DEVELOPMENT MANAGEMENT COMMITTEE 17th March 2025

Case No: **24/01867/OUT**

Proposal: **Outline Permission (all matters reserved) for erection of self-build dwelling and garage**

Location: **Land Rear Of 8 Church Street Alwalton**

Applicant: **Mr and Mrs Paul Thompson**

Grid Ref: **E 513442 N 295955**

Date of Registration: **25.10.2024**

Parish: **Alwalton**

RECOMMENDATION - APPROVE subject to receipt of Unilateral Undertaking for the provision of wheeled bins and conditions.

This application is referred to the Development Management Committee (DMC) in accordance with the Scheme of Delegation as the Officer recommendation of approval is contrary to that of the Parish Council.

1. DESCRIPTION OF SITE AND APPLICATION

Site and Surrounding Context

1.1 The application site is flat and covers an area of approximately 0.924 hectares located to the rear land of No.8 Church Street Alwalton, which lies to the east of the built-up area of the village.

1.2 The site is principally bounded by established high hedging on all sides apart from the access from Church Street, which is sited to the south of No.8. This drive is gravelled and extends eastwards through the site terminating at the rear where three outbuildings are currently located, separating the grassland that constitutes the rest of the site. No. 8 Church Street is not within the application site, a 'granny annex' within the original curtilage of No. 8 was historically allowed at appeal and this unit is also excluded from the red line for this application.

1.3 Alwalton Cemetery lies to the north of the site while amenity land lies to the east. Rear garden land of Nos. 1 and 2 Allerton Garth abuts the south of the site.

1.4 The host dwelling is a Grade II Listed Building, with Grade II Listed Buildings found to the south (Nos.2 Church Street, 18 Oundle Road and Orchard House, Oundle Road and 10, 12 and

14 Church Street to the north. St Andrews Church (Grade I Listed) sits opposite the host dwelling on the other side of Church Street. The site is also located within the Alwalton Conservation Area.

1.5 The proposed residential development area is located in Flood Zone 1, at a low risk of surface water and ground water flooding according to Environment Agency data and the Huntingdonshire Strategic Flood Risk Assessment (SFRA) 2024.

Proposal

1.6 This application is for outline planning permission with all matters reserved for a single self-build dwelling. The three outbuildings to the rear would be demolished to make way for the proposal, utilising the existing access for No.8, which would be widened.

1.7 The planning application is supported by the following reports and documents:
• Location Plan
• Existing Block Plan
• Proposed Block Plan (indicative only)
• Proposed Plans and Elevations (indicative only)
• Existing Site Plan
• Design and Access Statement
• Heritage Statement
• Planning Statement
• Biodiversity Net Gain Exemption Statement

1.8 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 (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).'

2.2 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 places;
- conserving and enhancing the natural environment;
- conserving and enhancing the historic environment.

2.3 Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

2.4 For full details visit the government website National Guidance

3. PLANNING POLICIES

3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019):

- LP1: Amount of Development
- LP2: Strategy for Development
- LP4: Contributing to Infrastructure Delivery
- LP5: Flood Risk
- LP6: Waste Water Management
- LP9: Small Settlements
- LP11: Design Context
- LP12: Design Implementation
- LP14: Amenity
- LP15: Surface Water
- LP16: Sustainable Travel
- LP17: Parking Provision and Vehicle Movement
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows
- LP34: Heritage Assets and their Settings

3.2 Supplementary Planning Documents and Guidance:

- Huntingdonshire Design Guide Supplementary Planning Document (2017)
- Developer Contributions SPD (2011)
- Huntingdonshire Landscape and Townscape Assessment (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2024)
- Cambridgeshire Flood and Water SPD (2017)
- Huntingdonshire Tree Guidance Note 3
- Annual Monitoring Review regarding housing land supply
- Alwalton Conservation Area Character Statement (September 1996)

For full details visit the following website: Local policies

4. PLANNING HISTORY

4.1 8500985OUT for DWELLING REFUSED 02.08.1985

4.2 0100422FUL for Erection of conservatory, REFUSED 19.04.2001

4.3 0100423LBC for Erection of conservatory, REFUSED 19.04.2001

4.4 93/00570/LBC for Alterations including renew thatch. New windows and doors and repairs to chimney PERMITTED 19.08.1993

4.5 9500657FUL for Erection of an extension to garage to form 'Granny Annexe' REFUSED 18.09.1995, 95/00657/REFUSL - APPEAL ALLOWED

4.6 9500669LBC for Extension to garage to form Granny Annexe. REFUSED 18.09.1995

5. CONSULTATIONS

5.1 Alwalton Parish Council – OBJECTION (copy attached).

Objects to the proposal on the basis of detrimental impact to the Grade II Listed Building which fronts Church Street (No.8) and the wider Alwalton Conservation Area, including subdivision and increased density of the plot which is contrary to the open space character of the village and contrary to Alwalton Conservation Area Statement and Local Plan Policy LP34.

