OFFICER REPORT

Case No: 25/00879/FUL **Full Planning Application**

Proposal: **Demolish the existing Nissen hut structure & ancillary buildings and replace with a single self-build/custom build dwelling & detached garage with office**

Location: **Next To Windy Willows Huntingdon Road Warboys**

Applicant: **Mrs Karen Washington**

Grid Ref: **529955 278341**

DESCRIPTION OF SITE AND APPLICATION

The application site comprises a parcel of land located approximately 2km south of Warboys near the Warboys Airfield Industrial Estate. The site comprises a circa 0.75 acre triangular area of land occupied by derelict nissen hut and ancillary buildings. The site is served by an existing access onto the A141.

The application site is located within Flood Zone 1 on the Environment Agency's Flood Map for Planning and Huntingdonshire's Strategic Flood Risk Assessment (2024). There are no designated heritage assets within the vicinity of the site.

This application seeks planning permission for demolition of the existing Nissen hut structure & ancillary buildings and a new self-build/custom build dwelling & detached garage with office. This follows a refusal (reference 23/01628/FUL) for a similar proposal. The refusal reason was:

"The proposed dwelling does not accord with the specific and limited opportunities for development in the countryside provided for by policies of the Huntingdonshire Local Plan to 2036. The proposal fails to demonstrate that the building is of permanent and substantial construction and not in a such a state of dereliction or disrepair that significant reconstruction would be required. Furthermore, the proposal does not comply with policy objectives to concentrate development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities, and any future occupiers of the proposed dwelling would be heavily reliant on the use of private cars. The development proposal therefore conflicts with Policies LP2, LP10, LP16 and LP33 of Huntingdonshire's Local Plan to 2036 and the National Planning Policy Framework 2023."

The Appeal was dismissed by the Planning Inspectorate (APP/H0520/W/24/3346769) and the concluding paragraph of the appeal decision reads:

"While the site is in a suitable location with regard to sustainable travel modes, the harm identified in respect of the development strategy and condition of the building are determinative. Therefore, the appeal scheme would conflict with the development plan as a whole. There are no material considerations, including the Framework, that indicate I should conclude other than in accordance with it."

NATIONAL GUIDANCE

The National Planning Policy Framework (December 2024) (NPPF 2024) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 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).'

The NPPF 2024 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.

Planning Practice Guidance and the National Design Guide are also relevant and material considerations.

For full details visit the government website: https://www.gov.uk

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 - adopted May 2019
*LP1: Amount of Development
*LP2: Strategy for Development
*LP4: Contributing to Infrastructure Delivery
*LP5: Flood Risk
*LP6: Waste Water Management
*LP10: The Countryside
*LP11: Design Context
*LP12: Design Implementation
*LP14: Amenity
*LP15: Surface Water
*LP16: Sustainable Travel
*LP17: Parking Provision and Vehicle Movement
*LP25: Housing Mix
*LP30: Biodiversity and Geodiversity
*LP31: Trees, Woodland, Hedges and Hedgerows
*LP33: Rural Buildings
*LP34: Impact on Heritage Assets
*LP37: Ground Contamination and Ground Water Pollution

Supplementary Planning Documents (SPD) and Guidance:
*Huntingdonshire Design Guide SPD (2017)
*Huntingdonshire Townscape and Landscape Assessment SPD (2022)
*Developer Contributions SPD (2011)
*Cambridgeshire Flood and Water SPD (2017)
*Huntingdonshire Tree Guidance Note 3
*Annual Monitoring Report, regarding housing land supply.

Local policies are viewable at https://www.huntingdonshire.gov.uk

PLANNING HISTORY

22/02167/FUL - Demolition of derelict Nissen Hut and ancillary buildings and construction of a single storey dwelling and detached garage - Withdrawn

23/01628/FUL - Demolish the existing Nissen hut structure & ancillary buildings and replace them with a single new-build dwelling - Refused, Appeal Dismissed.

CONSULTATIONS

Warboys Parish Council - Recommend approval.

HDC Urban Design - No objection subject to conditions.

HDC Environmental Health Team - The development is only acceptable if the noise mitigation measures detailed in the Section 4 Sound Insulation Scheme of Noise Impact Assessment BS8233:2014 Land south of A141 Warboys PE28 3AH by Nova Acoustics Project Number 8233KW Version Reference 02 are implemented. If permission is likely to be granted then a condition should be used to ensure that these mitigation measures are put in place and retained in perpetuity.
The historic land use of the site as part of RAF Warboys Airfield means that a contamination assessment will need to be undertaken and therefore the full contamination condition should be applied if permission is granted.

