OFFICER REPORT

Case No: 25/00966/PIP **Permission in Principle**

Proposal: **Permission in principle for a minimum of seven and a maximum of nine dwellings, not to exceed a total GIA of 999m2**

Location: **Land West Of Grove Cottage Malting Lane Ellington**

Applicant: **Mr D Biagioni**

Grid Ref: **516110 272008**

DESCRIPTION OF SITE AND APPLICATION

This application relates to a rectangular parcel of undeveloped open grassland located to the north of Thrapston Road, Ellington. To the north of the site is the A14 public highway and to the west is an access road connecting the village of Ellington to eastbound traffic on the A14. To the east and south of the site is residential development. The site is bound by mature vegetation to the north, south and west and close board fencing on the eastern boundary.

The site is located within Flood Zone 1 based on the Council's 2024 Strategic Flood Risk Assessment (SFRA) and the Environment Agency's Flood Map for Planning and therefore at lowest risk from fluvial flooding. The site is not susceptible to ground water flooding and a small area on the northern and western boundaries are vulnerable to surface water flooding. The site is adjacent to the Ellington Conservation Area and is situated within the setting of the Grade II domestic Listed Buildings (Yew Tree Farm). Two Public Rights of Way (PROW) are located within the application site, running along its eastern and northern boundaries.

The current proposal is the first part of Permission in Principle (PiP) application; which only assesses the principal issues namely (1) location, (2) use; and (3) amount of development proposed and establishes whether the site is suitable in principle for residential development in this case. Should this application be successful, the applicant will have to submit a Technical Details application covering all other detailed material planning considerations.

NATIONAL GUIDANCE

The National Planning Policy Framework (December 2024) (NPPF 2024) paragraph 8 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 also sets out the Government's planning policies for (amongst other things):
* making effective use of land
* achieving well-designed, beautiful, and safe places;
* conserving and enhancing the natural environment;

Planning Practice Guidance and the National Design Guide 2021 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 15th May 2019)

LP1: Amount of Development
LP2: Strategy for Development
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP6: Wastewater Management
LP9: Small Settlements
LP10: The Countryside
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and vehicle movement
LP22: Local Services and Community Facilities
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows

Supplementary Planning Documents (SPD) and Guidance:
- Huntingdonshire's Design Guide SPD 2017 - Compatibility Statement (2021)
- Developer Contributions SPD (2011)
- Developer Contributions: Updates Costs 2019/2020
- Huntingdonshire Landscape and Townscape Assessment (2022)
- Cambridgeshire Flood and Water SPD 2017
- Strategic Flood Risk Assessment 2024
- Annual Monitoring Review regarding housing land supply 2024

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

Grafham and Ellington Neighbourhood Plan (2020- 2036) made 23 February 2022
- GENP1: Definition of Built Up Area Settlement Boundary
- GENP2: Protecting Heritage Assets
- GENP4: Minor Residential Development Proposals
- GENP7: Zero Carbon Initiatives
- GENP8: Electric Car Infrastructure
- GENP10: Biodiversity and Natural Environment
- GENP13: Flood Risk and Drainage

PLANNING HISTORY
24/00213/FUL- Erection of 6 dwelling houses and associated works- Withdrawn
The Council had intended to refuse the application at planning committee for the reasons outlined below; however, the application was withdrawn prior to the committee meeting.

23/00228/FUL- Erection of 5 No. dwelling houses and associated works. - Withdrawn 23.08.2023
The Council had intended to refuse the application at planning committee for the reasons outlined below; however, the application was withdrawn prior to the committee meeting.
- Development is unacceptable in principle and outside Ellington's settlement boundary.
- Proposals conflict with Local Plan Policies LP11 and LP12 (a, b, and c) due to location, siting, scale, massing, and appearance.
- Harmful impact on the site's transitional character between the conservation area and the countryside, with no public benefits to outweigh the harm.
- Loss of open space and increased enclosure would create an oppressive and overbearing environment for nearby users and occupiers.

- Application lacks sufficient information on sustainable drainage systems.
- Application lacks adequate assessment of potential impacts on biodiversity and geodiversity.
- No investigation into future tree growth and shading; risks of pruning or removal not addressed.