Concern is also raised by the Parish Council regarding design, noting that as proposed, the elevational plans would dominate the Grade II Listed building to the front and would remove historic curtilage.

The Parish Council also state there is no identified need for additional dwellings in Alwalton, especially given housing has been approved outside the village and note that previous history of the site included a condition that the plot is not to be subdivided. Alwalton Parish Council have also noted that land included in the red line boundary seems to include land not under the ownership of the applicant, which is restricted by a covenant.

5.2 Cambridgeshire County Archaeologist – No objections subject to a pre-commencement condition relating to archaeological investigation and informatives relating to the condition.

5.3 HDC Conservation Team – OBJECTION - The proposed development would not preserve the setting to the listed building or the character or appearance of the conservation area and should not be supported. The level of harm to the setting of the listed building and to the character and appearance of the conservation area would be less than substantial under the terms of the NPPF.

5.4 Cambridgeshire County Highways Team: Defer for further information. Summary Comments:

The application shows the proposed access to be acceptable

and in accordance with Cambridge County Council specification. However, while there is no requirement to provide the proposed northern radius over highways land to the front of the site, there are concerns that this may necessitate relocation of the street light and gully on the highway and details have not been provided to show these possible amendments. Details are also required to show the access hard surfacing for 5m constructed to CCC's vehicular access specification.

5.5 HDC Ecology – No response

5.6 Huntingdonshire District Council Environmental Health Officer : No objection – Response raises no issues with the proposed scheme.

5.7 Huntingdonshire District Council Waste Officer – No response.

6. REPRESENTATIONS

6.1 Two objections have been received from local residents with the comments summarised below:

*Contrary to Alwalton Conservation Area Character Statement which notes that spacious gaps between buildings and mature landscaping contributes to the Conservation Area character and host listed building. Therefore, an infill building would change the nature of the spacious curtilage of the Listed Building.
*Scale and massing of development inappropriate to buildings surrounding the site
*The proposal does not match the criteria of contributing to an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.
*There needs to be a clear demarcation between Conservation and non-Conservation areas with development for each designation clearly defined.
* Proposed dwelling on this site was refused in 1995 and this application should similarly be refused.
*The proposal is located on a no-through-road and the intensification of this site would not be acceptable given its proximity to a village green.
*An open view from Church Street and surrounding properties and land should be recognised.
*Highway safety risks.
*Concern that the Highways Officer has not fully considered the proposal in terms of highway safety.
*Concern that tress have been removed on the site to accommodate the proposal which expose the site to surrounding dwellings.
*Concern that the proposal would set a precedent for further back land development.

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 the NPPF (2024). 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 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.

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

- The Principle of Development
- Design, Visual Amenity, and Impact upon the Character and Appearance of the Area
- Residential Amenity
- Flood Risk
- Highway Safety, Access, and Parking Provision
- Biodiversity
- Impact on Trees
- Water Efficiency
- Accessible and Adaptable Homes
- Developer Contributions
- Other Matters

7.5 The proposal is for outline permission, which is a route to establishing the principle of development and is limited to amount and use before more detailed issues including appearance, access, landscaping layout and scale are agreed by a Reserved Matters application which is submitted once the outline permission has been granted. In this case, all matters are

reserved for future consideration and it therefore must be acknowledged that the assessment of this application is limited to location, use and amount, rather than, for example, design and scale. Indicative plans and elevations have been submitted as part of the application showing a two-storey detached dwelling. However, as all matters are reserved to be dealt at Reserved Matters stage, these plans and drawings cannot be considered as part of the determination of the proposal. The purpose of this application, then, is restricted to determining whether the site is appropriate for residential use for one dwelling.

7.6 For clarity, the definitions of the matters reserved to be determined through a Reserved Matters application as follows (source: Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

• 'Access' - the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made.