HDC Conservation Team - This site does not affect a conservation area or a listed building and I understand that initial advice has already been given on its significance, on earlier applications therefore we have no comment to make.

Highway Authority - No objection subject to conditions. I have noted that the access within this application is the same as the previous application for the site 23/01628/FUL.
The applicant has provided Drawing P231106_001_Visibility Splays and Access showing that the access will be widened to 5m for 10m from the carriageway edge to CCC's specification, which is acceptable. The drawing also details the visibility splays. The visibility splay to the south is 215m which is appropriate for the speed limit. The visibility splay to the north is 148m which is less that the required distance. However, this is acceptable as the visibility splay reaches the A141 South bound exit of the roundabout where speeds will be lower than the national speed limit.

REPRESENTATIONS

One representation received in support raising the following matters:

- Regeneration of site with self build supported
- Not considered to be open countryside
- Benefits from shared access
- Native trees and planting proposed
- Established Employment Area opposite the proposed plot

Cllr Lowe (Warboys Ward District Councillor):
Given the material considerations and the importance of interpreting policies LP2, LP10, LP16 and LP33 correctly in the context of national policy and housing supply, I believe this application warrants committee-level scrutiny if minded to refuse.

SUMMARY OF ISSUES

The main issues to consider in the determination of this application are:

1. Principle of development
2. Impact on Heritage Assets
3. Design and Visual Amenity
4. Residential Amenity
5. Highway Safety, Access and Parking Provision
6. Biodiversity
7. Impact on Trees
8. Flood Risk/Drainage
9. Accessible and Adaptable Dwellings
10. Water Efficiency
11. Other matters

1. Principle of development

Housing Land Supply

NPPF paragraph 78 requires the Council to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against our housing requirement. A substantially revised methodology for calculating local housing need and the reimposition of this as a mandatory approach for establishing housing requirements was introduced on 12th December 2024 in the revised NPPF and associated NPPG (the standard method).

As Huntingdonshire's Local Plan to 2036 is now over 5 years old it is necessary to demonstrate a five-year housing land supply (5YHLS) based on the housing requirement set using the standard method. NPPF paragraph 78 also requires provision of a buffer to ensure choice and competition in the market for land. As Huntingdonshire has successfully exceeded the requirements of the Housing Delivery Test a 5% buffer is required here. The five year housing land requirement including a 5% buffer is 5,501 homes. The current 5YHLS is 4,330 homes equivalent to 3.94 years' supply.

As a result of this, the presumption in favour of sustainable development is applied for decision-taking in accordance with paragraph 11 (d) and footnote 8 of the NPPF in relation to applications involving the provision of housing. This is generally referred to as 'the titled balance'. While no 5YHLS can be demonstrated the Local Plan policies concerned with the supply and location of housing as set out in the Development Strategy chapter (policies LP2, LP7, LP8, LP9 and LP10) of Huntingdonshire's Local Plan to 2036 are considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications.

Location and suitability of the site

Huntingdonshire's strategy for development is set out in Policy LP2 of the Local Plan and looks to concentrate development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities. In addition, small and windfall sites will be permitted on sites which are in conformity with other policies of this plan providing further flexibility in the housing supply.

Policy LP2 is within the Development Strategy chapter of Huntingdonshire's Local Plan to 2036, and is therefore considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications for residential development. Notwithstanding this, weight should still be given to Policy LP2 given that it directs development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities which is consistent with the NPPF (2024).

The site is not located within the built-up area of either Warboys or Old Hurst. The site is a significant distance from the settlement edges and is separated by arable fields meaning it is not well-related to the built-up area. The site is located within the countryside for the purposes of assessing this application.

Policy LP10 (The Countryside) of the Local Plan states that development in the countryside will be restricted to the limited and specific opportunities as provided for in other policies of this plan and that all development in the countryside must:

"a. seek to use land of lower agricultural value in preference to land of higher agricultural value:
i. avoiding the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) where possible, and
ii. avoiding Grade 1 agricultural land unless there are exceptional circumstances where the benefits of the proposal significantly outweigh the loss of land;
b. recognise the intrinsic character and beauty of the countryside; and

c. not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others."

Policy LP10 is within the Development Strategy chapter of Huntingdonshire's Local Plan to 2036, and is therefore considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications for residential development. Notwithstanding this, weight should still be given to Policy LP10 especially in relation to criteria (a) to (c) as it is consistent with the NPPF. However, the part of Policy LP10 which restricts residential development in the countryside is to be given reduced weight. This means that any residential development on land in the countryside may be acceptable in principle subject to other material planning considerations.

