

DEVELOPMENT MANAGEMENT COMMITTEE 19th SEPTEMBER 2022

Case No: 22/01526/FUL (FULL PLANNING APPLICATION)

Proposal: CHANGE OF USE OF LAND TO DOMESTIC CURTILAGE AND ERECTION OF 2M HIGH FENCE (AND ASSOCIATED LANDSCAPING). DEMOLITION OF EXISTING CAR PORT/GARAGE AND ERECTION OF SINGLE STOREY EXTENSION.

Location: 9 DITCHFIELD SOMERSHAM PE28 3HU

Applicant: MR & MRS RICHARD & CLARA BOOTHROYD

Grid Ref: 536456 278398

Date of Registration: 19.07.2022

Parish: SOMERSHAM

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) because the applicant is an Officer of Huntingdonshire District Council.

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The application site is 9 Ditchfield, Somersham which is a two-storey detached dwellinghouse located in a residential cul-de-sac.
- 1.2 The site has an open frontage onto the streetscene with the rear garden bounded by a relatively substantial brick wall to the east and south. There is a small footpath with a grassed area adjacent measuring approx. 3.8 metres in width and approx. 27 metres in depth to its full extent (90 square metres in total) to the east (outside of the existing boundary wall), the grassed area is under the ownership of the applicants. It should be noted that the footpath is outside of the red line and will not be included as part of this development. Number 10 Ditchfield is the dwelling to the west (linked by way of the existing side extension) whilst number 14 Harvey Drive lies to the south-east with its side elevation and the western boundary of the rear garden running adjacent to the footpath.
- 1.3 This application seeks permission for the change of use of land to domestic curtilage, the erection of a two-metre-high boundary fence with associated landscaping, and the erection of a single

storey side extension following the demolition of the existing carport/garage.

- 1.4 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (20th July 2021) (NPPF 2021) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2021 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 2021 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)
 - LP2: Strategy for Development
 - LP8: Key Service Centres
 - LP11: Design Context
 - LP12: Design Implementation
 - LP14: Amenity
 - LP17: Parking Provision and Vehicle Movement
 - LP30: Biodiversity and Geodiversity
 - LP32: Protection of Open Space
- 3.2 Supplementary Planning Documents (SPD) and Guidance:
 - Huntingdonshire Design Guide Supplementary Planning Document 2017
 - Huntingdonshire Landscape and Townscape SPD (2022)
 - Huntingdonshire Strategic Flood Risk Assessment (2017)
 - Cambridgeshire Flood and Water SPD 2017
 - LDF Developer Contributions SPD (2011)
 - Annual Monitoring Review regarding housing land supply (2020)

- Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
- 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
 - * M3 - Well-considered parking, servicing and utilities infrastructure for all users
 - * H1 - Healthy, comfortable and safe internal and external environment

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

4. PLANNING HISTORY

- 4.1 79/00461/FUL – Erection of garage, 9 Ditchfield, Somersham (Permission)
- 4.2 94/00564/FUL – Erection of car port, 9 Ditchfield, Somersham (Permission)

5. CONSULTATIONS

- 5.1 Somersham Parish Council recommend approval: Councillors have no objection. The proposed work is in keeping with the property and streetscene and will enhance the site.

6. REPRESENTATIONS

- 6.1 None received at the time of determination.

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 (2021). 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)
 - St Neots Neighbourhood Plan 2014-2029 (2016)
 - Godmanchester Neighbourhood Plan (2017)
 - Houghton and Wyton Neighbourhood Plan (2018)
 - Huntingdon Neighbourhood Plan (2019)
 - Bury Village Neighbourhood Plan (2021)
 - Buckden Neighbourhood Plan (2021)
 - Grafham and Ellington Neighbourhood Plan 2020-2036 (2022)
- 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:
- The principle of development
 - Design, visual amenity and the impact upon the character of the area
 - Residential amenity
 - Parking Provision and Highway safety
 - Biodiversity

