

DEVELOPMENT MANAGEMENT COMMITTEE 21st August 2023

Case No: 22/00891/FUL

Proposal: Application for full planning permission for retention of existing detached four-bedroom dwelling including the retention of the existing garage extension (rear extension omitted).

Location: Full House, Toll Bar Lane, Keyston, PE28 0RB

Applicant: Mr and Mrs Matthew and Alexandra Ellis

Grid Ref: (E) 504503 (N) 275519

Date of Registration: 14th April 2022

Parish: Bythorn and Keyston

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) in accordance with the Scheme of Delegation as the application has been called in to DMC by Councillor Gray, the Ward member for Bythorn and Keyston and the Officer recommendation of approval is contrary to that of the Parish Council.

Planning permission was originally granted on this site for a new dwelling under planning reference 0403717FUL. This planning consent also granted alterations and extensions to the existing dwelling Thatches adjacent.

It should be noted that during the lifetime of this application site history there have been a number of issues which have resulted in the development which is currently presented. Whilst the Local Planning Authority (LPA) does not accept responsibility for the dwelling being built contrary to the approved plans (for which enforcement action has commenced), however the following matters must be acknowledged which are linked to the various issues which are addressed in this report:

*The elevations for the new dwelling on the previously approved plans for 0403717FUL are confused, with the east and west elevation incorrectly labelled.

*The Planning history for the site indicates that conditional information has been submitted in relation to 0403717FUL and may have been

agreed, however there are no specific details or records of this available.

*A Certificate of Lawful Development was issued (under reference 16/02597/CLED). This certificate demonstrated that the development approved under planning reference 0403717FUL had commenced before 2nd March 2010 and the planning permission had been lawfully implemented. It is acknowledged in the Officer report for this application that the file records for the original application were incomplete, and whilst it appeared details were submitted to the LPA in relation to the conditions, no approval or formal notification of the acceptability of the information/conditions was found.

*Condition 3, which related to the proposed external materials of planning permission 0403717FUL was discharged in September 2021 under reference 20/80149/COND. This application covered matters relating to roof tiles and porch, windows, doors, plinth, walls and chimney, gutters and drainpipes, patio doors, ridge tile, and the proposed horizontal weatherboard. The approved materials were:- 1) Roof Tile and Porch – Natural Slate, (2) Windows – White Timber, (3) Doors – Natural Oak, (4) Plinth - Stone, (5) Walls and Chimney - Brick, (6) Gutters and Drainpipes, Patio Doors - Anthracite Metal, (7) Ridge Tile - Black Clay, (8) Horizontal Weatherboard – Black Timber. The plans submitted with this proposal did not show the house in its current form nor as approved under 0403717FUL. The dwelling shown on the plans submitted as part of the materials condition is wider and taller and there is no side projection (aside from the approved mono-pitched section) or rear extension. However, the materials were approved, and, whilst it appears that brick slips and artificial slate have been used and some grey timber cladding has been added to the northern projection the other materials appear broadly consistent with what was approved in visual terms. It should also be regarded that the document approved as part of the discharge of conditions application showed only photographs of the proposed materials and did not provide any specifications. Further, the wording of the planning condition required the LPA agreement to the proposed materials but did not require the retention of these materials on site. The Case Officer considered and assessed the appropriateness of the materials, but did not consult with the Conservation Officer as part of that application.

1. DESCRIPTION OF SITE AND APPLICATION

1.1 The application site is Full House, Toll Bar Lane, Keyston. The site lies within the Keyston Conservation Area and there are a number of Listed Buildings of varying grades in the vicinity of the application site (most notably 'Thatches' to the south and 'Stone House' to the west). There are also some protected trees within and adjacent to the site. The site is located within Flood Zone, 1 but has a high risk of surface water flooding as per the most recent Environment Agency Maps and Data.

- 1.2 This application seeks full planning permission for the retention of the existing dwelling on site (including garage extension to the north but propose to remove the existing single storey rear extension on site). This application has been submitted following advice from Officers at HDC to try and regularise the situation because whilst a dwelling was approved on the site under planning application number 0403717FUL, the actual dwelling built had not been built in accordance with the approved plans. Officers also draw attention to the fact that the original planning permission included works to the adjacent Grade II Listed Building to the south of the site 'Thatches', and benefits from a Certificate of Lawful Development under reference number 16/02597/CLED which, (whilst works did not appear to have been undertaken in terms of the new dwelling at that time), accepted that an implementation of the permission had occurred due to the works carried out to 'Thatches'.
- 1.3 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
 - LP5: Flood Risk

- LP9: Small Settlements
- 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
- LP37: Ground Contamination and Groundwater Pollution

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
- C2 – Value heritage, local history and culture
- 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
- N3 - Support rich and varied biodiversity
- H1 - Healthy, comfortable and safe internal and external environment

3.4 Keyston Conservation Area Character Statement (January 2003)

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

4. PLANNING HISTORY

4.1

- 0102354FUL – Erection of dwelling (Withdrawn)
- 0402297FUL – Extension and alterations to existing dwelling and erection of dwelling (Refused)

- 0403717FUL – Extensions and alterations to existing dwelling and erection of dwelling (Permission)
- 16/02597/CLED – Works pursuant to planning permission granted by Huntingdonshire District Council dated 2nd March 2005 for “extensions and alterations to existing dwelling and erection of dwelling” with reference 04/03717/FUL (Consent)
- 20/80149/COND – Conditional information for 0403717FUL C3 (Materials) (Condition Reply)
- 22/00890/FUL - Application for full planning permission for retention of existing detached four-bedroom dwelling including extensions (Pending Consideration)

5. CONSULTATIONS

5.1 Bythorn and Keyston Parish Council have been consulted four times (due to various amendments and revised descriptions). All comments are available to view on HDC’s Public Access site and the PC have raised objections relating to:

- Flood risk (stating that the application was lacking a Flood Risk Assessment at the point they were consulted)
- Effect on Listed Buildings and the Conservation Area due to its scale and mass
- Design, appearance and materials
- Impact on residential amenity – overlooking and loss of privacy
- Impact on trees (trees which have been removed as part of the development)

The Parish Council have in later comments recognised the submission of a Flood Risk Assessment and Surface Water drainage Plan, however, they have not indicated in any comments that they wish to withdraw their objections.

5.2 The consultations below have been undertaken again (where relevant) upon receipt of amended information.

- HDC Trees and Landscapes – No objection, further details in section 7.41 onwards, below.
- HDC Conservation Team – Objects, further details in section 7.13 onwards, below.
- Historic England - No comments, seek views of specialist conservation and archaeological advisers.
- Lead Local Flood Authority – No objection, further details in section 7.31 onwards, below.
- Environment Agency – Not within remit for planning, no comment.
- Anglian Water – No representations made at the point of determination

6. REPRESENTATIONS

6.1 As with the above consultations – neighbours and interested parties have been re-consulted upon receipt of amended details. In total, 24 objections have been received. It should be noted that of these 21 these originate from 9 different dwellings. The 24 comments are either repeats (following later consultations) or additional context. These are available to view on HDC's Public Access Site but broadly relate to the following matters:

- Development adversely affects the character of the area due to its size, design and appearance
- Harmful to the historic character
- Harmful to designated heritage assets
- Development not in accordance with the previously approved plans
- Residential amenity – loss of privacy/overbearing impact
- Materials inconsistent with earlier approval and sets a precedent for these materials in a CA
- Adverse impact on the landscape
- Flood risk – lack of Flood Risk Assessment and Sustainable Drainage Systems
- Approval will set a precedent for people to act outside of planning regulations (by approving)
- Incorrect details, omissions and contradictory information in the submissions (including the Flood Risk Assessment and dates/times of flooding events)
- Impact/destruction of trees
- Quality of the build
- Increased ground levels in relation to the earlier approval

6.2 There are some matters (such as the removal of fencing) which are not material considerations and which therefore cannot be addressed through the planning process. These can be pursued by civil means where necessary. Those matters which are material planning considerations are discussed in the proceeding sections of this report.

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 a number of adopted neighbourhood plans, however, there is not an adopted neighbourhood plan in place for Keyston. Therefore, whilst the adopted Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021) is considered relevant as part of the development plan, in this case no neighbourhood plans are given weight in the determination of this application.

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 are:

- The principle of development
- Design and visual amenity
- Impact on heritage assets
- Residential amenity
- Highway safety and parking provision
- Flood risk and surface water
- Biodiversity
- Impact on trees
- Contamination
- Accessible and adaptable homes
- Water efficiency
- Developer contributions

7.6 The principle of the development:

The site is considered to be located within the built-up area of Keyston, which is designated as a small settlement under Policy LP9 of Huntingdonshire's Local Plan to 2036. Policy LP9 states that development would be supported within the built-up areas of small settlements, where the amount and location of development is sustainable in relation to the level of services and infrastructure within the settlement, the opportunities for

sustainable modes of travel, and the effect on the character and appearance of the locality and the settlement as a whole. In this case, this policy is referenced to reflect that development (subject to accordance with the requirements of the policy) continues to be supported in small settlements. The principle of development for a dwelling in this location has already been established by the granting of planning permission under reference 0403717FUL and the declaration that the permission is extant under Certificate of Lawfulness 16/02597/CLED. The only difference to the red line (between the current application and the extant permission) is that the adjacent house to the south Thatches (and which formed part of the earlier application due to the extensions and alterations to it) is now omitted. The red line does not appear to have been extended to take in any land which was not considered under the earlier approval. The development and placement of a dwelling in this location is therefore considered to be acceptable in principle, subject to compliance with the other relevant policies and considerations.

Design, Visual Amenity and Impact Upon the Character and Appearance of the Area

- 7.7 Policies LP11 and LP12 of the Local Plan to 2036 state (amongst other matters) that “a proposal will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings, including natural, historic and built environment, to help create distinctive, high quality and well-designed places.” And “new development and advertisements will be expected to be well designed based upon a thorough understanding of constraints and appraisal of the site’s context, delivering attractive, usable and long lasting buildings and spaces.”

Paragraph 130 of the NPPF states that planning decisions should (amongst other matters);

- (a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

The dwelling approved under the 2004 application had the appearance of a relatively modest three bedroom cottage style dwelling with a two storey pitched roof main section, a 1.5 storey pitched roof section to the north and a small mono-pitched section to the far north. Each element reduced in scale and mass

resulting in a subservience to the main section of the dwelling. The two elements north of the main section of the house were also stepped back from the front elevation. The approved plans showed a full width (north-south) of approximately 18 metres and depth (east-west) of approximately 6.7 metres. This measurement was taken at the deepest point, closest to 'Thatches' (a Grade II Listed Building) and excluded the front porch. The dwelling was located to the north-east of Thatches such that it would be entirely visible from Toll Bar Lane and not obscured by Thatches in direct views from the south. That said, naturally given its significant 'set back' position it would be obscured by Thatches and the surrounding trees/shrubbery as you approach from the east or west. In terms of its height, the main section had an eaves height of approximately 3.8 metres and ridge of approximately 8 metres, the remaining two sections have an eaves height of 3.5 and 1.7 metres and ridge height (the point of abutment in the case of the mono-pitched element) of 6.8 and 3.9 metres respectively. Some limited detail in respect of materials were provided on the plans and within the Design Statement but ultimately the intention of imposing the materials Condition 3 of 0403717FUL was to secure these matters.

- 7.8 The plans for consideration under this application (and as built on site) show a larger footprint to what was previously approved resulting in a four bedroom dwelling, with a width (north-south) of approximately 25 metres (previously 18m), a depth (east-west) of approximately 7.2 metres (previously 6.7 metres). Again, this measurement is taken from a position from the deepest part of the dwelling and omits the door canopy. The reduction in height and depth (being stepped back from the front elevation of the main section of the house) of the various sections is still part of the dwellings design and so elements of the previously approved design are retained. That said, it has increased in height, the main section having an eaves height of approximately 4.3 metres and ridge of approximately 8.5 metres (previously 8 metres) the remaining two sections have an eaves height of 4.3 (previously 3.5) and 2.9 (previously 1.7) metres and ridge height (the point of abutment in the case of the mono-pitched element) of 7.8 (previously 6.8) and 4.4 (previously 3.9) metres respectively. It should be noted that the new design also incorporates a flat roof section adjacent to the mono-pitched section with a flat roof at approximately 3 metres. Therefore, (as per the submitted plans) there has been an increase in scale of approximately 7 metres in width, 1.5 metres in depth, 0.5, 0.8 and 1.2 metres in terms of eaves height, and 0.5, 1 and 0.5 metres to ridge (west to north). It should be noted that there is some slight variance in the measurements on the plans and those taken by HDC Officers during the enforcement stages. This is likely to be due to the variance in ground levels (depending on where the measurements were taken from). Some 'spot assessment' of levels has been provided on the submitted proposed block plans

and these do not reflect a wide variance in levels in comparison with the 2004 submission. There is some obvious 'banking' of earth in the rear garden (witnessed during a site visit) towards the northern section of the garden and the land on which Full House is located does appear to be slightly higher than that of Thatches (which corresponds with the levels detail) but this is not particularly noticeable in streetscene views. The dwelling appears to be largely in the same location on site as that which was approved under the 2004 application (certainly the plans show a separation distance of 5 metres to the eastern boundary and the separation between it and Thatches is not noticeably different). Officers do not, on balance consider that the increased footprint, height, scale and mass of the dwelling and removing the rear extension would be significantly harmful to the visual amenity of the site to warrant a refusal of planning permission.