• 'Appearance' – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

• 'Landscaping' – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features.

• 'Layout' – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

• 'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.

<u>The Principle of Development</u>

<u>Housing Land Supply</u>

7.7 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).

7.8 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 5 year housing land requirement including a 5% buffer is 5,501 homes. The current 5YHLS is 4,430 homes equivalent to 4.03 years' supply.

7.9 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

7.10 The application seeks outline planning permission for 1 dwelling on a site within Alwalton.

7.11 Policy LP2 of the Huntingdonshire Local Plan to 2036 (the Local Plan) sets out the overarching development strategy for Huntingdonshire through the plan period. The main objectives are:

- Concentrate development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities;
- Direct substantial new development to two strategic expansion locations of sufficient scale to form successful, functioning new communities;
- Provide opportunities for communities to achieve local development aspirations for housing, employment, commercial or community related schemes;
- Support a thriving rural economy;

- Protect the character of existing settlements and recognise the intrinsic character and beauty of the surrounding countryside;
- Conserve and enhance the historic environment; and
- Provide complementary green infrastructure enhancement and provision to balance recreational and biodiversity needs and to support climate change adaptation.

7.12 Policy LP2 directs approximately a quarter of the objectively assessed need for housing (together with a limited amount of employment growth) to sites dispersed across the Key Service Centres and Small Settlements in order to support the vitality of these communities and provide flexibility and diversity in the housing supply. In addition, rural exception, small and windfall sites will be permitted on sites which are in conformity with other policies of the plan, thereby providing further flexibility in the housing supply.

7.13 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.

7.14 Local Plan Policy LP9 identifies Alwalton as a Small Settlement, one of many settlements across Huntingdonshire which have limited or no available services and facilities. Small Settlements are less sustainable than those in the Spatial Planning Areas or the Key Service Centres, and inherently involve a greater need to travel on a regular basis to access services and facilities elsewhere. Consequently, the Local Plan does not make any development allocations in the Small Settlements, instead allowing only for a limited amount of sustainable development in order to contribute to the settlements' social and economic sustainability.

7.15 Policy LP9 states:

'Development Proposals within the Built-up Area

A proposal that is located within a built-up area of a Small Settlement will be supported where the amount and location of development proposed is sustainable in relation to the:
a. level of service and infrastructure provision within the settlement;
b. opportunities for users of the proposed development to access everyday services and facilities by sustainable modes of travel including walking, cycling and public transport;

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

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

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

7.16 Policy LP9 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 LP9 given that the policy sets out that a set of criteria for assessing whether the proposal reflects sustainable development which is consistent with the NPPF. However, the part of Policy LP9 which specifies that only certain types of development on land well-related which accords with specific opportunities allowed for through other policies of this plan is to be given reduced weight in determining a proposal for residential development. This means that any residential development on land well-related may be acceptable in principle subject to other material planning considerations.

7.17 Firstly, it must be considered whether the site is within the built-up area. The Local Plan to 2036 sets out within page 53 the following built-up area definition:

"A built-up area is considered to be a distinct group of buildings that includes 30 or more homes. Land which relates more to the group of buildings rather than to the surrounding countryside is also considered to form part of the built-up area". The Local Plan goes on to state on Page 54 that the built-up area includes "Individual plots and minor scale development opportunities which would provide infill and rounding off opportunities on land which is physically, functionally and visually related to existing buildings".

7.18 Having regard to this definition, given the site is currently rear garden land for No.8 Church Street and abuts residential gardens on its southern and western boundaries and is bound by mature tall hedges and a band of trees to the rear boundary with outbuildings associated with the residential use at the host dwelling, it is considered that the site is considered to have a physical and visual relationship to the built up area more so than the adjoining countryside to the east and is therefore located within a distinct group of buildings that includes 30 or more homes where Local Plan Policy LP9 applies.

7.19 As outlined above, Alwalton is a small settlement. Smaller settlements are, by their nature, considered less sustainable than

those locations identified higher up the settlement hierarchy under Policy LP2.

7.20 NPPF Para 84 states: Planning decisions should avoid the development of isolated homes in the countryside.

7.21 NPPF Para 110 states: The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

7.22 With regard to Parts a and b of Policy LP9, it is recognised that there are services and facilities in Alwalton, including a Post Office and Store, a Pub and some leisure opportunities. Nevertheless, the site is within a 5-minute walking distance to a bus stop on Oundle Road to the south which provides public transport to Peterborough with other development between the site and the city centre offering additional work and leisure opportunities accessible by sustainable methods of transport.