The Principle of the Development

- 7.6 The application site is located within an established residential area of Somersham which is defined as a Key Service Centre under Policy LP8 of Huntingdonshire’s Local Plan to 2036. Policy LP8 states that development proposals will be supported where they are located within a built-up area of a Key Service Centre. The proposal therefore accords with Policy LP8 of the Local Plan in this regard and the requirements of the National Planning Policy Framework (NPPF) (2021).
- 7.7 It should be noted that the footpath and grassed area subject to the proposed change of use is not designated as a Local Green Space within a Neighbourhood Development Plan as there is no approved Neighbourhood Plan in place for Somersham. Policy LP32 of the Local Plan states that open space takes many forms including parks, village greens, play areas, sports pitches,

allotments, semi-natural areas and substantial private gardens. Policy LP32 goes on to state that:

a proposal that would lead to the whole or partial loss of an area of open space of public value will only be supported where there would be no significant adverse impact on the character of the surrounding area and:

a. The loss is minimised where possible and compensatory measures are put in place that provide a net benefit to the community that is served by the space, which will be judged in terms of availability, accessibility, quality and quantity; or

b. where the loss involves outdoor sport or recreational space

- 7.8 In this case the proposed change of use of land to domestic curtilage requires approx. 90 square metres of land to the east of the dwelling/existing boundary to be changed to domestic curtilage. The entirety of this land is a relatively small, grassed area located between the eastern elevation and boundary of the dwelling and a linking footpath to Harvey Drive to the rear. Although it is acknowledged that the proposal would lead to a partial loss of open space, it is considered that given its location (adjacent to an unlit footpath) this is not an area of land which was ever intended to be an area of 'usable open space' and cannot reasonably be considered as an area of public value providing opportunities for sports and recreation purposes. Therefore, whilst the loss of this section of land is acknowledged given that it does not fall within the catchment of defined open space of specific public value it does not deviate from the requirements of Policy LP32 of the Local Plan and is therefore considered to be acceptable in principle subject to other material considerations and conditions.

Design and Visual Amenity

- 7.9 Ditchfield and the surrounding development appears typical of a 1970s residential housing area. It hosts both detached and semi-detached dwellinghouses which are of brick and tile construction. There is a variance in the use of materials evident with buff and red brick and the use of cladding evident in the vicinity.
- 7.10 Number 9 is located at the end of the cul-de-sac and is attached to the to the dwelling to the west (number 10) by virtue of the existing single storey garage/carport which is stepped back from the principal elevation. There is a relatively substantial solid brick boundary wall forming the eastern boundary adjacent to a relatively small, grassed area with a footpath between the grass and the boundary with number 14 Harvey Drive. This boundary wall extends to the rear of the curtilage providing the boundary with Harvey Drive itself.

- 7.11 This application seeks permission to demolish the existing carport/garage and to erect a single storey extension in the same location with a marginally increased footprint to the rear. Further proposed is the change of use of the land to the east to domestic curtilage, the erection of a two-metre-high close-boarded fence (forming an extended boundary) and some minor landscaping.
- 7.12 In terms of the extension there is a limited increase in scale in terms of both height and depth, the front remains stepped back from the principal elevation and the rear will be extended to be in line with the existing rear elevation of the dwelling, the rear section of the extension will also be marginally higher than the front sections. The existing doors to the garage/carport shall be retained, a small section of cladding will be included above and the roof will be a flat felt roof with flat rooflight inserted. To the rear the bricks shall match the existing dwelling.
- 7.13 Overall, given the scale and design of the proposed extension which appears subservient to the host dwelling and the careful use of materials which will supports its integration to the main house and with the character of the wider area this element of the proposal is considered to be acceptable.
- 7.14 In terms of the change of use of land and addition of boundary fencing, officers have considered the impact on the loss of this relatively minor area of grassland and as established under Paragraph 7.8 above it is not considered to be overly harmful to the character or appearance of the area and does not deviate from the requirements of Policy LP32 of the Local Plan. The land is not designated as public open space in any Neighbourhood Development Plan. By its very nature it does not appear that it was ever intended to be used as an area of usable open space. It is acknowledged that there is a footpath adjacent to it linking Ditchfield to Harvey Drive, however, this appears to be an unlit footpath which, given its location is relatively 'tucked away' at the terminus of both Ditchfield and Harvey Drive it is not considered that this was ever intended for use as a 'regular and widely used thoroughfare'. Therefore, the change of use of land and extension of the boundary is considered not to result in a harmful impact upon the character or appearance of the area.
- 7.15 In terms of the proposed boundary treatment, officers recognise that this (a two-metre high close-board fence) does not specifically accord with the guidance contained within the Huntingdonshire Design Guide Supplementary Planning Document (2017) in terms of suitable boundary treatments facing the public realm. However, it should be regarded that the fence to the side could be erected by the applicants exercising the permitted development rights available to them by virtue of The Town and Country Planning (General Permitted Development) (England) Order (2015) as amended. Whilst the section of fencing to the rear (given its location in relation to the public