- 7.9 Officers have given regard to the concerns raised in the objections regarding the impact of the house on the character and appearance of the area (heritage matters are addressed in the proceeding sections of this report). Toll Bar Lane is one of the main roads through the village and has a largely rural character. Built development is relatively sparse (views across the open countryside are available to much of the south of the lane). In the immediate vicinity of Full House, the dwellings west and south-west have an historical appearance and are located relatively close to the lane with limited scale frontages. Thatches is located directly on Toll Bar Lane frontage and is a painted brick, thatched roof 1.5 storey dwelling. This extends in a northerly direction and has a dark stained timber pantiled roof outbuilding attached to its northern elevation projecting north towards the common boundary with Full House. To the east there are some larger detached dwellings which are set back in their plots with outbuildings to the front. The planning history shows that these are roughly 20 years old, and, whilst they are modern these have been carefully designed to integrate well with the area. Toll Bar Lane connects with Loop Road to the west and a greater variance is evident here with dwellings of varying age, scale, form and material finish which includes some mid-20th Century Local Authority housing development lying approximately 100 metres from and relatively linear to the location of the entrance to Full House (albeit outside of the Conservation Area but visible from within it due to the Conservation Area boundary to the south). Members must be mindful that the principle of a dwellinghouse in this approximate location has previously been approved. What requires consideration under this application is whether or not the changes in the design and appearance of the dwelling would result in a level of visual harm that would be unacceptable and be detrimentally out of keeping with the character and appearance of the surrounding area. Officers are of the view that whilst the changes are not of as high quality as those

previously approved, they are not of a level that would be unacceptable or warrant a refusal of planning permission.

- 7.10 In this case, it is acknowledged that some matters (such as materials) have already been approved by the LPA under application reference 20/80149/COND and whilst the as built development does not directly correspond with these, the details submitted (and approved) did not contain a significant amount of specific detail and so opportunities for tighter control in respect of these matters appears to have passed.
- 7.11 It should be noted that the dwelling remains set back in its plot by approximately 29 metres from Toll Bar Lane and so whilst it is prominent in views when standing directly in front of the site it is not immediately visible in the streetscene from east and west and is well screened by dense trees/hedgerows to the east. Therefore, whilst it does become more obvious (with the southern elevation becoming visible as you approach from the east or west) it does not appear as overly incongruous in the streetscene, particularly given the varied palette of materials used on Toll Bar Lane (stone, thatch, brick, painted brick and slate) and the general pattern of development in the locality and so it would be challenging to identify a key theme to replicate. Therefore do not consider the visual harm to Toll Bar Lane would be significant. In the event of approval or a successful appeal a condition to secure appropriate boundary treatments and soft landscaping would be included.
- 7.12 Overall, taking the above matters into consideration, and subject to conditions the development is considered on balance to be acceptable and to broadly accord with Policies LP11 and LP12 of the Local Plan to 2036, the National Design Guide and the NPPF (2021) in this regard.

Impact on Heritage Assets

- 7.13 As detailed in the preceding sections of this report, the dwelling is located within the Keyston Conservation Area and there are a number of Grade II Listed Buildings in the locality. Most notably these are 'Thatches' and the associated bakehouse and 'The Stone House' which lies to the south/south-west of the application site.
- 7.14 Policies LP2 and LP34 of the Local Plan to 2036 state (amongst other matters) that "the development strategy for Huntingdonshire is to conserve and enhance the historic environment" and that "great weight and importance is given to the conservation of heritage assets and their settings. 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 areas character and appearance.” It further states that a proposal should “minimise negative impacts on the townscape, roofscape, skyline and landscape through retention of buildings/groups of buildings, existing street patterns, historic building lines and land form.”

7.15 The Keyston Conservation Area Character Statement (January 2003) provides detail and guidance on the character and design expectations within the CA. Some broad points are detailed below:

- Collectively the spacious plots within which the properties in Toll Bar Lane stand and the absence of back land development serve to reinforce the lanes rural character and contributes significantly to the special character of the Conservation Area.
- The use of traditional natural construction materials confers a sense of architectural uniformity upon the village. The architectural uniform format presented in Keyston contributes significantly to the special character and appearance of the Conservation Area and should be protected
- When development is appropriate it will be expected for that development to be of high quality construction and design this must respect and reinforce the prevalent architectural styles, construction materials and details within the immediate locality and wider conservation area.
- Specific advice is also given on appropriate architectural details and boundary treatment.

7.16 Subsequently, a Heritage Statement accompanies the application, HDC’s Conservation Team and Historic England (given the scale of the site) have been consulted. Historic England made no comment making it clear that this did not amount to a comment on the merits of the application and recommending that the views of internal specialist conservation and archaeological advisers should be sought. HDC’s Conservation Team object to the proposals with some key points/statements (which have been amended slightly for clarity and ease of reading) relating to:

- Levels and lack of detail relating to the scale and massing of Thatched (for comparison).
- The apparent increased height of the building in relation to Thatches.
- The 0403717FUL building was designed as a principal cottage with a narrow gable facing towards Toll Bar Lane with a subservient side extension stepping down into the site, the end of the building included a single storey lean

to structure to accommodate the proposed utility room, this reflected the lean to found on the thatches. This is a traditional morphology.

- The gable was to be 6.8m wide, which when coupled with a height to ridge of 7.9m and eaves of 3.9m resulted in a traditionally styled gable with a vertical proportion and character. This verticality is emphasised by the placement of two large centrally aligned vertically proportioned sash style windows with pronounced canted lintels. Materials were to be approved under condition 3 of the permission.
- The elevations East and west were designed as simple blocks stepping down in massing into the site both in height and width showing a hierarchy of form, fenestration was restrained with large sliding sash vertically proportioned windows with exposed lintels, rooflights were small and infrequent. The roof covering was described as plain clay tiles.
- The scale changes have the effect of increasing the massing of the building and altering the proportions of the wing so that it is now less subservient to the main building.
- The impact of the building on the setting of the listed building is due to the scale massing and proportion of the new development, the first floor height and the details of the scheme. The way in which materials are used, their specification and the proportions of the individual elements and the way in which they are arranged all contribute to the perception of scale the balance of the design and the visual impact of the scheme. The massing of the building has been increased as detailed above and in this instance many of the design details have been altered from the approved scheme (as below):
- The chimney has been deleted. This feature is highlighted as contributing to the significance of the settlement in the Conservation Area Character Statement.
- Small roof lights on the west elevation have been increased in size
- Windows with vertical proportions have been replaced with horizontally proportioned windows. Details required by condition 3 of original permission.
- A large dormer has been inserted into the roof of western elevation of the wing.
- Part of the wing has been clad in artificial boarding and a second window added on the ground floor. Details required by condition 3 of original permission.
- Lintels are no longer cambered and are standard soldier course details. This feature is highlighted as contributing to the significance of the settlement in the conservation

area character statement. Details required by condition 3 of original permission.

- The roof is artificial composite slate not plain clay tiles . Details required by condition 3 of original permission.
- The walls are brick slips. The 04 application form states that wall materials are to be agreed, and the approved drawing states stock bricks . Details required by condition 3 of original permission.
- Traditional clipped eaves have been replaced with large boxed in eaves and overlapping gable verge tiles. The correct design of this is highlighted in the conservation area character statement. Details required by condition 3 of original permission.
- The design of the western elevation has been altered to include two large openings with bifold doors. These replace smaller four light patio doors and windows but read as much larger horizontal elements the elevation.
- Again, the dormers have been increased in size and positioned higher in the roof , emphasising their prominence and increasing their impact. The character statement notes that in all situations the dormers are proportioned so as to not dominate the character of a roof slope. Details required by condition 3 of original permission
- A large rooflight has been added and a window deleted
- A rear door has been inserted

7.17 As is discussed in the preceding sections of this report, the changes in design are acknowledged and, whilst there are marked differences in what was approved and what has been provided (summarised above), Officers can only assess the plans as presented. Again, reference is made to the fact that matters relating to the roof tiles and porch, windows, doors, plinth, walls and chimney, gutters and drainpipes, patio doors, ridge tile, and the proposed horizontal weatherboard were approved under the discharge of conditions application ref 20/80149/COND. And, whilst it is acknowledged that the plans submitted as part of the discharge of conditions application do not correspond with what has been presented under this scheme the approved details were limited in detail with the 'Approved Materials Document' dated 4th of March 2020 detailing natural slate for the roof, white timber windows, natural oak and anthracite metal doors, black clay capping for the ridge tile and brick (with a sample image shown). Conservation Officers were not consulted at this stage and it would be usual (in locations such as this) for physical samples to be provided. That said, it is acknowledged that condition 3 of 0403717FUL did not require samples to be submitted, and approval was given to the information submitted.

7.18 Overall, Conservation Officers have concluded that there is harm to the Grade II Listed Building (Thatches) and the Keyston

Conservation Area (as designated heritage assets). The Conservation Officer does state that the harm is considered to be less than substantial as per the guidance contained within the NPPF (2021) but that this does not equate to less than substantial objection on a proposal. They further state that they believe the development to be contrary to Policy LP34 of the Local Plan to 2036, Sections 66 and 72 of the Planning, Listed Buildings and Conservations Areas Act and the relevant paragraphs of the NPPF 2021 and that no public benefit has been identified such to outweigh the harm (as is required by the NPPF 2021).

- 7.19 As Conservation Officers have assessed the harm as less than substantial, in the interests of transparency Officers consider it prudent to acknowledge that in some circumstances, less than substantial harm as a result of development can be outweighed by identifying a public benefit including, where appropriate, securing its optimum viable use. (NPPF 2021). Government guidance on the historic environment states that ‘area based’ designated heritage assets (such as a Conservation Area), will not have a single use, therefore, securing the optimum viable use it not a relevant consideration in assessing the public benefits of development proposals affecting such heritage assets. As the development does not directly relate to the Grade II Listed Building there is also no opportunity for realising a public benefit in relation to this optimum viable use.
- 7.20 Planning Practice Guidance states that “Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8) Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.”

Paragraph 8 of the NPPF (2021) details that:

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

7.21 In considering the wording of the PPG “benefits do not always have to be visible or accessible to the public in order to be genuine public benefits” Officers reference point b of paragraph 8 of the NPPF (2021) as detailed above. Ultimately the consideration relates to an established family home regardless of its shortcomings. The reference to well-designed, beautiful and safe spaces naturally has an element of subjectivity and personal opinion. Officers have also given consideration as to if, in the event that the recommendation were one of refusal would there be any public interest in the pursual of regularisation (to achieve a development in accordance with originally the approved plans) by Enforcement Officers. In the event of refusal, the applicant has the option to appeal the decision, and the applicant could also apply for an award of costs should they consider the Council has acted unreasonably in their decision making. The previous failure to remove permitted development rights for extensions to the approved dwelling and the conditional approval of the materials would be a material planning considerations for the assessment of this proposal by the Planning Inspector. The above is not intended to swing a decision in either direction, purely to ensure that members are fully aware of all facts when reaching their decision.

7.22 Overall, in this case, Officers consider that matters relating to the history of the site should be taken into consideration when making a decision on this application. Whilst it is acknowledged that the dwelling has not been built in accordance with the approved plans the LPA has missed opportunities to secure a higher standard of development in the conditions of the original planning decision. Given that permitted development rights were not restricted at the time of the decision, works could have also been undertaken by exercising permitted development rights which also have the potential to alter the scale and appearance of the dwelling. Significant weight should also be given to the fact that a dwelling has been approved in this location and so the

principle of a single dwelling in this location has already been established, whilst the objections from Conservation are understood Officers do not consider on balance the changes now under consideration could be resisted. Therefore, whilst given the objections from Conservation Officers it cannot be determined that the development is wholly in accordance with policy, Officers are satisfied that when giving weight to the established principle of the development, the site history and opportunities (through landscaping) the harm to the designated heritage assets could be minimised and, some small public benefit (in terms of public interest of enforcement action) is achieved as required by the NPPF (2021).

