

Case No: 0802557FUL (FULL PLANNING APPLICATION)

Proposal: ERECTION OF DWELLING AND GARAGE

Location: LAND ADJACENT 5 HARBINS LANE

Applicant: A AND R BRUCE LTD

Grid Ref: 523075 256650

Date of Registration: 10.10.2008

Parish: ABBOTSLEY

RECOMMENDATION - APPROVE

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This application relates to a patch of land north of 5 Harbins Lane. Harbins Lane is a cul-de-sac which lies north of the high street, to the east of the main body of the village. The site is also adjacent to the Abbotsley Conservation Area.
- 1.2 Currently on the site there is a disused single storey outbuilding with a corrugated roof. There are also various articles generally associated with agriculture stored on the site. These articles appear to have been on the land for some time.
- 1.3 To the north of the site is a single storey bungalow with an agricultural occupancy restriction. To the south is a two storey modern residential dwelling. Opposite the site is No. 16, a two storey double fronted Victorian residence fronting Harbins Lane. The wider area is residential in character and is made up of varying types of architecture.
- 1.4 This application is seeking planning permission to erect a two storey double fronted building set back from Harbins Lane. It is also proposed to erect an ancillary single garage set back within the plot.

2. NATIONAL GUIDANCE

- 2.1 **PPS1: "Delivering Sustainable Development" (2005)** contains advice on the operation of the plan-led system.
- 2.2 **PPS3: "Housing" (2006)** sets out how the planning system supports the growth in housing completions needed in England.
- 2.3 **PPS7: "Sustainable Development in Rural Areas" (2004)** sets out the Government's planning policies for rural areas, including country

towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas.

- 2.4 **PPG15: “Planning and the Historic Environment” (1994)** sets out Government policies for the identification and protection of historic buildings, conservation areas, and other elements of the historic environment. It explains the role played by the planning system in their protection

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. **PLANNING POLICIES**

Further information on the role of planning policies in deciding planning applications can also be found at the following website:

<http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live

3.1 **East of England Plan - Revision to the Regional Spatial Strategy (May 2008)**

Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents

- **ENV7:** “Quality in the Built Environment” - requires new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.

3.2 **Cambridgeshire and Peterborough Structure Plan (2003)**

Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003.

- Not applicable.

3.3 **Huntingdonshire Local Plan (1995)**

Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95

- **H23:** “Outside Settlements” – general presumption against housing development outside environmental limits with the exception of specific dwellings required for the efficient management of agriculture, forestry and horticulture
- **H31:** “Residential privacy and amenity standards” – Indicates that new dwellings will only be permitted where appropriate standards of privacy can be maintained and adequate parking provided.

- **H32:** "Sub-division of large curtilages" states support will be offered only where the resultant dwelling and its curtilage are of a size and form sympathetic to the locality.
- **En5:** "Conservation Area Character" - development within or directly affecting conservation areas will be required to preserve or enhance their character and appearance.
- **En17:** "Development in the Countryside" - development in the countryside is restricted to that which is essential to the effective operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services.
- **En18:** "Protection of countryside features" – Offers protection for important site features including trees, woodlands, hedges and meadowland
- **En25:** "General Design Criteria" - indicates that the District Council will expect new development to respect the scale, form, materials and design of established buildings in the locality and make adequate provision for landscaping and amenity areas

3.4 **Huntingdonshire Local Plan Alterations (2002)**

Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002)

- **STR1** – District Hierarchy - Outlines the settlement hierarchy
- **STR6** – Defines Abbotsley as an infill village.
- **HL5** – Quality and Density of Development - sets out the criteria to take into account in assessing whether a proposal represents a good design and layout.
- **HL9** – Infill Village Housing – will be restricted to infilling, where suitable sites exist within the village environmental limits.

3.5 **Huntingdonshire Interim Planning Policy Statement 2007**

Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Informal policy statements where there is a link to Interim Planning Policy Statement 2007

- **P8** – Development in the Countryside – Outside the existing built framework of the Smaller Settlements development will be restricted to: that which is essential to the efficient operation of agriculture, horticulture or forestry, or required for the purposes of outdoor recreation; the alteration, replacement or change of use of existing buildings in accordance with other policies; limited and specific forms of housing, business and tourism

development, as provided for within the Local Development Framework; or land allocated for particular purposes.

- **G2** – Landscape Character - development proposals should respect and respond appropriately to the distinctive qualities of the surrounding landscape
- **G3** – Trees, hedgerows and Other Environmental Features - development proposals should minimise risk of harm to trees, hedgerows or other environmental features of visual, historic or nature conservation value
- **B1** – Design Quality - developments should demonstrate a high quality of design in terms of layout, form and contribution to the character of the area.
- **B2** – Street scene – development proposals should make a positive contribution to the character and appearance of streets and public spaces.
- **B3** – Accessibility, Adaptability and Security – the location and design of new development should enable ease of access, have convenient and appropriate facilities and minimise the extent to which users feel at risk of crime.
- **B4** – Amenity - developments should not have an unacceptable impact upon amenity of existing or future occupiers.
- **B8** Conservation Areas- a development proposal within or affecting a Conservation Area should seek to preserve and enhance the character or appearance of the Conservation Area.

3.6 **Huntingdonshire Local Development Framework Submission Core Strategy 2008**

Policies from the Huntingdonshire Local Development Framework Submission Core Strategy 2008 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning and then click on Planning Policy where there is a link to the Local Development Framework Core Strategy.

- **CS1**: “Sustainable development in Huntingdonshire” – all developments will contribute to the pursuit of sustainable development, having regard to social, environmental and economic issues. All aspects will be considered including design, implementation and function of development.
- **CS3**: “The Settlement Hierarchy” – identifies Abbotsley as a smaller settlement in which residential infilling will be appropriate within the built up area.