highway) would not be permitted development, given its location in a relatively secluded area of Harvey Drive (such that it is not immediately obvious to anyone entering the cul-de-sac) this does not result in an overly harmful or incongruous addition to the streetscene. It should be noted that there is a variance in boundary treatments evident (including a relatively substantial close-board fence) and so this is not an unfamiliar feature in the locality.

- 7.16 Lastly, the applicant proposes to include some boundary planting which will run adjacent to the fence line, softening its appearance and providing a 'landscape buffer' between it and the footpath. This continues beyond the extent of the fence curving around the north-east boundary and terminating at the border with the existing driveway and is considered to be a pleasant addition and a contrast to the permanence of the boundary treatments that already exist and which will be formed as part of this proposal.
- 7.17 In conclusion, taking all of the above factors into consideration the development proposed is not considered harmful to the wider character or appearance of the area and it therefore accords with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036 in this regard.

Residential Amenity

- 7.18 Policy LP14 of the Local Plan to 2036 states that "*a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.*"

Having regard for these matters officers have assessed the potential impact of each element of the proposals. In terms of overbearing impact, overshadowing and loss of light related to the extension given its scale and lack of projection beyond the elevations of the existing dwelling it would not present any issue in this regard and is considered to be acceptable.

With regard to the proposed boundary fence, given its scale and relationship with adjacent dwellings and land the same consideration as above applies. The fence to the side will be opposite the side (west) elevation of number 14 Harvey Drive but there are no ground floor windows which would be impacted by moving the boundary treatment closer to the side of this property. The side boundary of the rear garden of number 14 also lies adjacent to this footpath and would be opposite the new fence. This boundary appears slightly smaller in scale and is of a different design to that proposed here though given the limited height of the proposed fence (approx. two metres) there will be no demonstrable harm to the light available to the rear garden of number 14.

- 7.19 In terms of overlooking and loss of privacy the extension maintains the existing arrangement of doors to the front, to the rear a door and window will replace some existing glazed doors. Given their location at ground floor level alongside the boundary treatments in place and the views afforded by the existing fenestration these are considered not to be harmful. The same consideration applies to the rooflight given its scale, location and the absence of any windows in the side (east) elevation of number 10.
- 7.20 Officers note that (as at present) the extension will be linked to number 10 Ditchfield and therefore an informative note shall be added to any consent with regard to the Party Wall Act.
- 7.21 In terms of other matters, it is not considered that the loss of this land or the extension of the boundary would result in significant harm in terms of residential amenity. Whilst the path will naturally appear narrowed by the loss of the green space and the introduction of the boundary fence, as established in the preceding sections of this report it is not considered that this was intended as a public thoroughfare established for regular use. The extension of the garden area of number 9 (closer to the boundary with number 14 Harvey Drive) is also unlikely to give rise to any other factors which are not commonplace in a residential setting.
- 7.22 Therefore, taking the above factors into consideration, the proposal is considered to be acceptable with regard to its impact on residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036 in this regard.

Parking Provision and Highway Safety

- 7.23 Officers note that the front of the proposed extension is identified on the plans as a 'garage' however, officers note that its dimensions do not accord with the guidance contained within the Huntingdonshire Design Guide Supplementary Planning Document (2017) in terms of either width or depth. However, the existing garage/carport also does not accord in terms of width and so in practice may not be used to house a modern vehicle. However, notwithstanding this consideration, the dwelling benefits from a generous driveway area to the front, which provides off road parking for at least two vehicles, and, given the lack of increased footprint to the front this will not be reduced and nor will it be restricted by the proposed boundary treatments. Therefore, whilst the proposals will result in the loss of a garage/carport area (owing to the limited scale of the retained 'garage') officers are satisfied that a sufficient degree of parking remains in place at the dwelling. There is also some on street parking available and though there are no apparent restrictions in place the number of dropped kerbs is in practice likely to limit this provision. However, on balance, given the retained parking and

the location of the dwelling in a relatively quiet residential area the proposed development is considered to be acceptable with regard to parking provision and would not be detrimental to highway safety in the locality. It therefore accords with Policy LP17 of Huntingdonshire's Local Plan to 2036 in this regard.