7.23 Additionally, given the minor scale of the proposed development for a single dwelling, the proposal is considered sustainable with regards to the accessibility to services, facilities and infrastructure particularly given the proximity to Peterborough approximately 5 miles from the site. The development would therefore not result in the development of isolated homes in the countryside nor would the future occupiers have an over-reliance on the private motor vehicle.

7.24 It is determined that the site is considered to be sustainable for the amount of development proposed.

Design, Visual Amenity, the impact upon the Character of the Area and Heritage Assets

7.25 This outline application seeks approval for the erection of one dwelling sited within the Alwalton Conservation Area and within the grounds of a Listed Building (No 8 Church Street), with Grade II Listed Buildings found to the south (Nos.2 Church Street, 18 Oundle Road and Orchard House, Oundle Road and 10, 12 and 14 Church Street to the north. St Andrews Church (Grade I Listed) sits opposite the host dwelling on the other side of Church Street.

7.26 The Local Planning Authority is required to ensure that with respect to any buildings or other land in a Conservation Area,

special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72. Section 66 also states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This is also reflected in Policy LP34 of the Huntingdonshire Local Plan and Section 16 of the National Planning Policy Framework (2024).

7.27 Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context. Policy LP12 states that new development will be expected to be well designed and that a proposal will be supported where it can be demonstrated that it contributes positively to the area's character and identity and successfully integrates with adjoining buildings and landscape. This is also reflected in the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024).

7.28 The Alwalton Conservation Area Character Statement (September 1996) at paragraph 4.3 identifies that within the village, historic buildings tend to be well spread along the streets while possessing spacious curtilages, stating that “the setting of each building is individually important while also contributing to the overall character of the conservation area. The configuration of the road layout does mean that views are relatively limited, and only small groups of properties can be seen simultaneously”. The Character Assessment also dates the host dwelling fronting the site to be an 18th century construction, noting that the houses along the eastern stretch of Church Street form a collective group constructed principally in local limestone, which gives the immediate area a uniform character. The houses around the site are detached with dwellings either with a sizable setback or fronting the pavement directly, All Saints Church a Grade I Listed Building and its open grounds forms the western side of this part of Church Street.

7.29 The Grade II listed dwelling at No.8 Church Street directly fronts the pavement and is separated further from the road via a wide grassed verge. A low metal gate and railings front the northern front boundary of the site, while the southern front end features a low wall and timber gates which provides access to the site proper. A stone wall and high hedging separates the south of the site from No.10 Church Street.

7.30 The Conservation Officer, Parish Council and third parties have expressed concerns that the proposal would have a detrimental impact upon the Alwalton Conservation Area and setting of nearby listed buildings as discussed below. As set out above,

as this application seeks outline approval with all matters reserved, matters such as access, layout, landscaping, scale and appearance are not to be considered as part of this application. Nevertheless, the Local Planning Authority must be able to satisfy themselves that a detailed proposal could be brought forward, with issues such as use, amount and location only able to be considered at this stage.

7.31 Whilst the comments from the Conservation Officer, Parish Council and neighbours are noted, and as stated in the above 'Principle of Development' section, officers are satisfied that one residential dwelling on the site would be policy compliant and consequently the proposed use and amount in this case would be acceptable. Therefore, consideration should be given to whether the location of the proposal in a conservation area within the setting of listed buildings is appropriate.

7.32 Indicative drawings have been submitted showing an 8-metre high two-storey five-bedroomed dwelling on a considerable 'L'-shaped footprint, located to the centre of the site with a separate 6.8m x 6.8m, 5.3-metre tall two bay pitched-roof garage sited to the far rear. Given the need to consider the setting of the nearby Listed Buildings and wider conservation area, the indicated scale, massing and design would not be acceptable and would cause considerable harm, competing with height, form and scale of the host listed building dwelling, removing the visual relationship of the transitional space between Church Street and the surrounding buildings and field causing undue prominence and unacceptable harm to how the host listed building is experiences in terms of views to the detriment of the character and appearance of the conservation area and nearby Listed Buildings.