Residential Amenity

- 7.23 Policy LP14 of the Local Plan states that a proposal would 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. In this case the dwelling appears to be in a similar location to as was approved under the 0403717FUL application. It is set to the north-east of Thatches meaning that it is not directly adjacent to this dwelling. Further separation (from the dwelling) is provided by the single storey side projection of Thatches, the most northerly section of which (and so closest to Full House) is a car barn. Therefore, whilst there is an increase in scale there is a degree of separation of approximately 10 metres between the habitable section of both dwellings. Full House is not located adjacent to the garden area of Thatches, therefore, whilst it is acknowledged that it is visible from the rear garden of Thatches it does not appear as significantly overbearing and would not cause significant loss of light. There is also considered to be a suitable degree of separation to all adjacent dwellings and land. Most notably, Winchester House to the east where a distance of approximately 5 metres is retained to the boundary and approximately 27 metres (dwelling to dwelling).
- 7.24 In terms of overlooking and loss of privacy, the windows to the north, east and south elevations, given their location and their separation distance with adjacent dwellings and land and the views afforded to them are not considered to be harmful. The separation of approximately 27 metres to the west elevation of Winchester House is considered sufficient and accords with recognised practice (back to back separation is generally 21 metres and this can be reduced dependent on the circumstances). Careful consideration has been given to the windows in the west elevation given their relationship with the rear and rear garden area of Thatches. Regard should be given to the fact that the house is located in a similar position to as was approved (though of a greater width and depth). The increased width is focused to the north elevation. Given the location of the ground floor windows and the views which would be afforded to a

used of the private garden these are considered not to be harmful.

- 7.25 At first floor, there are three dormer windows and a rooflight. The 2004 application had four windows and a small rooflight. Of the four original windows three of these served bedrooms (habitable rooms) and one served the stairwell. The three rear windows on the current dwelling all serve a bedroom with a skylight over the stairwell. The bathroom (originally served by the skylight) is now to the front of the dwelling. The highest point of the window closest to Thatches in the 2004 application was five metres and is now approximately 5.6 metres. Therefore, having regard to the previously reference increased scale and the fact that the separation distance to the eastern boundary remains at five metres these windows are located approximately 0.9 metres further back in the plot than were originally approved. However, any views towards the rear windows of Thatches remain oblique, and, whilst there is a view of the rear garden area Officers consider that similar views would have been afforded as a result of the originally approved dwelling. Therefore, whilst the concerns raised in the objections are noted, this is not a sufficient reason to justify a refusal of the application.
- 7.26 Officers observe the addition of the air source heat pump and associated infrastructure to the norther elevation, however, given its location and separation from adjacent dwellings and land this is not likely to cause significant harm in terms of noise pollution and none of the objections received refer to this installation or report problems related to unacceptable noise levels.
- 7.27 Overall, taking all of the above matters into consideration the proposal is considered to be acceptable with regard to its impact on residential amenity and therefore accords with Policy LP14 of the Local Plan to 2036 and the NPPF (2021) in this regard.

Parking Provision and Highway Safety

- 7.28 Full House has an integrated garage to its north. It is unclear if this is a double or single garage but the dimensions broadly accord with the guidance contained within the Huntingdonshire Design Guide (2017) for a double garage. Officers have noted that the objections suggest that this is no longer a garage but habitable accommodation maintaining the appearance of a garage from the exterior. Therefore, notwithstanding the scale of the building given over as the 'garage' (or whatever its purpose) Officers have assessed the remaining parking provision on site and note that there is space for parking on the driveway of the dwelling and space for manoeuvring such to allow a vehicle to enter and leave the site in forward gear. No changes are proposed to the way that vehicles enter or leave the site. It

should be noted that whilst (given the reduced scale of the earlier approval) there was space to park around the dwelling no specific measures were included in the design. It should be noted that the original planning permission 0403717FUL contained no planning conditions securing the retention of the parking provision on site in the adjoining car port, so this area could also have been used for alternative purposes other than parking without the need for planning permission. Huntingdonshire District Council does not have a specific policy in place in respect of parking requirements but what is proposed here is considered acceptable.

- 7.29 In terms of other matters, Policies LP16 and LP17 of the Local Plan seek to maximise sustainable travel methods and advise that a proposal that includes residential development would be expected to provide at least one clearly identified secure cycle space per bedroom for all dwellings. The Design Guide stipulates that this should be covered storage. No details of cycle storage has been provided in the submission therefore a condition would be attached to secure details of these matters if approved.
- 7.30 In conclusion, the development is (subject to conditions) considered to be acceptable with regard to its approach to parking provision and highway safety and therefore accords with Policies LP16 and LP17 of the Local Plan to 2036, the NPPF (2021) and the National Design Guide (2021) in this regard.

Flood Risk

- 7.31 The application site is located within Flood Zone 1 and has a high risk of surface water flooding as per the most recent Environment Agency Flood Risk Maps and Data. A Site Specific Flood Risk Assessment (SSFRA) and Surface Water Drainage Maintenance Plan accompanies the application but there is no requirement for the exception or sequential tests to be applied as detailed within the NPPF (2021).
- 7.32 Officers consider it important to draw attention to the point that the LPA has reason to believe that matters relating to foul and surface water (as required by Condition 5 of 0403717FUL) may have been submitted and approved but the LPA cannot locate records of this. This matter was also acknowledged under the Certificate of Lawful Development (16/02597/CLED). Planning Enforcement Officers have also previously advised that given the issuing of the Certificate of Lawfulness the LPA cannot take enforcement action over these matters.
- 7.33 Careful consideration has been given to the comments raised in the objections regarding the concerns surrounding flooding in Keyston and reference to a flood event which occurred in

December 2020 which detrimentally affected Thatches in particular. Specific concerns have been raised as to the sources of information which have formed the Flood Risk Assessment and the proposal to allow the drainage of surface water to foul. Regard should be given to the fact that the introduction of a dwellinghouse in this location has been previously approved and that the dwellings as constructed (albeit with an increased footprint) remains acceptable in principle in regard to flooding.

- 7.34 In terms of the development itself, the SSFRA details that the established finished floor level which is considered appropriate for the location (within Flood Zone 1). The SSFRA goes on to assess the history of the site and details that it did not benefit from a positive drainage system. It goes on to discuss various options for disposal of surface water. The most appropriate has been identified (as was the original intention and method) for discharge to the watercourse to the east of the site. However, it has been identified that the watercourse is not under the ownership of the applicants and so this is no longer a viable option. Whilst in the hierarchy of surface water drainage it is acknowledged that the connection to foul is the least favourable option in this case the SSFRA details the reason why this has been selected. When the 2004 application was approved, whilst there are no details relating to drainage Officers understand that discharging surface water to the foul drain would have been a normal occurrence. Cambridgeshire County Council as the Lead Local Flood Authority have been consulted and have removed their earlier objection, subject to the condition (in the event of an approval or successful appeal) to secure the construction and maintenance measures described within the submitted documents. The SSFRA also details that Anglian Water have confirmed that the adopted sewer has adequate capacity to accommodate the suggested rate of surface water flows. Whilst Officers accept that Anglian Water are obliged to accept a connection to a sewer system the key area of consideration here is the available capacity.
- 7.35 In terms of surface water run-off, the LLFA has stated that it considers that surface water flows from the development can be managed through the use of permeable paving on the western area of the building and a green roof on the extension area. Surface water discharge will be to the already constructed connection to the foul sewer. They do acknowledge that they usually oppose discharge of water to the foul sewer but state that as this was approved under the previous permission and the connection exists with discharge into the system, they do not maintain an objection. A condition shall be attached to secure details of the construction and maintenance of the surface water drainage scheme and the recommendations of the SSFRA. The removal of the rear extension (and so loss of the green roof given its small surface area) would not be significantly detrimental as the footprint of the building would reduce.

- 7.36 The Environment Agency have also been consulted but have responded to advise that this development would not fall within their statutory remit for planning and therefore would not comment.
- 7.37 Overall, taking the above assessment and specialist advice into consideration it is concluded that the proposed development is acceptable with regard to its impact on both flood risk and surface water and therefore accords with Policies LP5 and LP15 of the Local Plan to 2036, NPPF (2021) in this regard.

Biodiversity

- 7.38 Policy LP30 of Huntingdonshire's Local Plan to 2036 states that a development should ensure no net loss in biodiversity and achieve a net gain where possible.
- 7.39 The approval for the original dwelling was not assessed against the existing Local Plan which was adopted in May 2019 and matters surrounding biodiversity and net gain have become more prominent in recent years. No conditions were attached (as would be the norm now) relating to biodiversity mitigation measures or net gain, and, given the developed nature of the site any opportunities to mitigate any impacts have been lost. However, Officers do consider that there are opportunities for achieving a net gain in terms of biodiversity, therefore a condition shall be attached to any permission for the installation of bird and bat boxes within three months of the date of permission such to achieve a net gain.
- 7.40 Therefore, subject to conditions, the development is considered to be acceptable with regard to its approach to biodiversity and therefore accords with Policy LP30 of the Local Plan to 2036, the NPPF (2021) and the National Design Guide (2021) in this regard.

Impact on Trees

- 7.41 Given the location within the Conservation Area and the presence of trees subject to preservation orders in the vicinity, HDC's Arboricultural Officer has been consulted. Whilst they raise no objections to the retention of the dwelling, they do state that: "This site containing the property is located in the Keyston Conservation Area and formerly contained significant tree cover. In addition to this population of trees, was a Birch subject to a Tree Preservation Order (TPO) on the southern rear garden boundary removed in 2018 (not yet replanted). As part of the original planning permission for the erection of the dwelling (0403717FUL) a Tree Survey was undertaken, and the permitted

scheme included the retention of a significant proportion of these. Particularly those on the northern and western site boundaries. These trees provided visual enclosure to the site and formed an important sense of containment within the wider landscape of the Conservation Area. Unfortunately, many of the trees proposed for retention have been removed without the submission of a s.211 Notification for tree works in a Conservation Area. This tree loss has opened up views between the site and landscape to the north and eroded the character of the Conservation Area immediately surrounding the site.”

- 7.42 Officers naturally have concerns regarding the loss of these trees and the impact on the verdant character of the site and wider Conservation Area. However, as the trees have been lost little can be done at this stage and a refusal of the application on the basis of impact on trees would not be justified. However, notwithstanding this consideration, Officers consider that the replacement of these trees is important and therefore a condition is recommended to any given permission such that a full scheme of replacement planting should be provided to the LPA for approval in writing within three months of the date of permission.
- 7.43 Therefore, subject to conditions, the proposal is considered to broadly accord with the provisions of Planning Policy LP31 of the Local Plan to 2036 and the NPPF (2021) in this regard.

Other matters

- 7.44 The development will be CIL liable in accordance with the Council's adopted charging schedule; CIL payments will cover footpaths and access, health, community facilities, libraries and lifelong learning and education. A completed Community Infrastructure Levy Form has been provided. The development therefore accords with Policy LP4 of the Local Plan to 2036 in this regard.
- 7.45 Part H of the Developer Contributions SPD (2011) requires a payment towards refuse bins for new residential development. In this case, whilst no Unilateral Undertaking has been provided this was not a requirement at the time of the earlier permission. Further, a site visit (and photos obtained during this visit) show that there are wheeled bins in place at the property. Therefore, further pursuance of this matter is considered not to be necessary.

Conclusion

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

- Acceptable in principle

And it:

- Is of an appropriate scale and design;
- Is not significantly harmful to the character or appearance of the area or the designated heritage assets (in the opinion of Officers and having regard to the history of the site);
- Does not have a significantly detrimental impact upon the amenity of neighbours;
- Is acceptable in terms of parking provision and would not be detrimental to highway safety in the locality;
- Is acceptable with regard to its approach to surface water and does not result in an increased risk of flooding in the locality;
- Is acceptable with regards to the impact on biodiversity;
- Is acceptable with regard to its impact on trees;
- 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

- Retention in accordance with approved plans and materials
- Cycle storage
- Biodiversity enhancement
- Tree replacement
- Accordance with Surface Water Drainage Maintenance Plan and Flood Risk Assessment
- Boundary treatments
- Removal of permitted development rights Schedule 2, Part 1, Classes A, AA, B and C and Schedule 2, Part 2 Classes A & C.