Biodiversity

7.24 Policy LP30 of Huntingdonshire's Local Plan to 2036 states that a proposal should ensure no net loss in biodiversity and provide a net gain where possible. In this case, the extension largely on the footprint of existing built development and the use of the existing building and its location is unlikely to act as a habitat for any protected or notable species. The land subject to the change of use is a maintained area of grassland in a residential area and in practice would provide limited value in terms of biodiversity. There are some measures proposed, to include additional soft landscape planting and hedgehog/wildlife access points along the boundary fence, to support achieving a net gain in biodiversity and these matters shall be secured by condition. Therefore, subject to conditions, the proposal is considered to accord with Policy LP30 of Huntingdonshire's Local Plan to 2036 in this regard.

Conclusion

7.25

The proposed development is considered to be compliant with the relevant national and local policy as it is:

*Acceptable in principle

And it:

* Would not be harmful to the character or appearance of the area;

* Would not have a significantly detrimental impact upon the amenity of neighbours;

*Would not be detrimental to highway safety in the locality;

*Is acceptable with regards to the impact on biodiversity;

*There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

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

- Time limit
- Approved plans
- Materials as detailed within the submitted application form and plans
- Landscaping as detailed on plans
- Biodiversity measures in accordance with submitted Planning Statement

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CONTACT OFFICER:

Enquiries about this report to **Kevin Simpson Development Management Officer** – kevin.simpson@huntingdonshire.gov.uk

From: developmentcontrol@huntingdonshire.gov.uk
Sent: 02 August 2022 14:30
To: DevelopmentControl
Subject: Comments for Planning Application 22/01526/FUL

Categories: Jason

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 02/08/2022 2:29 PM from Mrs Penelope Bryant.

Application Summary

Address:	9 Ditchfield Somersham Huntingdon PE28 3HU
Proposal:	Change of use of land to domestic curtilage and erection of 2m high fence (and associated landscaping). Demolition of existing car port/garage and erection of single storey extension.
Case Officer:	Kevin Simpson

[Click for further information](#)

Customer Details

Name:	Mrs Penelope Bryant
Email:	clerk@somersham-pc.gov.uk
Address:	The Norwood Building, Parkhall Road, Somersham PE28 3HE

Comments Details

Commenter Type:	Town or Parish Council
Stance:	Customer made comments in support of the Planning Application
Reasons for comment:	
Comments:	Councillors have no objection. The proposed work is in keeping with the property and street scene and will enhance the site.