7.33 The Conservation Officer objects to the proposals on the basis that the views of green space through the built form from Church Street through each side of the dwelling are important and the introduction of housing into this space would fail to preserve the character and appearance of the conservation area and the setting to the listed building. The Conservation Officer also notes that the loss of some grass verge to improve the access required by Highways would undermine the contribution of these elements to the special interest of the conservation area. The Parish Council and third parties also object to the proposals on heritage harm grounds, raising concern that the subdivision and intensification of plots and buildings on the designated conservation area would be contrary to the aims and objectives of the Alwalton Conservation Area Character Assessment.

7.34 When viewed from the pavement on Church Street and the rear of the host dwelling itself from the west, it must be acknowledged that the application site is reasonably set back from the road and relatively hidden by established tall hedging which is manicured,

breaking up the rear garden space with a timber gate and a mature tree located in the side garden of No.8. These points, along with the existing gravel drive serve to form a functional, visual and physical separation of the site from the dwelling to the front of the site. Resultingly, it is considered that the site, by virtue of its features and character appears to already be separated from the host listed building.

7.35 Similarly, when viewed from the field from the eastern rear and cemetery to the north and the rear gardens of dwellings on Allerton Garth, these tall mature hedges provide a visual buffer from the surrounding uses where it is considered that a building of modest height and sympathetic materials could be erected without detrimentally impacting the wider heritage assets and allow the verdant views and open permeability to be retained through building lines and pleasant open character both into and out of the site. In this case, it is considered that the 'less than substantial harm' of the proposal identified by the Conservation Officer could potentially be reduced to no harm with good design and siting, although this would be a matter for consideration at reserved matters stage. It should be noted that the indicative scheme detailed within this application submission would be unlikely to receive officer support for the points referred to above.

7.36 Therefore, as this outline permission can only consider location, use and amount, it is Officer opinion that given the existing character and constraints of the site as an established designated heritage asset and having regard for the existing verdant land separation of the site and the requirement to protect views in and out of the site, one smaller scale dwelling could reasonably be erected on site taking direction from dwellings found in the locale and using sympathetic materials found elsewhere in the wider conservation area. It is also considered that the proposed amendments to the grass verge could be made acceptable given the site already serves one dwelling and an annexe.

7.37 The application has been considered and reviewed by Cambridgeshire County Council's Archaeology Team who note that the proposed development is located in an area of archaeological potential, located to the east of church street, Alwalton, and opposite St. Andrews church (Cambridgeshire Historic Environment Record 10571) dating from at least the 12th century. The Archaeology team advise that archaeological excavations and investigations around 200m to the north of the development site have revealed intensive multi period evidence including a Saxon Cemetery to the north (CHER CB15465), and Iron age and later Saxon settlement evidence (CHER CB15466) with more scattered Bronze age and Roman finds indicating a background presence. Immediately to the north of the development plot is the cemetery for St Andrews church dated to 1901 but still in active use (CHER MCB25034). Due to the close

proximity and taphonomic processes there is a small chance that the development site may contain small quantities of human remains.

7.38 Accordingly, CCC Archaeology have recommended that a condition securing a programme of archaeological investigation is imposed on any grant of planning permission to safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with the National Planning Policy Framework. Officers consider this reasonable and necessary to make the proposal acceptable in archaeology terms and agree that should the application be approved, this condition to be appended to any consent given in accordance with Local Plan Policy LP34 and the NPPF (2024).

7.39 Overall, it is considered that a detailed proposal could be brought forward that would be acceptable in terms of its scale, design and impact on heritage assets, subject to specific details. As such, the proposal for outline consent only is considered to be in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework in this regard.

Residential Amenity

7.40 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 the proposed development and maintained for users and occupiers of neighbouring land and buildings. The policy also seeks to ensure that residential amenity is not harmed as a result of development; the NPPF within the core principles states that planning should "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users'.

7.41 As previously confirmed, the application has been submitted in outline form, with all matters reserved, therefore the submitted layout plan is indicative only. Nevertheless, at this stage that the site should be assessed to ensure it is capable of accommodating the amount of development proposed (in this case one dwelling) without having a significantly detrimental impact on neighbour and future occupiers' amenity.

7.42 Whilst details are not committed at this stage, the access will be from Church Street and utilise the existing driveway which serves

No. 8 and the annexe to the rear. The red line of this application site maintains separation distance from these buildings and it is not considered that the intensification of the driveway by one additional unit will lead to a harmful level of disturbance to the amenity of neighbouring properties.