The application site and surrounding land is designated as Grade 2 agricultural land. The site covers approximately 0.75 acres and comprises a nissen hut and ancillary buildings, however these do not appear to have been used for agricultural purposes. As such, the proposal would not result in the loss of agricultural land. An assessment against criteria b. and c. of LP10 can be found in the sections below.

In addition to complying with the criteria of Policy LP10, development in the countryside is restricted to the limited and specific opportunities as provided for in other policies of the Local Plan, including Policy LP33 'Rural Buildings' which is most relevant in this instance. The purpose of this policy is to set out the Council's approach to proposals for the reuse or replacement of buildings in the countryside that fall outside of the 'Prior Approval/ Notification' process. Policy LP33 states:
"A proposal for the conversion of a building in the countryside that would not be dealt with through 'Prior Approval/ Notification' will be supported where it can be demonstrated that:
a. the building is:
i. redundant or disused;
ii. of permanent and substantial construction;
iii. not in such a state of dereliction or disrepair that significant reconstruction would be required; and
iv. structurally capable of being converted for the proposed use; and

b. the proposal:
i. would lead to an enhancement of the immediate setting; and
ii. any extension or alteration would not adversely affect the form, scale, massing or proportion of the building.

A proposal for the replacement of a building in the countryside will be supported where criteria a, i to iii above are fulfilled and the proposal would lead to a clear and substantial enhancement of the immediate setting. A modest increase in floorspace will be supported.

The position of the replacement buildings within the site should be considered comprehensively so that it is located where it would have the least possible adverse impact on the immediate surroundings, the wider landscape and the amenity of the users of existing buildings nearby."

The previous application 23/01628/FUL was supported by a structural report. As set out by the Inspector in the appeal decision (APP/H0520/W/24/3346769), the structural report outlined key structural components of the Nissan hut and given the length of time in situ, the building is considered to be of permanent construction. The Inspector noted the limitations of the report, ambiguity in respect of the proposed replacement of certain elements of the building and inconsistencies between the structural report and associated plans. The Inspector therefore concluded that it had not been robustly demonstrated that the building is of substantial construction and is not in such a state of dereliction or disrepair that significant reconstruction would be required, contrary to Criteria a. ii. and iii. of Policy LP33.

The current application is not supported by a structural report and in the absence of this, the proposal is considered to conflict with Policy LP33 for the same reasons as the previous

application. There are no limited and specific opportunities provided for within other policies of the Local Plan contrary to the development strategy and therefore conflicts with Policies LP2 and LP10. However, as set out above, Policies LP2 and LP10 are within the Development Strategy chapter of Huntingdonshire's Local Plan to 2036, and are considered to be out-of-date and can no longer be afforded full weight.

As set out by the Inspector, the site is close to Warboys, Old Hurst and Brought villages where there are a number of services and facilities which future occupiers of the development would likely assist in maintaining. However, the nature of the surrounding road network would not represent an attractive option for future occupiers to walk or cycle, particularly during inclement weather or after dark. There are two bus stops close to the site and the Inspector considered that whilst not providing frequent services, it would provide an alternative to the private car. The Inspector therefore concluded the site is *"a suitable location with regard to sustainable travel modes".*

With the above, it is considered that the development of one dwelling on the site is acceptable in this location. The proposal would constitute a sustainable form of development in accordance with the NPPF (2024) and in terms of the planning balance, the positive aspects of the proposal including the provision of housing, there is no identified harm that would significantly and demonstrably outweigh the benefits of the proposal.

2. Impact on Heritage Assets

Policy LP34 of the Local Plan sets out that great weight and importance is given to the conservation of heritage assets and their settings.

It is understood that the Nissen Hut was constructed as part of a domestic site associated with RAF Warboys and was once attached to another hut to create an H plan building. The building is not listed or within the Warboys Conservation Area. It is acknowledged that the Nissen Hut has historic interest, but it is of a common design and built of common materials and therefore it is considered to have little intrinsic architectural interest. As per the advice from the Conservation Officer under the previous application 23/01628/FUL, it is not considered that the building qualifies as a non-designated heritage asset worthy of retention as it has largely lost its historic context, has little architectural value and is substantially damaged. Furthermore, there is little left of RAF Warboys to give the remaining Nissen Hut historical context.

With the above, the demolition of the building is acceptable from a heritage perspective as the building is not identified as being a heritage asset. There would be no conflict with Policy LP34 of the Local Plan.