Kind regards

Development Management Committee



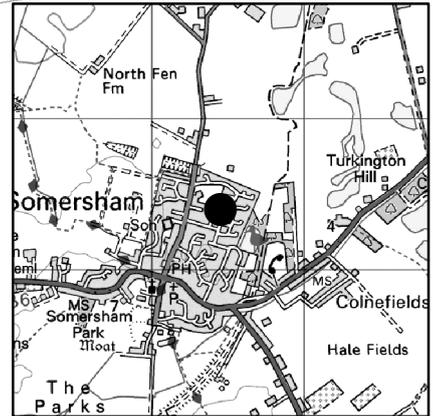
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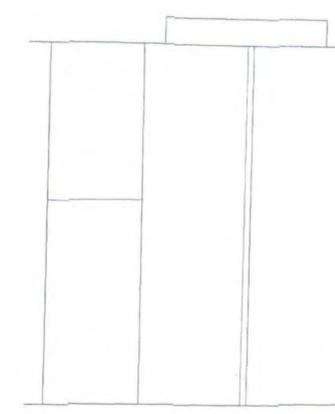
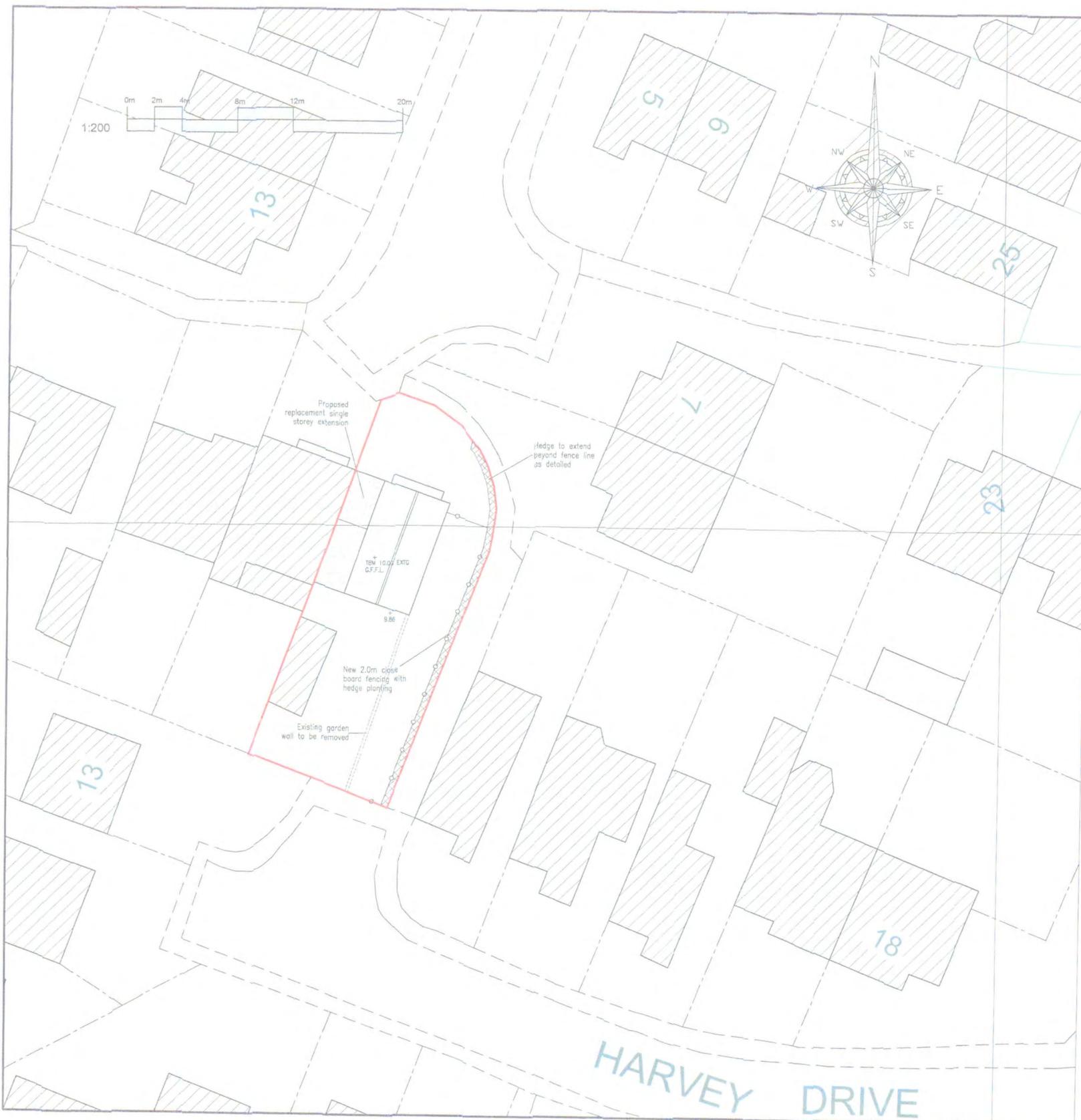
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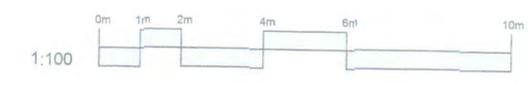
Location: Somersham