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: Kevin Simpson

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01480 388424
www.huntingdonshire.gov.uk

Head of Planning Services
Pathfinder House
St. Mary's Street
Huntingdon
Cambridgeshire PE 29 3TN

Application Number: 22/00891/FUL Case Officer Kevin Simpson

Proposal: Application for full planning permission for retention of existing detached four-bedroom dwelling including the retention of the existing garage extension (rear extension omitted)

Location: Full House Toll Bar Lane Keyston

Observations of Bythorn And Keyston Town/Parish Council.

Please ✓ box as appropriate

Recommend **approval** because(please give relevant planning reasons in space below)

Recommend **refusal** because...(please give relevant planning reasons in space below)

No observations either in favour or against the proposal

Alannah Williams Clerk to Bythorn And Keyston Town/Parish Council. (For GDPR purposes please do not sign)

Date : 13 May 2023

Failure to return this form within the time indicated will be taken as an indication that the Town or Parish Council do not express any opinion either for or against the application.

Please send response to email address below:-

Development.control@huntingdonshire.gov.uk

(Development Management)

The Parish Council notes that this application is materially identical to a previous application submitted (ref 22/00891/FUL), save for the submission of a Surface Water Drainage Maintenance Plan.

It will be for the Lead Local Flood Authority to advise on whether the Applicant's submitted plan meets its needs as stated in point 1: Surface Water Flood Risk of their letter dated 13 Feb 2023. However, the plan does not cover the other points raised by the LLFA, notably discharge to foul, which is seemingly the most important and relevant point to be addressed before additional surface water measures can be considered.

There is no mention in this Application of any of the other issues the Parish Council raised in its letter of 29th August 2022 in respect of Application ref 22/00891/FUL detailing other reasons for recommending refusal, including the extensions, chimney flue etc. Consequently, the Parish Council maintains its position and continues to recommend refusal.

Pathfinder House, St Mary's Street
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Head of Planning Services
Pathfinder House
St. Mary's Street
Huntingdon
Cambridgeshire PE 29 3TN

Application Number: 22/00891/FUL Case Officer Kevin Simpson

Proposal: Application for full planning permission for retention of existing detached four-bedroom dwelling (excluding existing extensions)

Location: Full House Toll Bar Lane Keyston

Observations of Bythorn And Keyston Town/Parish Council.

Please ✓ box as appropriate

Recommend **approval** because(please give relevant planning reasons in space below)

Recommend **refusal** because...(please give relevant planning reasons in space below)

Reasons are listed in attached documents - Please see two documents; one letter and one tree plan.

No observations either in favour or against the proposal

Mrs Angela Claydon Clerk to Bythorn And Keyston Town/Parish Council. (For GDPR purposes please do not sign)

Date :

Failure to return this form within the time indicated will be taken as an indication that the Town or Parish Council do not express any opinion either for or against the application.

Please send response to email address below:-

Development.control@huntingdonshire.gov.uk

(Development Management)

Bythorn and Keyston Parish Council

Contact BKPC via the Clerk – Clerk@bythornkeystonparishcouncil.org.uk

Development Services
Corporate Delivery
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon PE29 3TN

16th May 2022

Dear Sir/ Madam

Ref 22/00891/FUL

Application for full planning permission for retention of existing detached four-bedroom dwelling (excluding extensions) at Full House, Toll Bar Lane, Keyston, Huntingdon, PE28 0RB

This Application was discussed at the Parish Council meeting on May 10th 2022. As a result of matters discussed at that meeting and subsequent exchanges the **unanimous view of the Parish Council is to recommend refusal** on the following grounds:

1. *Risk of flooding.*

Huntingdonshire's Local Plan to 2036, section LP5 - specifies that "a proposal will only be supported where all forms of flood risk... have been addressed". It furthermore states that "on a site that is at risk of flooding from any form...the proposal will only be supported where a site-specific flood risk assessment has been produced, appropriate to the scale and nature of the development and the risks involved and ...is agreed with relevant bodies."

The Parish Council wishes to advise that the site has flooded at least five times over the past 25 years – most recently in December 2020. At this time the road also had to be closed and inhabitants of the neighbouring property had to evacuate their home.

HDC set up a major review into flooding after similar incidents. Submissions made to that study by this Parish Council need to be consulted and any plan approved.

As there has been no flood risk assessment then the Application consequently needs to be refused and re-analysed on receipt of that assessment.

LP15 requires that surface water is also managed in a sustainable manner. There is no agreed description of surface water management and this also needs to be agreed.

2. *Effect on listed buildings and conservation area*

The building, as currently built, has a deleterious impact on the adjoining listed buildings; and also the wider conservation area. We consider that the impact of Full House as constructed, is unacceptably overbearing particularly in relation to the Grade 2 listed "The Thatches" and is also not sympathetic to the other Listed Buildings in this part of the Conservation Area. It is too large in overall size, height, scale and mass. It is damaging to the heritage assets in contravention of policy LP34 to which the Plan affords "great weight and importance".

Bythorn and Keyston Parish Council

Contact BKPC via the Clerk – Clerk@bythornkeystonparishcouncil.org.uk

As an additional note the property still falls within the curtilage of a Grade 2 listed building – it has not been de-listed to our knowledge and so should meet the standards and requirements of a listed building in addition to any other planning considerations.

3. *Design appearance and materials:*

The Parish Council have also strong opinions about the following:

a) metal flue, not in keeping with the requirements of the planning application and is contrary to the guidelines for chimneys as set out in the Keyston Conservation Character Statement.

b) “natural” materials have not been used in construction. Brick slips, composite roof slates and composite timber cladding are not in line with requirements of the 2004/5 planning submission which asked for local materials to be used where possible, and failing the availability of these, materials should be used which should be in-keeping. These are not.

c) This is not a “cottage style” build as described in previous planning applications and documentation.

d) This is not sensitive to the adjoining Grade 2 listed properties - The Thatches, Stone House and the Bakehouse together with the further listed buildings in the vicinity.

4. *Overlooking/ loss of privacy / impact on residential amenity*

a) at upper levels, the windows, which have been altered from the 2004/5 planning submission, have clear sight from the west facing elevation of Full House into the garden of The Thatches. The privacy that these residents could previously enjoy in their rear garden has now been lost.

b) on the southern elevation, due to the raised level, the south facing windows look directly into the garden at the east side of The Thatches. Allowing the hedge which has been planted by the owners of The Thatches to grow higher would in some way mitigate this at Ground Floor level, but not at first floor level.

Overall the application is not in accordance with LP14.

5. *Removal of trees*

The 2004/5 planning submission required that certain trees were retained on the site – notably T2 as identified in the attached tree plan. Additional important trees have disappeared from the site. No reference has been made to these changes in this latest Application and these changes need to be addressed given the loss of amenity and the requirements for such tree work in a Conservation Area. Furthermore the considerable area of hard surfacing – particularly the patio area (again not mentioned in the application) will have an impact on the surface water off flow and ground absorption.

Bythorn and Keyston Parish Council

Contact BKPC via the Clerk – Clerk@bythornkeystonparishcouncil.org.uk

The Parish Council accepts that the principle of development on the site has been determined but would request that plans are amended and are re-submitted to reflect Councillors concerns as outlined above. The Parish Council is available for further consultation and discussion as may be required.

Yours faithfully

Andrew Ford
Chairman Bythorn and Keyston Parish Council

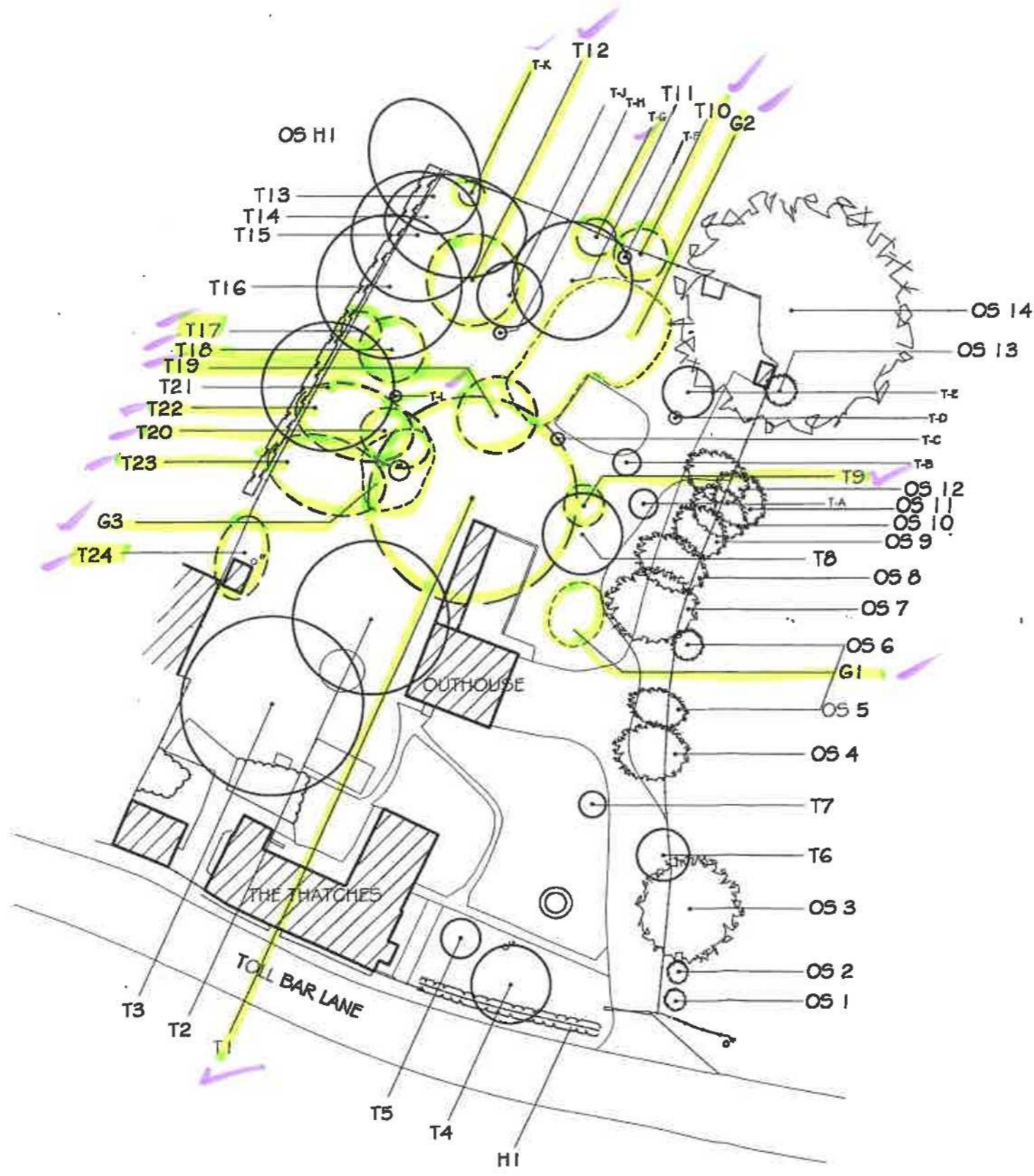
Attachment: Tree Plan 03717/04

ALL DIMENSIONS TO BE CHECKED ON SITE
 THIS DRAWING IS FOR INFORMATION ONLY
 NOT TO BE USED FOR CONSTRUCTION
 WITHOUT THE APPROVAL OF THE CONTRACT ADMINISTRATOR
 TO THE CONTRACT DOCUMENTS

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KEY

-  Trees to be Retained
-  Trees to be Removed
-  Trees Located Outside Application Site Boundary
-  Hedges Located Within Application Site Boundary
-  Hedges Located Outside Application Site Boundary
-  Shrub Areas Removed
-  Existing Buildings



