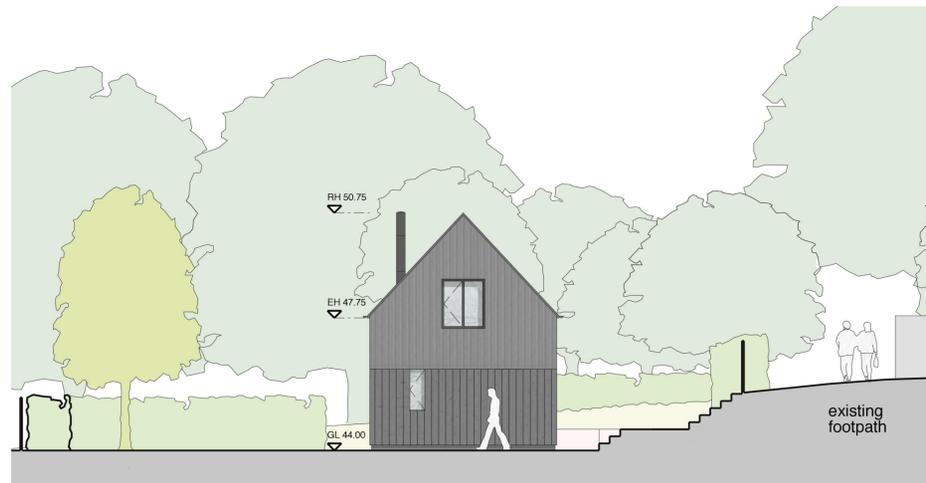
Location Plan



South



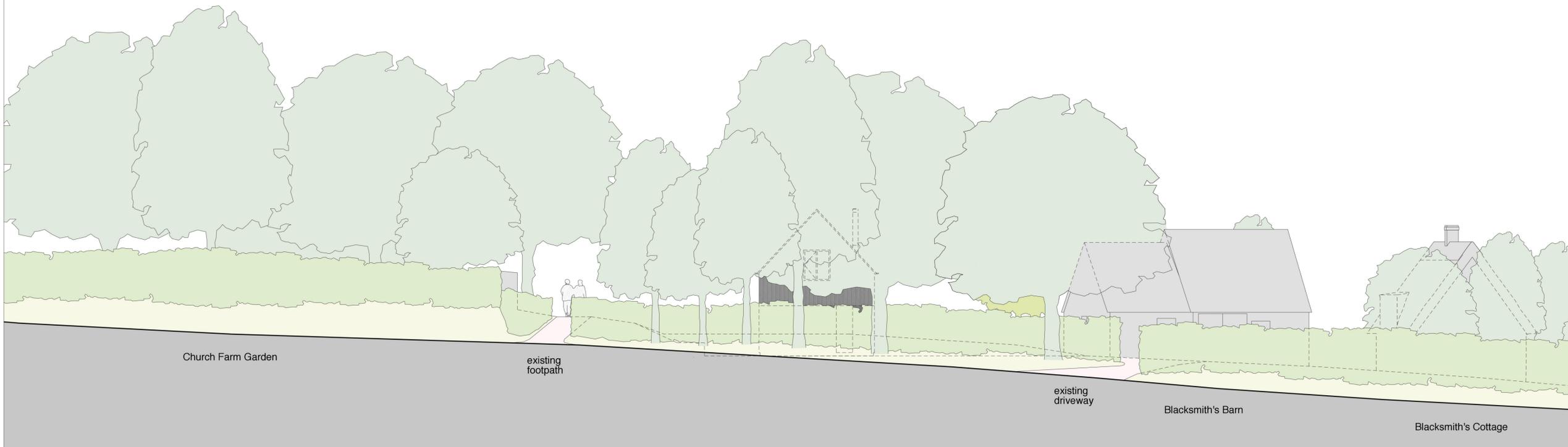
East



North



West



Blacksmith's Lane Elevation (south)

P2	17.5.24	LC	
elevations amended to show bicycle store			
P1	12.4.24	BH	
Issued for planning			
Revision	Date	By	Checked

For
Planning

Proposed Elevations
 Church Farm, Abbotsley

1897_P28_P2

Scale: 1:100 at A1
 1:200 at A3
 Date: 15.01.24
 Drawn: LC



Conservation Consultation

Proposal: Erection of dwelling		Location: 2 Blacksmiths Lane, Abbotsley.
DM Case Officer: Olivia Manton	Conservation Officer: [REDACTED]	Application Ref. No: 24/00742/FUL

It is proposed to erect a dwelling to the west of 2 Blacksmiths Lane, a Grade II listed building located within the Abbotsley Conservation Area.