7.43 In terms of built development, the reserved matters application(s) will fully assess the impacts of matters such as overlooking, overshadowing and loss of privacy, both in relation to the dwelling proposed and the impact upon neighbouring properties. However, having regard to the size of the plot and the relationship with the existing dwellings on Church Street which are all two-storey in height and Allerton Garth which are single storey, it is considered that the site would be able to accommodate a single dwelling without causing a significant detriment to nearby residential amenity and occupants of the proposed dwelling. In preparing any subsequent application for reserved matters, the scale of the proposed development should give careful consideration to the relationship to neighbouring properties and the impact on residential amenity, paying regard to issues of impact to the designated heritage assets as outlined in the **'**Design, Visual Amenity and the impact upon the Character of the Area and Heritage Assets' section above while also providing useable outside amenity and parking space.

7.44 Overall, subject to specific details to be agreed at reserved matters stage, officers consider that one dwelling at this site could be accommodated without resulting in a significant adverse impact on the amenity of neighbouring properties and would secure a high standard of amenity for future occupiers in accordance with Policy LP14 of the Huntingdonshire Local Plan to 2036, the Huntingdonshire Design Guide, the National Design Guide and the NPPF (2024) in this regard.

Flood Risk

7.45 The application site is in Flood Zone 1 as identified by the Huntingdonshire Strategic Flood Risk Assessment (2024), which means it has a low probability of flooding and is not subject to the sequential and exceptions tests as set out within the NPPF. The site is less than 1 hectare in size and therefore, as per the NPPF (2024), there is no requirement for the submission of a site-specific Flood Risk Assessment.

7.46 Whilst third party comments are noted, given the limited scale of the proposal for a minor residential development, it is considered there would be no significant additional surface water run-off impacts and that precise details of surface and foul water drainage would be satisfactorily addressed as part of building regulations. The proposal therefore accords with Policies LP5 and LP15 of the Huntingdonshire Local Plan to 2036 and the NPPF (2024) in this regard.

Highway Safety, Access, and Parking Provision

7.47 The submitted site layout plan, which is strictly indicative, shows the existing access to be widened by approximately 0.35 metres, with some of the southern side boundary of No.8 Church Street (that is outside of the applicant's ownership) is widened to approximately 0.5 metres to allow or a 5 metre-width drive. A part of the front pavement and verge are also shown to be removed. A two-bay garage is shown to the far rear of the site and 6 off street vehicle spaces are shown to serve No.8 Church Street.

7.48 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.

7.49 Cambridgeshire County Council's Highways Team have considered the proposal and advised that it require amendments, however as this is an outline application with all matters reserved, details of access and levels of parking are not under consideration, with consideration of access restricted to the indicative location only. Given the existing access already serves the dwelling and annexe, it is considered that as the access is retained, the location of the access is acceptable and appropriate in this instance.

7.50 Additionally, while it is noted that concerns have been raised by a third party that the Highways Officer has not fully considered the proposals in highway safety terms, it is considered that the existing access appropriately shows that pedestrian and vehicular access is achievable to the site and in location terms is acceptable at this stage.

7.51 Full details of access, parking and turning as well as cycle storage will be addressed at reserved matters stage. However, it is considered that the development of a single dwelling at the site could be accommodated with satisfactory highway safety and adequate space for parking and turning in accordance with Policy LP17 of the Local Plan and the NPPF 2024 in this regard.

Biodiversity and Net Gain

7.52 Paragraph 187 of the NPPF (2024) states Planning policies and decisions should contribute to and enhance the natural and local environment. Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible, through the planned retention, enhancement and creation of

habitats and wildlife features, appropriate to the scale, type, and location of development.

7.53 As of the 2nd April 2024 a mandatory 10% Biodiversity Net Gain (BNG) is required to be secured on small sites such as this unless it can demonstrated that the proposal falls within one of the stated exemptions within the legislation. Evidence has been submitted which states the application falls within the self-build exemption. The evidence confirms the applicant would occupy the proposed dwelling themselves and whilst indicative proposals, have had input into the design and will do so for future reserved matter applications. Officers are satisfied the proposal is exempt from a mandatory net gain as the development is self-build. A condition is recommended to ensure the property would be a self-build property, as it is on this basis only that 10% BNG is not to be secured.