Tree ID	Species	Height	DBH	Health	Notes
T1	Prunus sp.	10m	150mm	Good	
T2	Prunus sp.	10m	150mm	Good	
T3	Prunus sp.	10m	150mm	Good	
T4	Prunus sp.	10m	150mm	Good	
T5	Prunus sp.	10m	150mm	Good	
T6	Prunus sp.	10m	150mm	Good	
T7	Prunus sp.	10m	150mm	Good	
T8	Prunus sp.	10m	150mm	Good	
T9	Prunus sp.	10m	150mm	Good	
T10	Prunus sp.	10m	150mm	Good	
T11	Prunus sp.	10m	150mm	Good	
T12	Prunus sp.	10m	150mm	Good	
T13	Prunus sp.	10m	150mm	Good	
T14	Prunus sp.	10m	150mm	Good	
T15	Prunus sp.	10m	150mm	Good	
T16	Prunus sp.	10m	150mm	Good	
T17	Prunus sp.	10m	150mm	Good	
T18	Prunus sp.	10m	150mm	Good	
T19	Prunus sp.	10m	150mm	Good	
T20	Prunus sp.	10m	150mm	Good	
T21	Prunus sp.	10m	150mm	Good	
T22	Prunus sp.	10m	150mm	Good	
T23	Prunus sp.	10m	150mm	Good	
T24	Prunus sp.	10m	150mm	Good	
G1	Prunus sp.	10m	150mm	Good	
G2	Prunus sp.	10m	150mm	Good	
G3	Prunus sp.	10m	150mm	Good	
OS 1	Prunus sp.	10m	150mm	Good	
OS 2	Prunus sp.	10m	150mm	Good	
OS 3	Prunus sp.	10m	150mm	Good	
OS 4	Prunus sp.	10m	150mm	Good	
OS 5	Prunus sp.	10m	150mm	Good	
OS 6	Prunus sp.	10m	150mm	Good	
OS 7	Prunus sp.	10m	150mm	Good	
OS 8	Prunus sp.	10m	150mm	Good	
OS 9	Prunus sp.	10m	150mm	Good	
OS 10	Prunus sp.	10m	150mm	Good	
OS 11	Prunus sp.	10m	150mm	Good	
OS 12	Prunus sp.	10m	150mm	Good	
OS 13	Prunus sp.	10m	150mm	Good	
OS 14	Prunus sp.	10m	150mm	Good	
H1	Prunus sp.	10m	150mm	Good	
H2	Prunus sp.	10m	150mm	Good	
H3	Prunus sp.	10m	150mm	Good	
H4	Prunus sp.	10m	150mm	Good	
H5	Prunus sp.	10m	150mm	Good	
H6	Prunus sp.	10m	150mm	Good	
H7	Prunus sp.	10m	150mm	Good	
H8	Prunus sp.	10m	150mm	Good	
H9	Prunus sp.	10m	150mm	Good	
H10	Prunus sp.	10m	150mm	Good	
H11	Prunus sp.	10m	150mm	Good	
H12	Prunus sp.	10m	150mm	Good	
H13	Prunus sp.	10m	150mm	Good	
H14	Prunus sp.	10m	150mm	Good	
H15	Prunus sp.	10m	150mm	Good	
H16	Prunus sp.	10m	150mm	Good	
H17	Prunus sp.	10m	150mm	Good	
H18	Prunus sp.	10m	150mm	Good	
H19	Prunus sp.	10m	150mm	Good	
H20	Prunus sp.	10m	150mm	Good	
H21	Prunus sp.	10m	150mm	Good	
H22	Prunus sp.	10m	150mm	Good	
H23	Prunus sp.	10m	150mm	Good	
H24	Prunus sp.	10m	150mm	Good	

E.L.D
 ELWOOD LANDSCAPE DESIGN
 The Quarry, Market Street, Rye, East Sussex TN31 1JQ
 Tel: 01323 811166 Email: eld@elwood.com

Client: HUTCHINSONS

Project: THE THATCHES, TOLL BAR LANE, KEYSTON, CAMBS.

Title: TREES AND VEGETATION SURVEY

Date: APR 04 Scale: 1:200 Drawing No: HUTC 89/4 001A

checked with tree survey

AI

Bythorn and Keyston Parish Council

Contact BKPC via the Clerk – Clerk@bythornkeystonparishcouncil.org.uk

Development Services
Corporate Delivery
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon PE29 3TN

29th August 2022

Dear Sir/ Madam

Ref 22/00891/FUL- Parish Council Consultation 23rd August 2022

Application for full planning permission for retention of existing detached four-bedroom dwelling (excluding extensions) at Full House, Toll Bar Lane, Keyston, Huntingdon, PE28 0RB

Thank you for your letter 23rd August 2022 with a new flood risk assessment, a new heritage statement and some new elevation/ plan drawings. We would comment as follows:

1. *Risk of flooding.*

This has now been addressed for the first time by the Applicant. It is disappointing to note it is proposed that surface water will be diverted into the sewerage system. In their correspondence to the village at the time the new sewerage system was installed, Anglian Water asserted that this practice was deemed to be “prohibited” under section 116 of the Water Industry Act of 1991.

We find it also surprising that Martin Andrews Consulting should be relying on hearsay from an un-named builder (who presumably is un-qualified in flood matters) as to the cause of the flooding in 2020 in their assertions in para 2.2.11 and 2.2.18. The flooding was not solely due to the blocking of the Winchester House outfall – the photographs already supplied show that this was not the case. No mention has been made of these and, additionally, there is no mention of the Well being filled in or the removal of listed trees or the loss of the historical holding pond.

We believe that further remedial action is essential in Full House garden to improve water retention and soakaway on that site to prevent further flooding of both “the Thatches” and the adjacent road.

2. *Effect on listed buildings and conservation area*

The Smith Jenkins report of August 2022 does not address that , as currently built, Full House has a deleterious impact on the adjoining listed buildings; and also the wider conservation area. We consider that the impact of Full House as constructed, remains unacceptably overbearing particularly in relation to the Grade 2 listed “The Thatches” and is also not sympathetic to the other Listed Buildings in this part of the Conservation Area. It is too large in overall size, height, scale and mass. It is damaging to the heritage assets in contravention of policy LP34 to which the Plan affords “great weight and importance”.

As an additional note, the property still falls within the curtilage of a Grade 2 listed building –

Bythorn and Keyston Parish Council

Contact BKPC via the Clerk – Clerk@bythornkeystonparishcouncil.org.uk

the land has not been de-listed as per the evidence shown on the Historic England website. The building therefore needs to meet the standards and requirements of a listed building in addition to any other planning considerations. It does not meet these standards.

To re-iterate the points made in our May 2022 letter:

3. *Design appearance and materials:*

The Parish Council have also strong opinions about the following:

a) metal flue, not in keeping with the requirements of the planning application and is contrary to the guidelines for chimneys as set out in the Keyston Conservation Character Statement.

b) “natural” materials have not been used in construction. Brick slips, composite roof slates and composite timber cladding are not in line with requirements of the 2004/5 planning submission which asked for local materials to be used where possible, and failing the availability of these, materials should be used which should be in-keeping. These are not.

c) This is not a “cottage style” build as described in previous planning applications and documentation.

d) This is not sensitive to the adjoining Grade 2 listed properties - The Thatches, Stone House and the Bakehouse together with the further listed buildings in the vicinity.

4. *Overlooking/ loss of privacy / impact on residential amenity*

a) at upper levels, the windows, which have been altered from the 2004/5 planning submission, have clear sight from the west facing elevation of Full House into the garden of The Thatches. The privacy that these residents could previously enjoy in their rear garden has now been lost. This evidenced in the latest Smith Jenkins report which show pictures of the Thatches garden as taken from the upper storey windows of Full House.

b) on the southern elevation, due to the raised level, the south facing lower windows also look directly into the garden at the east side of The Thatches. Allowing the hedge which has been planted by the owners of The Thatches to grow higher would in some way mitigate this at Ground Floor level, but not at first floor level.

Overall the application is not in accordance with LP14.

5. *Removal of trees*

The 2004/5 planning submission required that certain trees were retained on the site – notably T2 as identified in the tree plan. Additional important trees have disappeared from the site. No reference has been made to these changes in this latest Application and these changes need to be addressed given the loss of amenity and the requirements for such tree work in a Conservation Area. Furthermore the considerable area of hard surfacing – particularly the patio area- will have an impact on the water off flow and ground absorption.

Bythorn and Keyston Parish Council

Contact BKPC via the Clerk – Clerk@bythornkeystonparishcouncil.org.uk

These matters have not been addressed to our satisfaction by these latest documents. Our opinion, on the whole, therefore remains unchanged from May 2022 and we continue to recommend that this Application be refused.

We would request that plans are amended and are re-submitted to reflect Councillors concerns as outlined above. The Parish Council is available for further consultation and discussion as may be required.

Yours faithfully

Andrew Ford
Chairman Bythorn and Keyston Parish Council

From: clerk@bythornkeystonparishcouncil.org.uk
Sent: 06 September 2022 17:00
To: DevelopmentControl
Subject: RE: Planning Permission Consultation - Full House Toll Bar Lane Keyston (ref 22/00891/FUL)
Attachments: We sent you safe versions of your files; ufm8_AMEPA1_Amend_let__Parish_21_days-1.pdf; Full House excluding extension 22 00891 FUL 29082022.pdf; Full House including extension 22 00890 FUL 29082022.pdf

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Dear Clara Kerr,

Please find attached Cllr Andrew Ford's letter detailing the Bythorn and Keyston Parish Councillors' reasons for recommending the refusal of Application Ref. 22/00891/FUL.

Also attached is a further letter from Cllr Andrew Ford detailing the Bythorn and Keyston Parish Councillors' reasons for recommending the refusal of Application Ref. 22/00890/FUL in relation to the same property.

We did not receive the usual tick box form with the letter about Application Ref. 22/00891/FUL dated 23 August 2022 (copy attached). If you require me to complete and return a form, please provide this by return.

Kind regards,

Alannah Williams

Clerk for Bythorn & Keyston Parish Council

clerk@bythornkeystonparishcouncil.org.uk

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Please notify the sender immediately if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

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Any views or opinions presented in this email are solely those of the author.

On 23/08/2022 12:54 dmadmin@huntingdonshire.gov.uk wrote:

Bythorn and Keyston Parish Council

Contact BKPC via the Clerk – Clerk@bythornkeystonparishcouncil.org.uk

Development Services
Corporate Delivery
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon PE29 3TN

29th August 2022

Dear Sir/ Madam

Ref 22/00891/FUL- Parish Council Consultation 23rd August 2022

Application for full planning permission for retention of existing detached four-bedroom dwelling (excluding extensions) at Full House, Toll Bar Lane, Keyston, Huntingdon, PE28 0RB

Thank you for your letter 23rd August 2022 with a new flood risk assessment, a new heritage statement and some new elevation/ plan drawings. We would comment as follows:

1. *Risk of flooding.*

This has now been addressed for the first time by the Applicant. It is disappointing to note it is proposed that surface water will be diverted into the sewerage system. In their correspondence to the village at the time the new sewerage system was installed, Anglian Water asserted that this practice was deemed to be “prohibited” under section 116 of the Water Industry Act of 1991.

We find it also surprising that Martin Andrews Consulting should be relying on hearsay from an un-named builder (who presumably is un-qualified in flood matters) as to the cause of the flooding in 2020 in their assertions in para 2.2.11 and 2.2.18. The flooding was not solely due to the blocking of the Winchester House outfall – the photographs already supplied show that this was not the case. No mention has been made of these and, additionally, there is no mention of the Well being filled in or the removal of listed trees or the loss of the historical holding pond.

We believe that further remedial action is essential in Full House garden to improve water retention and soakaway on that site to prevent further flooding of both “the Thatches” and the adjacent road.

2. *Effect on listed buildings and conservation area*

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As an additional note, the property still falls within the curtilage of a Grade 2 listed building –

Bythorn and Keyston Parish Council

Contact BKPC via the Clerk – Clerk@bythornkeystonparishcouncil.org.uk

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To re-iterate the points made in our May 2022 letter:

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The Parish Council have also strong opinions about the following:

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Bythorn and Keyston Parish Council

Contact BKPC via the Clerk – Clerk@bythornkeystonparishcouncil.org.uk

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We would request that plans are amended and are re-submitted to reflect Councillors concerns as outlined above. The Parish Council is available for further consultation and discussion as may be required.