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ROOF PLAN
Scale 1:100



MWS Architectural Ltd
 ARCHITECTURAL CONSULTANT
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 Email: mark@mwsarchitectural.co.uk

Project:
 PROPOSED EXTENSION
 9 DITCHFIELD SOMERSHAM
 CAMBRIDGESHIRE

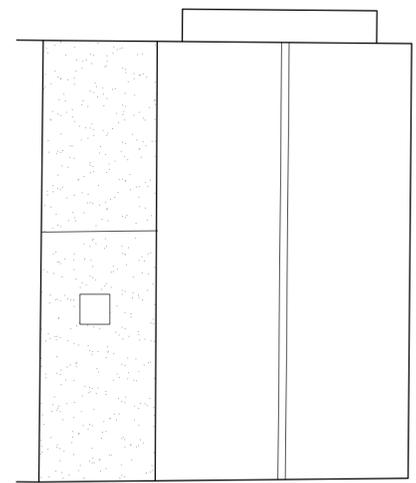
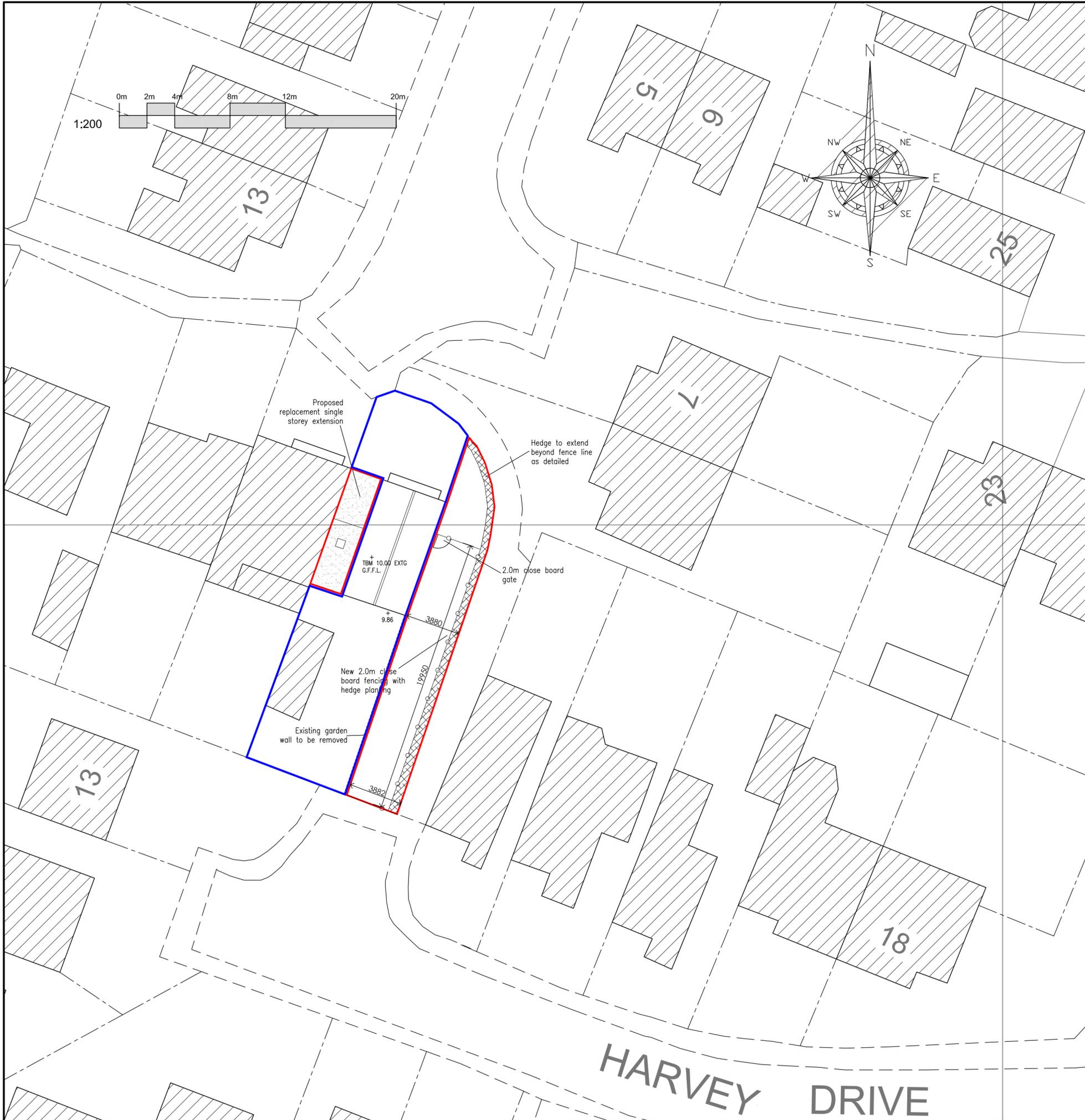
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 SITE PLAN