Planning History

This site was the subject of preapplication advice ref 18/70279/PENQ, which stated that a new dwelling might be supported to the side of 2 Blacksmiths Lane. Planning permission for the erection of 3 dwellings under application 20/01068/FUL was refused permission and dismissed at appeal. The current proposal corresponds to Unit 3 of that scheme. The Appeal Decision takes precedence over the earlier advice. The Inspector noted in the appeal statement that:

- 1) Unit 3 is intended to resemble the aesthetic of a converted barn [...] owing to the manner in which the church is read and experienced I do not consider that Unit 3 would adversely affect its setting or significance.
- 2) Unit 3 would occupy a significantly larger footprint when compared to either the cottage or the barn. In the context of the Cottage's diminutive scale and modest proportions, Unit 3 would have a domineering and overbearing presence. It would also have an unacceptable urbanising influence upon various views available from either the lane or the southern end of the adjoining footpath.
- 3) Owing to its size and prominence in the street scene, and to it necessitating the removal of some established planting in the proximity of the lane, Unit 3 would contrast unacceptably with the typically green and rural makeup of the lane to the detriment of the CA's character and appearance considered as a whole.

Significance

2 Blacksmiths Lane is a Grade II listed late 17th Century cottage of two bay plan with an H-plan stack opening into each main room. There are two attic rooms above the ground floor rooms. The 1838 Tythe Map records that the cottage and associated barn belonged to the Pym family. Church Farm and the plots in between the farm and the cottage were in the ownership of Queens College. At some point after 1838 the property was taken into the ownership of Church Farm.

The Inspector summarised the significance of setting to the listed building;

Indeed, the southernmost part of the site comprises an integral part of the Cottage's setting and promotes that the designated heritage asset's rural origins are easily interpreted. The site's

contribution in this sense is especially important in the context of modern development having already occurred to the other sides of the plot that contains the cottage.

2 Blacksmith's Lane is one of a cluster of five timber framed and thatched cottages located at the east end of Blacksmith's Lane, which is an historic hollow way eroded into the hillside. Despite intermittent modern development the character of the built form in this location is strongly rural and of a modest vernacular scale. A footpath runs along the west boundary of the plot towards the church and from this it is possible to view the listed building and associated barn through the intermittent boundary planting.

Proposal

It is proposed to erect a barn style dwelling to the west of the existing barn associated with Blacksmiths Cottage. The proposal would also include creating a terrace cut into the hillside, hard and soft landscaping and the erection of a bin and cycle store.

Impact



This application is assessed considering the appeal decision and therefore the principal areas of impact are to the significance of the listed building and to the character and appearance of the conservation area.

Setting to Listed Building

Looking at the appeal decision the Inspector indicated that Unit 3 would dominate the setting to the listed building. The applicant has reduced the footprint of the dwelling by 18.5 square meters and lowered the dwelling 1m into the hillside to reduce its ridge height. Nevertheless, the Blacksmiths Lane Elevation indicates that the dwelling ridge height would be approximately 150cm above the cottage ridge height and 80cm over the barn ridge height. The footprint of the revised dwelling would be 15m in length by 5.3m in width giving a footprint of 79.5 square meters. The footprint of the barn is approximately 10m in length and 5m wide at its widest point giving a footprint of 50 square meters. The irregular footprint of the cottage is approximately 10m in length and 5.2m wide at its widest point giving a footprint of approximately 50 square meters.

The footprint of the proposed dwelling would therefore be 29.5 square meters larger than the footprint of either the barn or the cottage. The massing would also appear larger as the height of the walls to the eaves would be taller, 3.75m in height to allow more spacious accommodation under the roof. Combined with a ridge 3m above the eaves this would increase the massing of the building and clearly contrast with the vernacular proportions of the historic buildings nearby.

Considering both the footprint and ridge height of the proposed dwelling it would not be equal or subservient to either the barn or the cottage and would dominate the setting to the listed building. The extensive areas of visible walls and roof combined with the large area of brick paving around the building and the bin and cycle stores would mean that the development would have an urbanising influence on the setting to the listed building. This would fail to preserve the natural rural setting to the listed building and the way in which the significance of that setting to the listed building can be experienced.