Yours faithfully

Andrew Ford
Chairman Bythorn and Keyston Parish Council

Bythorn and Keyston Parish Council

Contact BKPC via the Clerk – Clerk@bythornkeystonparishcouncil.org.uk

Development Services
Corporate Delivery
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon PE29 3TN

29th August 2022

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Andrew Ford
Chairman Bythorn and Keyston Parish Council

Development Management Committee

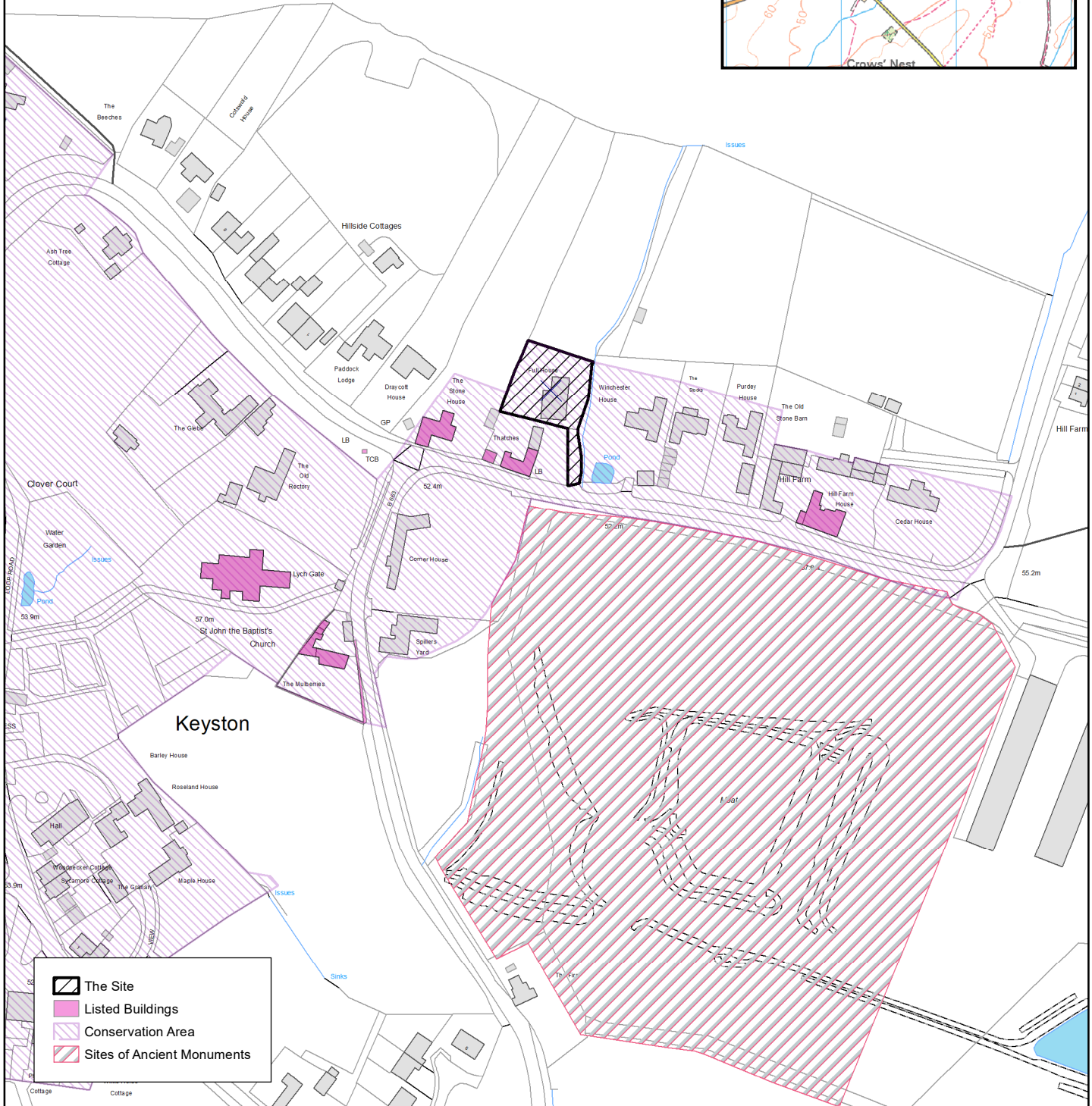
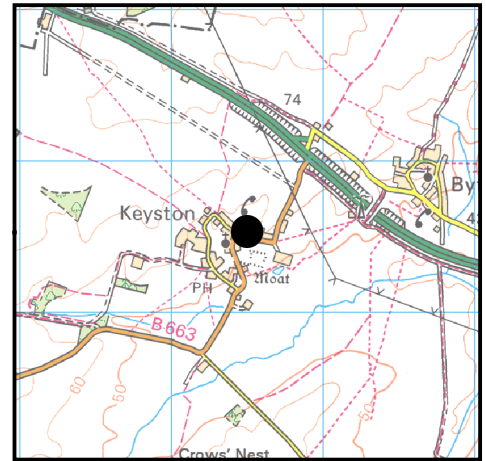


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Date Created: 02/06/2023

Application Ref:22/00891/FUL

Location: Keyston

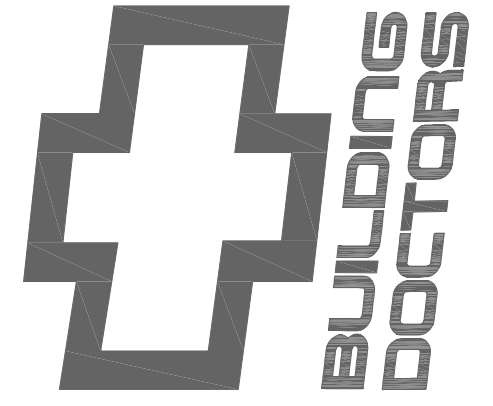
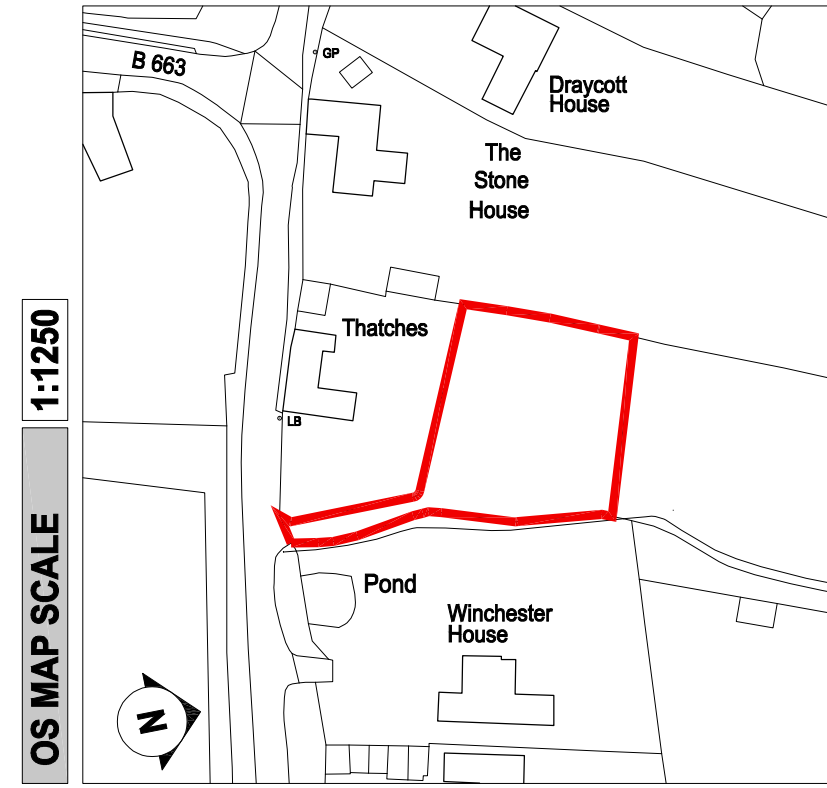


	The Site
	Listed Buildings
	Conservation Area
	Sites of Ancient Monuments

ISSUE 17

Issued no.	01	02	03	04	05	06	07	08	09	10	11	12	14	15	16	17
Issued By	FR	FR	FR	FR	FR	FR	FR	FR	FR	FR	FR	FR	FR	FR	FR	FR
DD	04	04	11	11	11	11	12	12	13	13	07	09	13	13	13	20
MM	04	04	04	04	04	04	04	04	04	06	06	06	06	06	06	07
YY	22	22	22	22	22	22	22	22	22	22	22	22	22	22	22	22

DWG No.	DWG Name	DWG Scale														
1043-A010	Block plan - PROPOSED	1:200@A3	/	/	A	/	B		B	/	C					
1043-A100	Ground Floor plan - PROPOSED	1:75@A3	/	A	/	/	B		B	/	C					
1043-A200	First Floor Plan - PROPOSED	1:75@A3	/	/	/	/	A		A	/	B					
1043-A500	East Elevation - PROPOSED	1:75@A3	/	A	B	C	D		D	E	F					
1043-A510	North Elevation - PROPOSED	1:75@A3	/	A	B	C	D		D	E	F					
1043-A520	West Elevation - PROPOSED	1:75@A3	/	A	B	C	D		D	E	F					
1043-A529	South Elevation - PROPOSED	1:75@A3							/	A	/					
1043-A530	South Elevation - AS BUILT	1:75@A3	/	A	B	C	D		E	F	/					
1043-A020	Block plan - PROPOSED	1:200@A3	/	/	A	/	B	/	/	/	C					
1043-A110	Ground Floor plan - PROPOSED	1:75@A3	/	A	B	/	C	/	/	/	D					
1043-A210	First Floor Plan - PROPOSED	1:75@A3	/	/	A	/	B	/	C	D						
1043-A501	East Elevation - PROPOSED	1:75@A3	/	A	B	C	D	/	E	/						
1043-A511	North Elevation - PROPOSED	1:75@A3	/	A	B	C	D	E	F	/						
1043-A521	West Elevation - PROPOSED	1:75@A3	/	A	B	C	D	E	F	/						
1043-A531	South Elevation - PROPOSED	1:75@A3	/	A	B	C	D	E	F	/						
1043-A532	South Elevation - As Built	1:75@A3							/	A	/					
1043-A600	External Materials Samples		/	/	/	/	A	A	B	B	/	/	/	/	/	/
1043-A750	Site Plan Ridge Height Assessment 3	1:200@A3							A							
1043-A700	Elevation Ridge Height Assessment 1	1:100@A3							A	/	/					
1043-A710	Elevation Ridge Height Assessment 2	1:100@A3							A	B	/					



RIBA # 020 3833 1000
 architect@building-doctors.com

PLANNING SHEET

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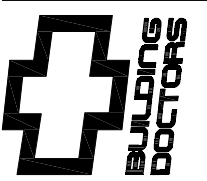
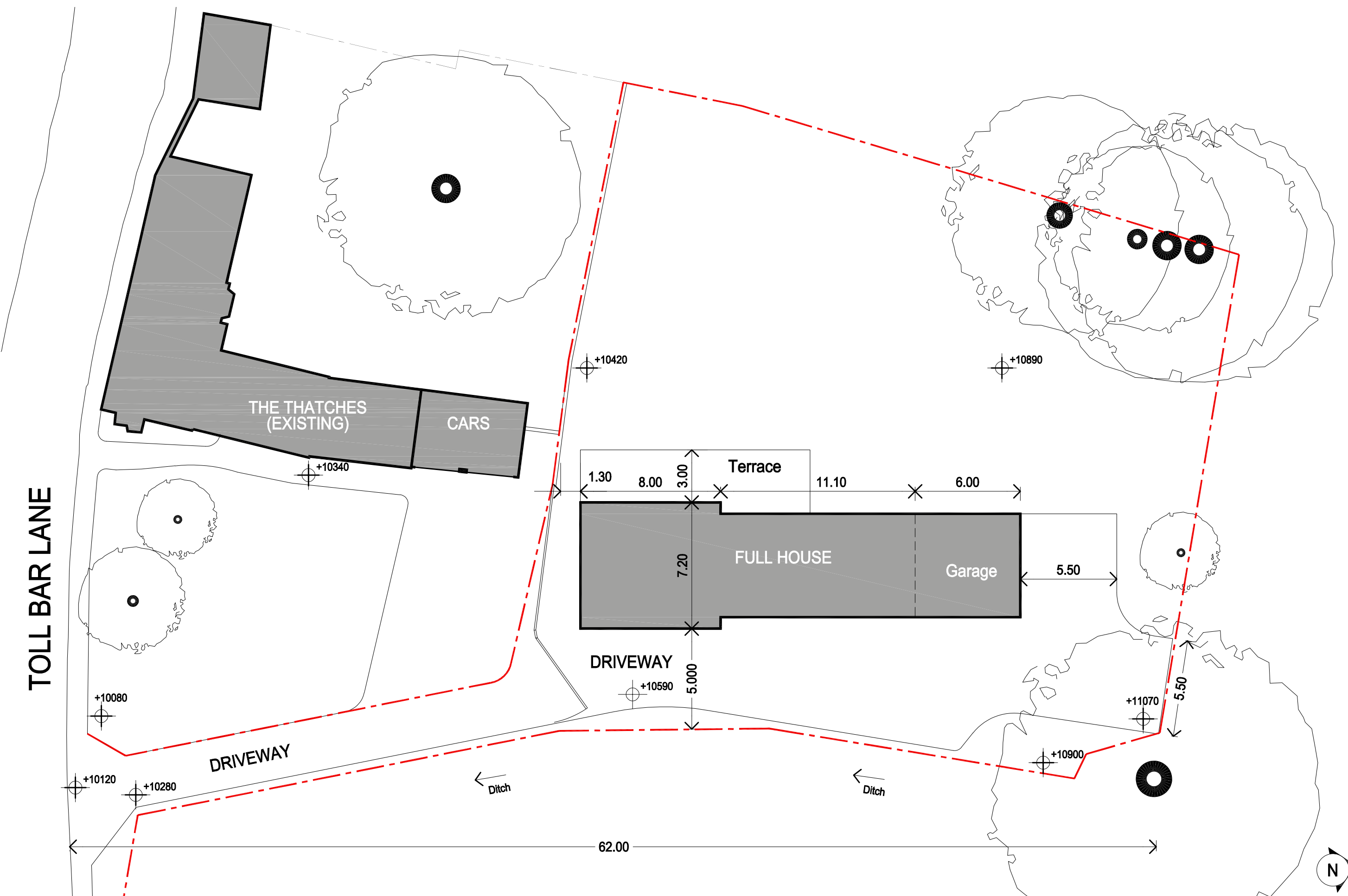
client
 Mr. & Mrs Ellis
 Full House
 Toll Bar Lane
 Kepton
 PE28 0RB