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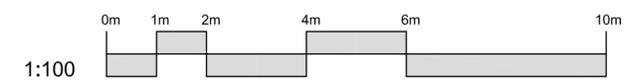
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Drawing no:
 482P/04 Revision



ROOF PLAN
Scale 1:100



DRAWING REVISIONS		
Rev	Date	Details
A	22/02/22	Scheme up-dated

MWS Architectural Ltd
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Project:
PROPOSED EXTENSION
9 DITCHFIELD SOMERSHAM
CAMBRIDGESHIRE

Drawing:
SITE PLAN

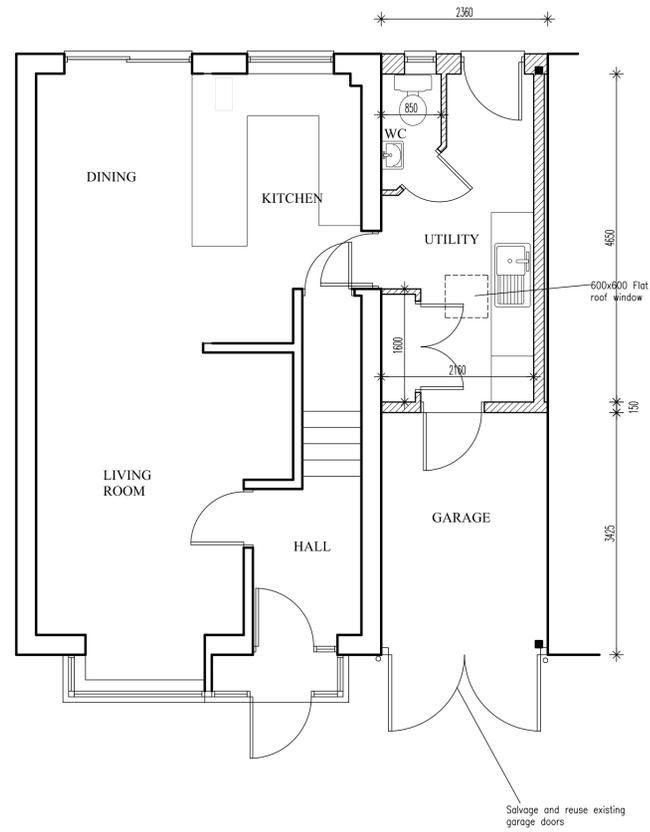
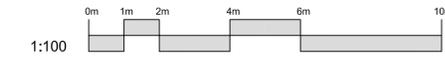
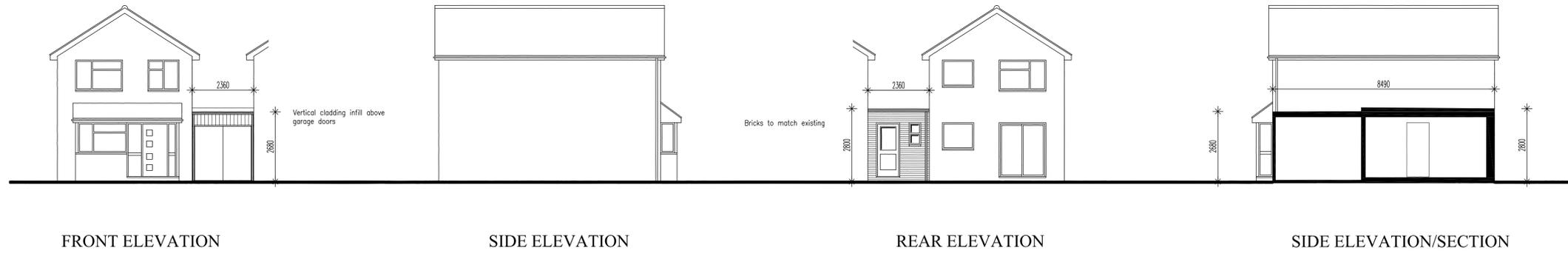
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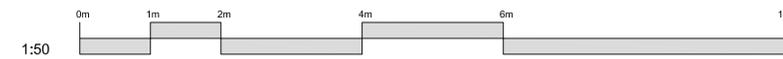
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FLOOR PLAN