Impact on Conservation Area

The proposed dwelling would have a significant presence within the street scene due to its length, height and massing. While this may be partly mitigated by existing trees and new planting most views of the building will take in its length rather than its gable end as shown in the Blacksmiths Lane Elevation. At certain times of the year screening from trees will be limited. The building will feature prominently in views from Blacksmiths Lane and in particular the adjacent footpath. Its modern proportions, massing, appearance and hard landscaping would read as part of the modern development in the village thereby eroding the historic rural character and contribution of vernacular buildings to the significance of the conservation area.

Level of harm

The level of harm to the setting of the listed building and to the character and appearance of the conservation area would be less than substantial under the terms of the NPPF

Policy

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have 'special regard' to the desirability of preserving a listed building or its setting and to pay 'special attention' to the desirability of preserving or enhancing the character or

appearance of a Conservation Area. The proposed development would not preserve the setting to the listed building or the character or appearance of the conservation area.

Under NPPF paragraph 205 great weight should be given to the avoidance of harm to designated heritage assets irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The presumption against harm is based on the statutory requirement, it is not irrefutable but can only be outweighed if there are public benefits that are strong enough to do so. Under NPPF paragraph 206 any harm to a heritage asset should require clear and convincing justification and paragraph 208 requires the need for less than substantial harm to heritage assets to be offset by public benefit

Local Plan policy LP 34 reflects the statutory protections afforded to heritage assets and their management through the NPPF (2021). The proposal would fail to accord with Local Plan policy LP34 and in particular part f of that policy.

Conclusion.

The proposed development would not preserve the setting to the listed building or the character or appearance of the conservation area and should not be supported.

Recommendation: Objections raised.

Signed: [REDACTED] ur Date: 05/08/2024 [REDACTED]

PLANNING CONSULTATION RESPONSE

<p>To Olivia Manton Huntingdonshire District Council Pathfinder House St Marys Street Huntingdon PE29 3TN</p>	<p>Place & Sustainability Highway Development Management Cambridgeshire County Council West Highways Division Huntingdon Highways Depot Stanton Way Huntingdon Cambs PE29 6PY</p>
<p>App Reference: 24/00742/FULa</p>	<p>Contact: [REDACTED]</p>
<p>Date In: 05/08/24 Date Out: 06/08/24</p>	

RE: Application description

Proposal: Erection of a new single family dwelling with associated landscaping

Location: 2 Blacksmiths Lane Abbotsley St Neots PE19 6UG

Following a careful review of the documents provided to the Highway Authority as part of the above planning application, the applicant has provided an amended drawing showing the access as 5m in width for 8m from the highway boundary, and hard surfaced for the first 5m.

It also shows an aco-type drain at the highway boundary.

Therefore, the effect of the proposed development upon the Public Highway should be mitigated if the following conditions form part of any permission that the Planning Authority is minded to issue in regard to this proposal:-

HDMC 10 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

HDMC 11 Prior to the first occupation of the development (or prior to commencement of the use hereby permitted) any gate or gates to the vehicular access shall be set back a minimum ofm from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards.

Reason: In the interests of highway safety.

HDMC 13 The access shall be a minimum width of 5m, for a minimum distance of 8m measured from the near edge of the highway carriageway.

Reason: In the interests of highway safety.

HDMC 14 Prior to the first occupation of the development (or prior to the commencement of the first use) the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

HDMC 16 Prior to the first occupation of the development sufficient space shall be provided within the site to enable vehicles to:

- a) Enter, turn and leave the site in forward gear
- b) Park clear of the public highway

The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

Reason: In the interests of satisfactory development and highway safety.

HDMC 18 Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.

Reason: In the interests of highway safety.

HDMC 19 Prior to the first occupation of the development (or prior to the commencement of the proposed use) visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted Drawing No. 1897_P24_P2.

The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

HDMC 26 The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent surface water discharging to the highway.

HDMC 28 A metalled surface shall be provided for a minimum distance of 5m along the access road from its junction with the public highway.

Reason: To prevent mud and extraneous material being deposited on the highway.

INFORMATIVES

Vehicular Access

HDMI 1 This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

The applicant should note that the nature of the highway works proposed will necessitate the completion of a Section 184 Highway Works Agreement between the developer and the LHA prior to commencement. [Dropped kerbs and access protection markings - Cambridgeshire County Council](#)


Highways Development Management Engineer