Recipient		F: Pdf	D: dwg	P: Paper
Client	Mr. & Mrs Ellis	F	F	F
Job Files	Building Doctors LTD	F	F	F
Planning		F	F	F
Structural				
Approval Sig.				
M&E				
Contractor				
Party Wall Surveyors				

PLANNING

Revision Preliminary Approval
 Referencing Tender Construction

no. & rev.
1043 - 017



Architect @
 Buildingdoctors.co.uk
 Office: 137, EN1 1QT
 020 3833 1000
 RIBA

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Date	Amendments
11.04.22	Trees to match Existing
13.04.22	Trees to match Existing
20.07.22	Garage Added

Ve.	In.
A	FR
B	FR
C	FR

Project **Full House**
 Toll Bar Ln - PE28 0RB

Draft Planning B. Control
 Tender Constr. Other

Title **Block Plan**
 AS PROPOSED

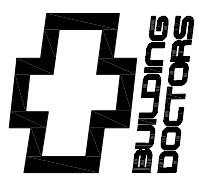
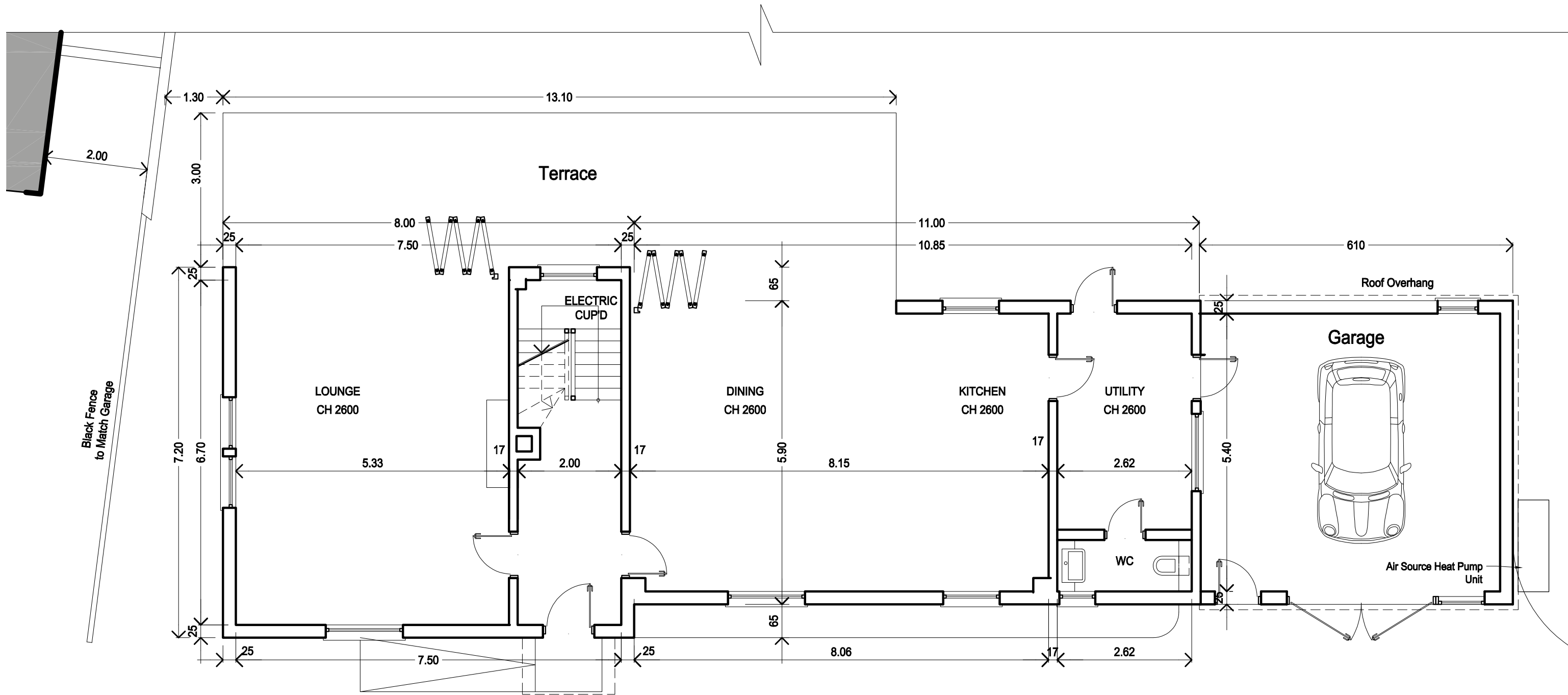
Client **Mr & Mrs Ellis**

1043 - A010 C

1:200 1:200

1:100

A3



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 Buildingdoctors.co.uk
 Office: 137, EN1 1QT
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 RIBA

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Date	Amendments
11.04.22	Utility Door
13.04.22	Notes Added
20.07.22	Garage Added

Ve.	In.
A	FR
B	FR
C	FR

Project **Full House**
Toll Bar Ln - PE28 0RB

Draft Planning B. Control
 Tender Constr. Other

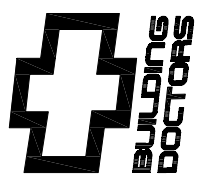
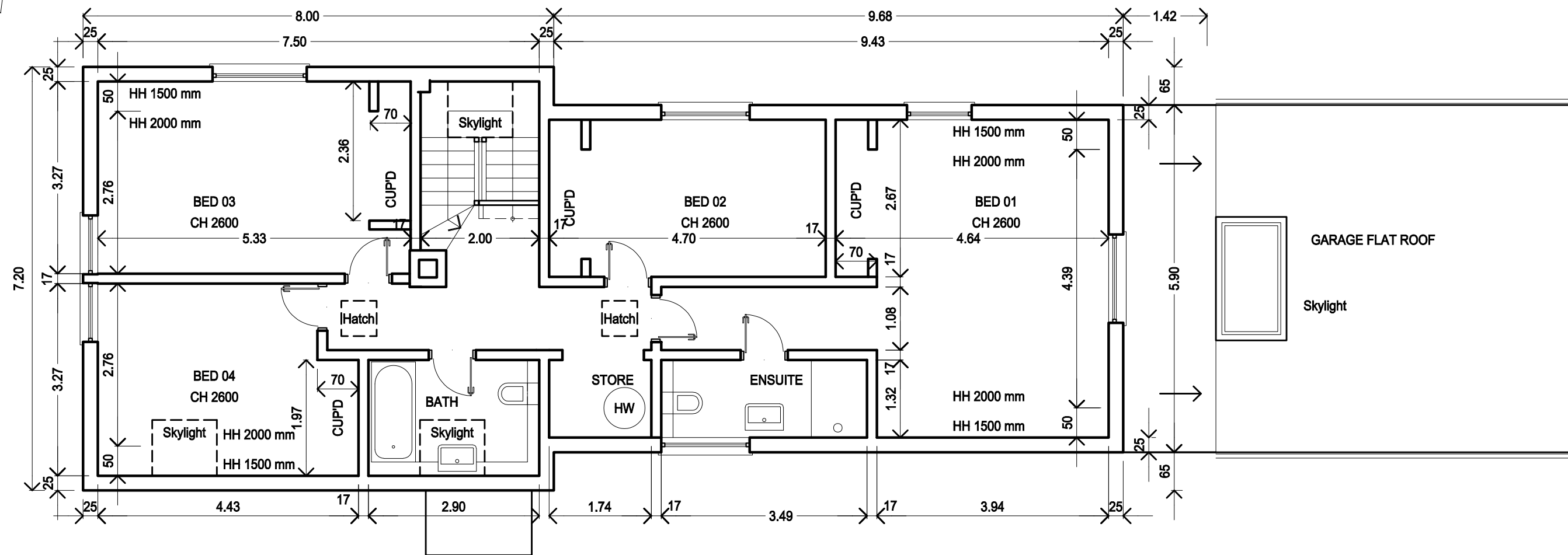
Title **Ground Floor Plan**
AS PROPOSED

Client **Mr & Mrs Ellis**

1043 - A100 C

1:75 1:100 1:75

A3



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Date	Amendments
13.04.22	Notes Added
20.07.22	Garage Roof Added

Ve.	In.
A	FR
B	FR

Project **Full House**
Toll Bar Ln - PE28 0RB

Draft Planning B. Control
 Tender Constr. Other

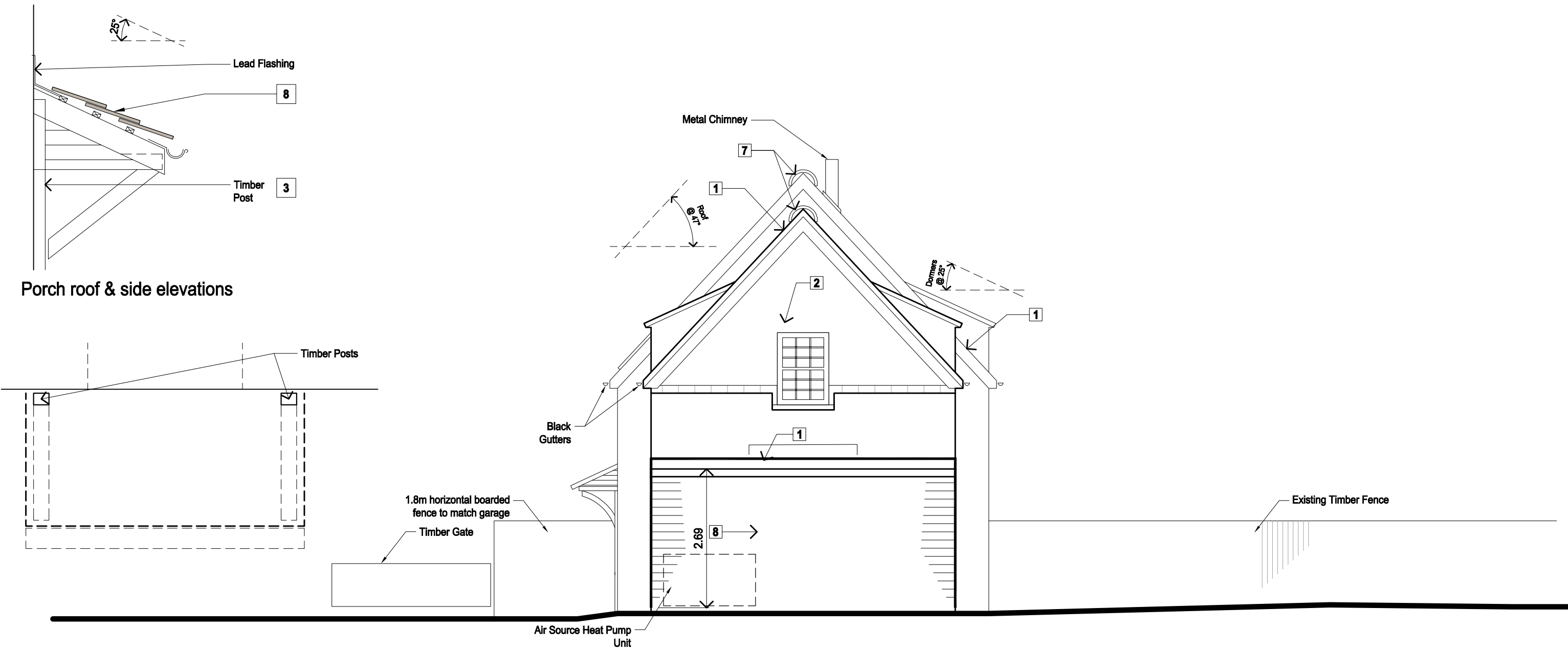
Title **First Floor Plan**
AS PROPOSED

Client **Mr & Mrs Ellis**

1043 - A200 B

1:75 1:100 1:75

A3



NORTH ELEVATION

EXTERNAL MATERIALS	
1	Composite Slate
2	White Frames
3	Black Comp. Door
4	Black W.boards
5	Brick Slips
6	Skylight
7	Black Clay