7.54 In accordance with LP30, whilst the proposal at this stage does not indicate any measures for biodiversity enhancement, given the scale and nature of the proposed development and having regard to the existing nature of the site as hedge-bound residential garden, the Local Planning Authority are satisfied that biodiversity enhancement measures such as the installation of bird and bat boxes and hedgehog holes could be accommodated on site ensuring no biodiversity net loss. It is also noted that the Local Planning Authority's records indicate no presence of protected species in the area.

7.55 Therefore, in principle, Officers are satisfied that the proposal could result in a biodiversity enhancement and a condition would be imposed on any outline planning permission to require measures to be included in a future Reserved Matters application.

7.56 Overall, subject to specific details to be agreed as part of any detailed reserved matters application, the proposal is considered to be in accordance with Policy LP30 of Huntingdonshire's Local Plan to 2036 and Section 15 of the National Planning Policy Framework in this regard.

Impact on Trees

7.57 The site forms part of the Alwalton Conservation Area and is partly characterised by narrow garden areas with a band of trees located on the eastern boundary and mature hedging to the northern, eastern and southern boundaries. Whilst the trees within the site are not covered by a Tree Preservation Order, these trees are protected by virtue of being located within the Conservation Area.

7.58 Policy LP 31 of the Local Plan to 2036 outlines that "a proposal will be required to demonstrate that the potential for adverse

impacts on trees, woodland, hedges and hedgerows has been investigated" and that "a proposal will only be supported where it seeks to conserve and enhance any existing tree, woodland, hedge or hedgerow of value that would be affected by the proposed development".

7.59 The application is not accompanied by any arboricultural details. It is however noted that the trees to the rear boundary and hedgerows that go around the site are indicated to be retained. It must be noted that the existing tree and hedgerows form an integral part of the character and appearance of the site and wider area and as such the removal of these would impact on the green character of the area.

7.60 Officers note that whilst it would be possible for the site to accommodate a single dwelling, the siting and design in relation to the protected trees and hedgerows should be carefully considered to ensure that the proposal would not have a significant adverse impact upon these landscape assets. Subject to the appropriate design, scale and location of the proposed dwelling and associated construction/protection techniques, Officers consider that a dwellinghouse could be accommodated on the site without having a significant adverse impact upon protected trees. However, Officers advise that any forthcoming reserved matters application should be accompanied by a Tree Survey, Arboricultural Method Statement and Tree Protection Plan to demonstrate no detrimental impacts would occur from the proposed development.

7.61 Overall, the submitted plans demonstrate that a single dwelling development can be accommodated while safeguarding trees and hedgerows of value. Conditions requiring a Tree Survey, Tree Protection Plan, Arboricultural Method Statement and full details soft landscaping can be imposed to ensure trees are considered as part of reserved matter details and safeguarded during the development. Therefore, at this stage it is considered that the proposal accords with Policy LP31 of the Local Plan.

Water Efficiency

7.62 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.

7.63 A condition will be imposed upon any consent to ensure that the development is built in accordance with these standards and that they are maintained for the lifetime of the development.

Accessible and Adaptable Homes

7.64 Policy LP25 part F of the Local Plan states a proposal that includes housing will be supported which meets the optional

Building Regulation accessibility standards (or replacement standards) as set out below, unless it can be demonstrated that site-specific factors make achieving this impractical or unviable:

f. ensuring 100% of new dwellings, across all tenures provided, meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' (or replacement standards);

A condition will be imposed upon any consent to ensure that the development is built in accordance with these standards and that they are maintained for the lifetime of the development.

Developer Contributions

7.65 Wheeled Bins:

Part H of the Developer Contributions SPD (2011) requires a payment towards refuse bins for new residential development. A Unilateral Undertaking to secure the provision of wheeled bins will be sought and Members updated accordingly. On this basis the proposal would provide a satisfactory contribution to meet the tests within the CIL Regulations. The proposal would accord with Policy LP4 of the Huntingdonshire Local Plan to 2036 and the Developer Contributions Supplementary Planning Document (2011).

Other matters

7.66 It is noted that the Parish Council object to the proposal on the basis of no identified need. Officers have had regard to this comment, however, should an application for dwelling(s) come forward, the Local Planning Authority have a duty to assess the proposal against national and local policy and guidance and approve applications where they meet these policies without delay, assuming the presumption in favour of sustainable development (Para 11 of the NPF (2024)).