3.7 **Supplementary Planning Document**

- The Huntingdonshire Design Guide 2007.

4. PLANNING HISTORY

- 4.1 0200341OUT – Erection of a dwelling – Planning permission was refused but allowed on appeal by The Planning Inspectorate acting on behalf of The Secretary of State. A copy of the appeal is attached as a green paper.
- 4.2 0501147REM – Approval of siting, design, external appearance and means of access for the erection of one dwelling – Refused.
- 4.3 0601782FUL – Erection of a dwelling – Refused.

5. CONSULTATIONS

- 5.1 **Abbotsley Parish Council – recommend REFUSAL (copy attached)** on the grounds of:

- Outside the built up framework of Abbotsley;
- Would set a precedent for future development on Harbins Lane;
- Design not in keeping with adjacent agricultural bungalow or 1½ storey dwellings on opposite side of the road; and,
- Sustainability.

6. REPRESENTATIONS

- 6.1 None received.

7. SUMMARY OF ISSUES

- 7.1 The main issues for consideration are the principle of development, impact on neighbours, impact on Conservation Area and the design of the proposal.

Principle of Development

- 7.2 In 2002, planning permission was refused under planning reference 0200341OUT for a dwelling on the site by the Local Planning Authority on the grounds that the development was outside the village environmental limits of Abbotsley and outside the built up framework of the village. The inspector did not dispute that the site was outside the village environmental limits but considered this specific plot to be within the built up framework of the village. This decision was based on there being dwellings immediately abutting the site to the north and south. The planning inspector contended that the development of this plot for residential purposes was acceptable in principle.
- 7.3 This permission expired on the 6 December 2007, five years from the date of approval. The Local Development Framework Submission Core Strategy defines Abbotsley as a village where infill development may be acceptable within the built up area. For the avoidance of doubt, Paragraph 5.15 of that document goes on to define the built up area. 'The built up area is considered to be the existing built form excluding buildings that are clearly detached from the main body of the settlement, gardens or other undeveloped land within the curtilage of buildings at the edge of the settlement, especially where these relate more to the surrounding countryside than they do to the built up

parts of the village.’ Also excluded are agricultural buildings where they are on the edge of the settlement.

- 7.4 Conditions on the ground have not altered since the Planning Inspectorate issued its decision. For that reason and as the site is considered to be within the built up area as defined within the Core Strategy, it is considered that the infilling of this plot for residential development is still acceptable in principle.
- 7.5 It is noted that Abbotsley has limited services and that occupiers of this dwelling are likely to be car dependant. However, the Core Strategy does allow residential infilling by up to 3 dwellings within Abbotsley’s built up area.
- 7.6 It is not considered that this would set a precedent for future development along Harbins Lane. Each application must be considered on its own merits against relevant policy. As already highlighted in this report, the Planning Inspectorate gave very specific reasoning as to why this particular site was suitable for residential development.

Impact on neighbours

- 7.7 This dwelling will be set back from Harbins Lane and will have windows on the first floor rear elevation. It is noted that No. 5 has a greater depth to the property and projects further east than this dwelling. It is therefore considered that this proposal will not be detrimental to the amenity of the occupiers of No. 5. To the north, the bungalow is not immediately adjacent to this site and will again project further north than this property. Again, it is not considered that this proposal will cause undue harm to neighbours and no representations have been received to the contrary.

Impact on Conservation Area

- 7.8 The designated Conservation Area lies to the south east of this site. It is not considered that this proposal will be detrimental to the visual setting or character of the Abbotsley Conservation Area.

Design

- 7.9 The dwellings along Harbins Lane are mixed in age and character. In the immediate vicinity of the site, No. 5 and No. 16 are two storey dwellings and No. 11 is a single storey bungalow. It is considered that this dwelling should act as a ‘bridge’ between the bungalow to the north and the two storey dwelling to the south while also seeking to reflect the rural character of No. 16. To achieve this, the applicant has proposed a two storey dwelling with simple, rural features. It is also characteristic of rural dwellings to have associated outbuildings set back from this primary dwelling and for that reason the garage is to be set back from the dwelling house. It is considered that this proposal has been designed sympathetically in relation to the rural character and visual setting of Harbins Lane. For the avoidance of doubt a condition requiring detail of the landscaping proposed shall be included. This will ensure that the landscaping is appropriate for this end of the rural lane.

- 7.10 The Parish Council have expressed concerns over lack of details of materials. Details of all external materials will be a conditional detail of any permission granted.
- 7.11 Overall it is considered that the erection of a dwelling, in this location is acceptable in principle and would not significantly prejudice the implementation of the development plans policies and proposals. Following negotiations with the applicant, it is considered that the design, as amended, meets the objectives of the Huntingdonshire Design Guide and with the use of appropriate materials this dwelling will be in keeping with the wider Harbins Lane area and adjacent Conservation Area.

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

8. RECOMMENDATION – APPROVE, subject to conditions to include the following:

- 02003** - Time Limit (3yrs)
- Nonstand** - Materials and sample panel
- Nonstand** - Sections
- Nonstand** - Parking and turning area
- Nonstand** - Hard/soft landscaping
- Nonstand** - Boundary treatment

Background Papers:

Planning Application File Reference: 0802557FUL
East of England Plan – Revision to the Regional Spatial Strategy May 2008
Cambridgeshire and Peterborough Structure Plan, 2003
Huntingdonshire Local Plan, 1995
Huntingdonshire Local Plan Alteration, 2002
Huntingdonshire Interim Planning Policy Statement 2007
Huntingdonshire Local Development Framework Submission Core Strategy 2008

CONTACT OFFICER:

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