3. Design, Visual Amenity and Impact on the Character and Appearance of the Area

Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036 state that developments should respond positively to their context, draw inspiration from the key characteristics of its surroundings and contribute positively to the area's character and identity. Furthermore, Policy LP33 states that proposals should lead to a clear and substantial enhancement of the immediate setting and Policy LP10 states that development in the countryside must recognise its intrinsic character and beauty.

As per the previous scheme 23/01628/FUL, the proposals comprise a hybrid design utilising elements of the curved Nissen Hut roof design and mono pitched roofs to accommodate solar panels and rainwater harvesting. The replacement building would occupy a similar positioning within the site and would be set back from the front boundary of the site. A large detached garage with office and ensuite would have a floor area of approximately 140sqm and would be positioned to the front of the site with a set back of 6 metres from the front boundary.

The design of the proposed dwelling would reflect elements of the existing Nissen Hut building and would sit comfortably within the triangular shape of the site. The proposed detached garage would

introduce built form to the front of the site where there is currently none, however the site is well screened from the A141 and as such would not appear unduly prominent. The proposal seeks to retain existing landscaping along the eastern boundary with the A141 and western site boundary and the submitted soft landscape strategy shows tree planting south and west boundaries. The proposed landscape strategy indicates the proposed boundary treatments and hard surfacing which are considered appropriate for the site context.

In the appeal decision, the Inspector observed (paragraph 25) that *"the design has clearly been carefully and thoughtfully considered and seeks to be sympathetic to the historic use of the site and original shape and layout of the Nissen Hut. Moreover, the appellant has sought pre-application advice from the Council and assessed the merits of converting the Nissen Hut before submitting their preferred new build scheme."* The proposed design of the dwellings is the same as submitted under the previous application.

Overall, it is considered that the design and layout of the development would respect the character and history of the site and would not have a detrimental impact on the rural setting of the site. As per HDC's Urban Design Officers comments, conditions are recommend to secure details of materials and architectural details. The proposal would comply with Policies LP10, LP11, LP12 and LP33 of the Local Plan in this regard.

4. Residential Amenity

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

The closest neighbouring properties are 'The Willows' to the south west and 'Windy Willows' to the south east. It is not considered that the proposal would result in material adverse impacts on the occupants/users of nearby buildings given the separation distances. Furthermore, it is not considered the proposal would adversely affect the use or enjoyment of the countryside by others.

The application site is in close proximity to the A141 which facilities medium to high levels of traffic flow. The application is supported by a Noise Impact Assessment Version 02 (dated September 2022) by Nova Acoustics Consultants. The report puts forward a sound insulation scheme based on the weakest elements of the façade including the glazing, external walls, ventilation and roof construction. This has been reviewed by HDC's Environmental Health Officer who has advised that the development is only acceptable if the noise mitigation measures detailed in the Section 4 of the Noise Impact Assessment are implemented. Should permission be granted for the scheme, it is recommended that a condition is imposed to ensure that these mitigation measures are put in place and retained in perpetuity.

HDC's Environmental Health Officer has also advised that given the historic land use of the site in connection with RAF Warboys Airfield, a contamination condition is required to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

Subject to the conditions recommended above, it is considered that the proposal would comply with Policies LP14 and LP37 of the Local Plan.

5. Highway Safety, Access and Parking Provision

Policy LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.

The Highway Authority have raised no objection to the proposed access arrangements. Drawing 'P23106_001_Visability Splays and access' shows that the existing access would be widened to

5m for 10m from the carriageway edge to CCC's specification. The drawing also details the visibility splays. The visibility splay to the south is 215m which is appropriate for the speed limit. The visibility splay to the north is 148m which is less that the required distance. However, this is acceptable as the visibility splay reaches the A141 South bound exit of the roundabout where speeds will be lower than the national speed limit. Subject to conditions, the Highway Authority is satisfied that the impact of the development on the highway can be mitigated.

The proposed driveway and garage would provide a sufficient level of car parking provision and turning space. There is adequate space within the garage to accommodate 1 bike per bedroom in accordance with Policy LP17 of the Local Plan.

6. Biodiversity

Policy LP30 of the Local Plan requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible.

The application is accompanied by a Preliminary Ecological Appraisal and Preliminary Roost Assessment (PEA and PRA) by Arbtech (dated April 2025). This recommends precautionary working methods for certain species and a check for barn owls prior to works taking place. It also recommends several biodiversity enhancement measures - specific details of which could be secured by way of condition.