DRAWING REVISIONS		
Rev	Date	Details
A	22/02/22	Scheme up-dated

MWS Architectural Ltd
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Project:
PROPOSED EXTENSION
9 DITCHFIELD SOMERSHAM
CAMBRIDGESHIRE

Drawing:
Plans as Proposed

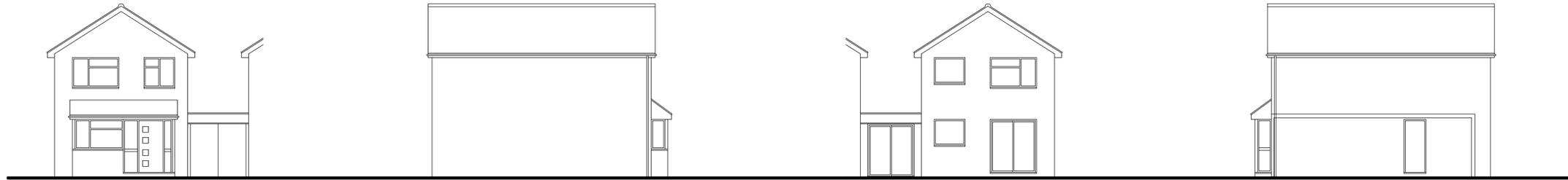
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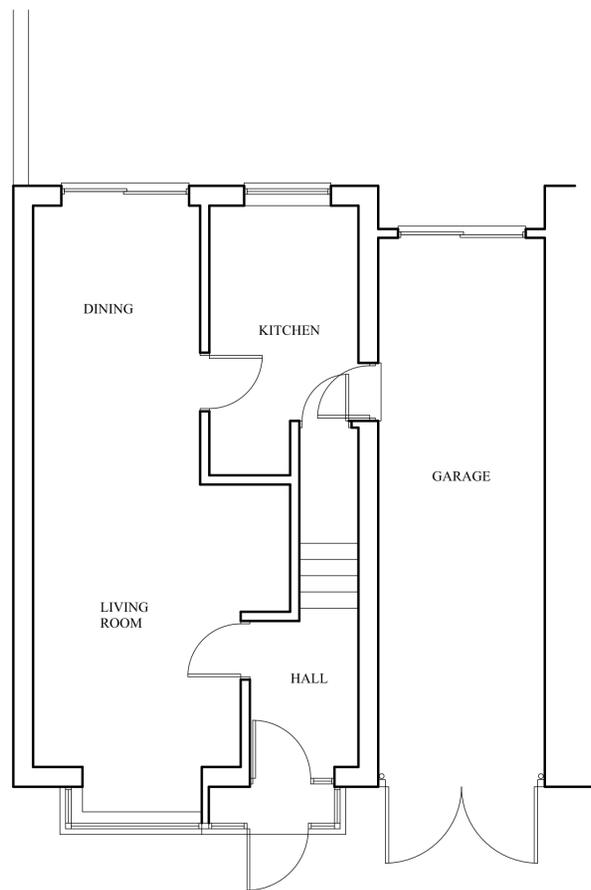
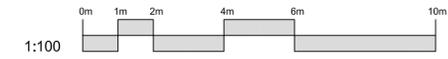


FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION/SECTION



FLOOR PLAN



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Project:
**PROPOSED EXTENSION
9 DITCHFIELD SOMERSHAM
CAMBRIDGESHIRE**

Drawing:
Plans as Existing

Drawing File Location:
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