BUILDING DOCTORS
 Architect @
 Buildingdoctors.co.uk
 Office: 137. EN1 1QT
 020 3833 1000
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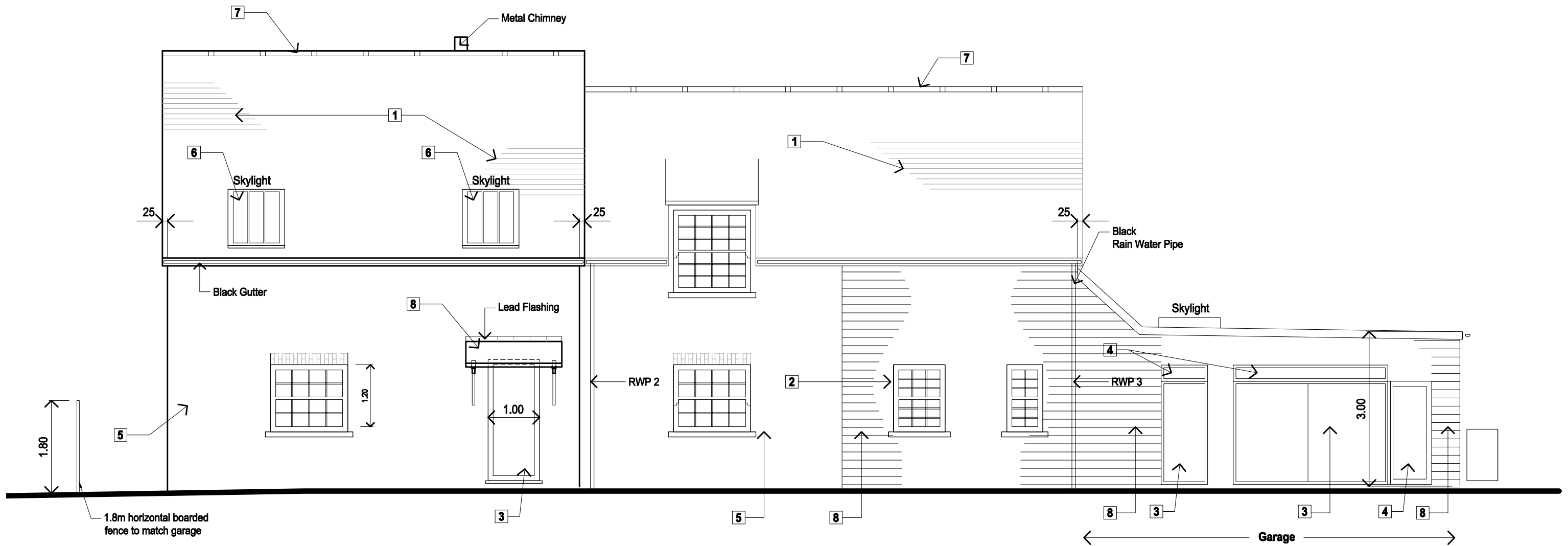
Date	Amendments
11.04.22	Window mullions added
11.04.22	Chimney & Canopy Material Altered
12.04.22	Material Notes Added
13.04.22	Material Notes Added
13.06.22	Windows & Doors Fine tuned to Site Measurements
20.07.22	Garage Added

Ve.	In.	Project
A	FR	Full House Toll Bar Ln - PE28 0RB
B	FR	
C	FR	
D	FR	
E	FR	
F	FR	

Draft Planning B. Control
 Tender Constr. Other

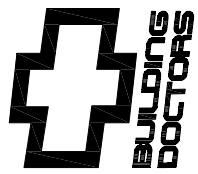
Title **North Elevation AS PROPOSED**
 Client **Mr & Mrs Ellis**

1043 - A510 F
 0M 1M 2M 3M
 1:75
 0M 1M 2M 3M 4M
 1:100
A3



EAST ELEVATION

EXTERNAL MATERIALS	
1	Composite Slate
2	White Frames
3	Black Comp. Door
4	Black Rain Water Pipe
5	Brick Slips
6	Skylight
7	Black Clay
8	Black W.boards



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 Buildingdoctors.co.uk
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Date	Amendments
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11.04.22	Chimney Altered
12.04.22	Material Notes Added
13.04.22	Material Notes Added
13.06.22	Windows & Doors Fine tuned to Site Measurements
20.07.22	Garage Added

Ve.	In.
A	FR
B	FR
C	FR
D	FR
E	FR
F	FR

Project **Full House**
Toll Bar Ln - PE28 0RB

Draft Planning B. Control
 Tender Constr. Other

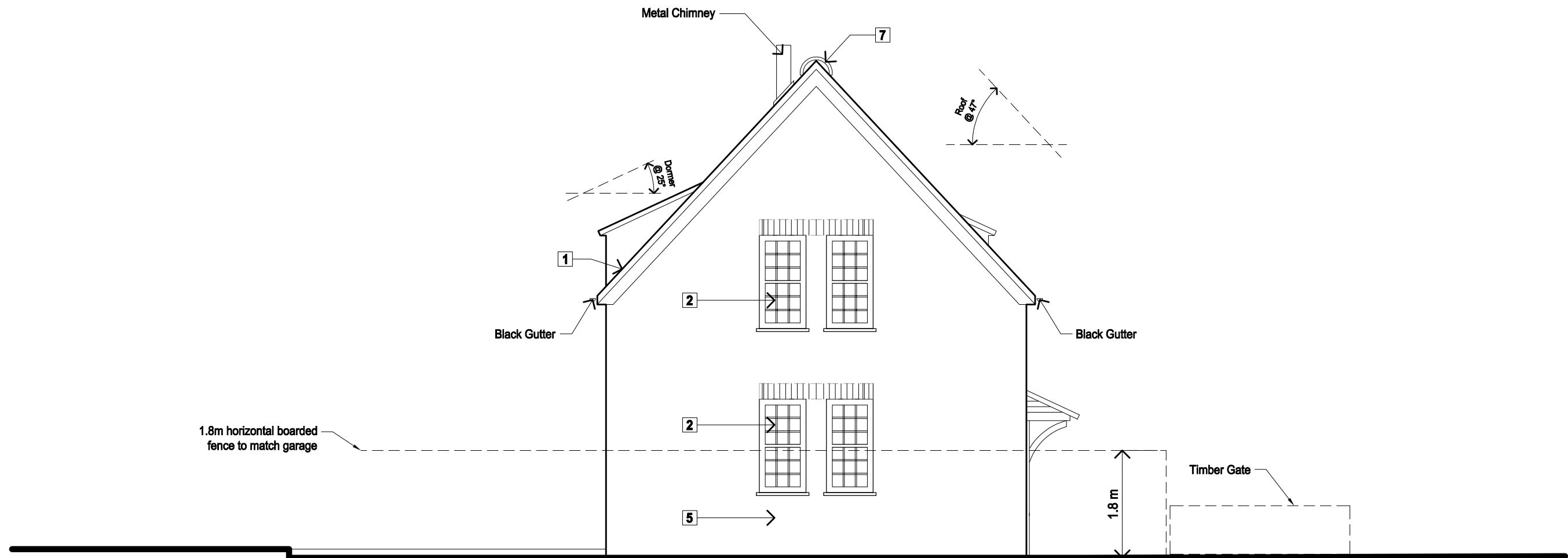
Title **East Elevation**
AS PROPOSED

Client **Mr & Mrs Ellis**

1043 - A500 F

0 M 1 M 2 M 3 M
 1:75
 0 M 1 M 2 M 3 M 4 M
 1:100

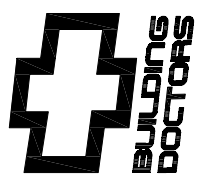
A3



SOUTH ELEVATION

As Proposed

EXTERNAL MATERIALS							
1	Composite Slate	3	Black Comp. Door	6	Skylight	8	Black W.boards
2	White Frames	5	Brick Slips	7	Black Clay		



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Date	Amendments	Ve.	In.
13.06.22	Windows & Doors Fine tuned to Site Measurements	A	FR

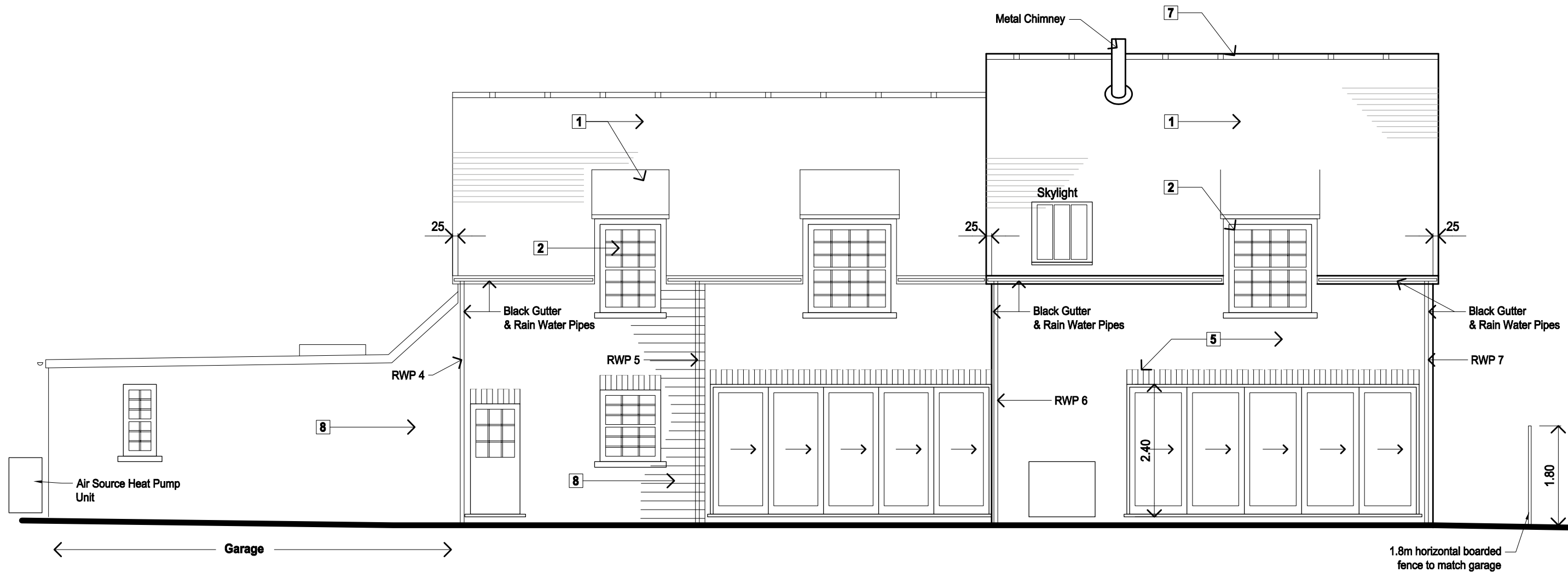
Project	Title
Full House Toll Bar Ln - PE28 0RB	South Elevation AS PROPOSED
<input type="checkbox"/> Draft <input type="checkbox"/> Tender	<input checked="" type="checkbox"/> Planning <input type="checkbox"/> Constr. <input type="checkbox"/> B. Control <input type="checkbox"/> Other

Client
Mr & Mrs Ellis

1043 - A529 A

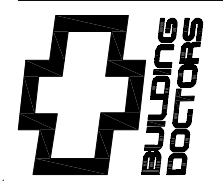
1:75
0 M 1 M 2 M 3 M
1:100
0 M 1 M 2 M 3 M 4 M
1:75

A3



WEST ELEVATION

EXTERNAL MATERIALS	
1	Composite Slate
2	White Frames
3	Black Comp. Door
4	
5	Brick Slips
6	Skylight
7	Black Clay
8	Black W.boards



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Date	Amendments
11.04.22	Window mullions added
11.04.22	Chimney Altered
12.04.22	Material Notes Added
13.04.22	Material Notes Added
13.06.22	Windows & Doors Fine tuned to Site Measurements
20.07.22	Garage Added

Ve.	In.
A	FR
B	FR
C	FR
D	FR
E	FR
F	FR

Project **Full House**
Toll Bar Ln - PE28 0RB

Draft Planning B. Control
 Tender Constr. Other

Title **West Elevation**
AS PROPOSED

Client **Mr & Mrs Ellis**

1043 - A520 F

0 M 1 M 2 M 3 M
 1:75
 0 M 1 M 2 M 3 M 4 M
 1:100

A3