The PEA and PRA recommends eDNA surveys to confirm the presence of Great Crested Newts or District Level Licence from Natural England. The applicant has submitted evidence of a provisional licence from Natural England and therefore the LPA is satisfied that the applicant would be obtain a final licence. It is recommended that a condition be imposed to require submission of the licence prior to any works commencing on site.

In regard to mandatory Biodiversity Net Gain (BNG), as of the 2nd April 2024 a mandatory 10% Biodiversity Net Gain (BNG) was imposed on small sites. The submitted planning statement confirms the applicants have had the primary input into the final design and layout of a house and would occupy the proposed dwelling themselves. Officers are satisfied the proposal is exempt from a mandatory net gain as the development is self-build. As it is on this basis only that 10% BNG is not to be secured, a condition to ensure the property would be a self-build shall be imposed should the development be permitted.

With the above, the proposal is considered to accord with Policy LP30 of the Local Plan subject to the imposition of conditions.

7. Trees and Hedgerow

The application is supported by an Arboricultural Assessment by Ethical Aboriculture Ltd. Limited tree removal is proposed and tree protection measures are proposed to ensure trees and hedgerow on the boundaries of the site are retained. New tree planting is also proposed within the site. As the Arboricultural Assessment and Tree Protection Plan have not been based on the proposed site layout, further details of tree protection measures and an Arboricultural Method Statement should be secured by way of condition. Subject to this, the proposal would therefore accord with Policy LP31 of the Local Plan.

8. Flood Risk and Drainage

The site is located in a Flood Zone 1 on the Environment Agency's Flood Map for Planning and the Council's Strategic Flood Risk Assessment (2024) which is considered appropriate for all forms of development. A flood risk assessment is therefore not required as no portion of the application site is located on land in Flood Zone 2 or 3. The Strategic Flood Risk Assessment (2024) does indicate

that the east and west boundaries of the site are at risk of flooding from surface water. However, as the proposed dwelling would not fall within these areas, the sequential test is not required.

The Application Form indicates that surface water will be disposed of by the existing water course and foul drainage would be disposed of by package treatment plant. Given the proposed development is for one dwelling, drainage proposals would need to meet relevant building control legislation and would be assessed though the Building Control process.

With the above, it is not considered that the proposal would conflict with the aims of Policies LP6, LP12 or LP15 of the Local Plan in this regard.

9. Accessible and Adaptable Homes

Policy LP25 of the Local Plan to 2036 requires proposals that include housing to meet the optional Building Regulation requirement M4(2)" Accessible and adaptable dwellings" unless it can be demonstrated that site specific factors make this unachievable. A condition could be imposed upon any permission to ensure that the development is built in accordance with these standards and maintained for the life of the development.

10. Water Efficiency

Policy LP12 of the Local Plan to 2036 requires proposals that include housing to comply with the optional building regulation for water efficiency, as set out in Approved Document G. A condition could be imposed upon any permission to ensure that the development is built in accordance with these standards and that they are maintained for the life of the development.

11. Developer Contributions

Community Infrastructure Levy (CIL):
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.

Unilateral Undertaking for Wheeled Bins:
The application is accompanied by a completed Unilateral Undertaking for the provision of wheeled bins and therefore accords with part H of the Developer Contributions Supplementary Planning Document (2011) and Policy LP4 of the Local Plan to 2036.

Conclusion and Planning Balance

The presumption in favour of sustainable development is applied for decision-taking in accordance with paragraph 11 (d) and footnote 8 of the NPPF in relation to applications involving the provision of housing. This is generally referred to as 'the titled balance'. While no 5YHLS can be demonstrated the Local Plan policies concerned with the supply and location of housing as set out in the Development Strategy chapter (policies LP2, LP7, LP8, LP9 and LP10) of Huntingdonshire's Local Plan to 2036 are considered to be out-of- date and can no longer be afforded full weight in the determination of planning applications.

In regard to paragraph 11 (d) part i, it is considered there are no strong reasons for refusal in relation to any habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest, Local Green Space, irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75) and areas at risk of flooding. Therefore, the 'titled balance' is engaged.

Although a previous application was refused and dismissed at appeal on this site (reference 23/01628/FUL), the policy context of the 5YHLS has changed since these decisions. Thus, an alternative conclusion has been reached.

It is concluded that there is no identified harm that would significantly and demonstrably outweigh the benefits when considering all the positives and negatives of the proposal. Taking national and local planning policies into account and material considerations, the principle of the proposed development is, on balance, considered acceptable and it is recommended that planning permission should be granted subject to conditions.

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CONTACT OFFICER:
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