7.67 The Parish Council have raised concern that some of the land is not in the ownership of the applicant. The submitted application form declares that the applicant owns all the land edged in red on the Location Plan and it is on this basis that the application has been determined. Issues relating to land ownership is a civil matter and not an issue the Local Planning Authority can enter into when determining the proposal.

7.68 Third parties have objected to the proposals on the basis that approving the scheme would set a precedent. These comments are acknowledged, however, each application is assessed on its own merits against local and national planning policy in place at the time of determination considering the specific material considerations specific to that site.

7.69 The Parish Council have noted that the 1995 permission on the site for a Granny Annexe included a condition that the annexe was not to be subdivided; this application is for a standalone application and must be considered as such on its own merits. Covenants on land is not a material planning consideration.

7.70 Comments relating to the planning merits of nearby development (at 3 Allerton Garth) have not been considered given the different context of the site such as heritage asset constraints. Nevertheless, each application is considered and determined on its own merits using local and national planning policy and guidance.

7.71 A Comment was received pointing out that the boundary line on drawing 24.008/1 (Existing Site Plan) is incomplete. However, the boundary of the site is taken from the red line plan as outlined on the submitted Location Plan and the Existing Site Plan reflects the physical layout of the site only.

Conclusion and Planning Balance

7.72 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.

7.73 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

7.74 A revised NPPF was published in December 2024, introducing a substantially revised methodology for calculating local housing need and the reimposition of this as a mandatory approach for establishing housing requirements. This has resulted in the Council being unable to demonstrate a five year housing land supply (5YHLS). 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.

7.75 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'.

7.76 NPPF para 11 states:

'Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

> *i. the application of policies in this Framework that protect areas or assets of particular importance (7*) provides a strong reason for refusing the development proposed; or*
>
> *ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

7 Foot note 7 states: The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.'*

7.77 As outlined in the report, in light of my considerations, 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, there is no reason to not move forward to test d (ii) as per above and thus the 'titled balance' is engaged.

7.78 As concluded within the heritage assessment section of the report, the site can accommodate a dwelling without resulting any harm to the heritage assets. Therefore, NPPF para's 214/215 are not relevant in this case.

7.79 As stated above, a tilted balance approach should be applied in the assessment of the proposed development, and a balancing exercise should be carried out to determine the potential any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

7.80 The application seeks outline planning permission with all matters reserved for the erection of 1 dwelling in Alwalton.

7.81 It has been determined that overall the site is on land within the built-up area.

7.82 It has been established that the proposed development would have access to services and facilities, and that it would not result in an over-reliance on the private motor vehicle. As such, the proposed development would comply with the National Planning Policy Framework Paragraph 109.

7.83 It is considered that the application site could satisfactorily accommodate 1 dwelling and the general layout and scale could be made acceptable for reserved matters applications.

7.84 The site would operate as Flood Zone 1, and the site is therefore acceptable in principle in terms of flood risk and drainage.

7.85 The proposal will result in the delivery of 1 home towards the housing supply. Substantial weight is afforded to this.

7.86 In terms of the economic dimension of sustainable development, the proposal would contribute towards economic growth, including job creation - during the construction phase and in the longer term through the additional population assisting the local economy through spending on local services/facilities.

7.87 In terms of the environmental dimension of sustainable development, the proposal offers potential for the incorporation of energy efficiency measures (to be considered in detail at reserved matters stage). The application site constitutes a sustainable location for the scale of development proposed in respect of access to local employment opportunities, services and facilities within wider area; and is accessible by sustainable transport modes.

7.88 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 into account.

7.89 Having regard to all relevant material considerations, it is recommended that approval be granted for the outline planning with all matters reserved.

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.

8. RECOMMENDATION - APPROVAL subject to receipt of Unilateral Undertaking for the provision of wheeled bins and conditions to include the following:

- Reserved Matters
- Time Limit
- Plans
- Start Limit
- 1 self build dwelling
- Levels as part of reserved matters
- Biodiversity Enhancements as part of reserved matters
- Tree Survey, Arboricultural Method Statement and Tree Protection Plan as part of reserved matters
- Archaeology
- Water efficiency as required by LP12j
- M4(2) Standards

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

CONTACT OFFICER:
Enquiries about this report to Marie Roseaman Senior Development Management Officer – marie.roseaman@huntingdonshire.gov.uk