Planning history on the adjacent site:
24/01120/FUL- Erection of a dwelling (self-build plot) following granting of permission in principle, ref: 20/02515/PIP and a variation of the design previously approved, ref: 22/01663/FULTDC- Permitted 24/01120/FUL

CONSULTATIONS

Parish Council: No objection. Ellington Parish Council has recommended approval, while raising several concerns. They note that the proposed increase from 7 to 9 houses may lead to parking issues along Thrapston Road due to limited space. However, they support the development of the currently derelict site, suggesting it would enhance the area's residential character and potentially help reduce traffic speeds. The Council also highlights that the site is bordered by other new developments, making this a suitable infill opportunity. Additionally, they reference Policy GENP-4 of the Grafham and Ellington Neighbourhood Plan, which supports well-designed residential developments of up to nine homes within the built-up area, provided they do not negatively impact the surroundings and have full frontage onto an adopted highway.

The officer notes that although the parish raises material concerns, many of these can only be considered at Technical Details stage. This PiP application can only consider (1) location, (2) use; and (3) amount of development proposed.

Local Highways Authority (CCC Highways): No objection. A Technical Details Submission would be expected to detail the following to be acceptable in highways terms:

- Access geometry of 5m wide for a minimum of 10m from the road edge
- Vehicle to vehicle visibility in accordance with the speed of the road as this is a 30mph restricted road 2.4m x 43m will be required
- Offsite footway infrastructure proposed adjoining the existing.

County Archaeology: No Objection. We recommended that mitigation for the damage to potential archaeology caused by development is secured by inclusion of a suitably worded condition. We therefore have no objections to the development of this area securing permission in principle but we would request to be consulted on any future planning application for development within the redline area indicated, with the expectation that a condition on development could be secured at Technical Details stage.

Environmental Health Officer: The site lies 30-40 metres south of the A14 dual carriageway, raising concerns about noise and air quality. The submitted Noise Impact Assessment (Anglia Consultants, May 2025) indicates that internal noise guidelines cannot be met without acoustic glazing and ventilation. To address this, a good acoustic design—considering building orientation, room layout, and potentially plenum windows or mechanical ventilation—is essential. Even with a 2m acoustic fence, outdoor noise levels in garden areas would exceed guidelines, though this could be mitigated through design or acoustic havens. A maximum outdoor noise limit of 55 dBA is considered acceptable due to the site's proximity to the A14. The Air Quality Assessment (Haze Environmental, May 2025) concludes that the development would not significantly impact air quality. Noise and Air Quality mitigation measures could be secured at Technical Details stage.

Rights of way Officer: No objection. Public Footpaths 13 and 14, Ellington have been diverted under the Highways Act 1980. We require the full width of each footpath to be cleared, with offset distances should they be bordered, which would be secured at Technical Details stage.

Conservation Officer: No comments at the time of determination. Notwithstanding this, under application ref 23/00228/FUL and 24/00213/FUL the Conservation Officers objected to the proposals for residential development on the site. The Officer raised that the public benefits of residential development on the site do not justify the less than substantial harm arising from the proposed development on the setting and significance of the Ellington Conservation Area. The proposals do not have regard to the preservation and enhancement of the Ellington Conservation Area, and are therefore not in accordance with ss72 of the Planning (LBCA) Act 1990, and also are in conflict with policy LP 34 of the adopted Huntingdonshire Local Plan.

REPRESENTATIONS

No third-party representations received in support or objection to the development proposal at the time of determination.

ASSESSMENT

This application is made pursuant to the Town and Country Planning (Permission in Principle) Order 2017 (as amended) (PIP regulations) that provides opportunity for an applicant to apply as to whether permission in principle is acceptable for a site, having regard to specific legislative requirements and, in accordance with ref. 58-012-20180615 of the NPPG, as to whether the location, land use and amount of development proposed is acceptable. The permission in principle (PiP) consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development.

The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. PIP establishes that a particular scale of housing-led development on a defined site is acceptable. The aim is for a PIP to minimise the upfront and at-risk work of applicants.

The report addresses the principal, important and controversial issues which are in this case:
*Location and Land Use
*Amount of Development
*Other Matters

* Location and Land Use

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 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.

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.

It should also be noted that paragraph 14 of the NPPF states in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:
a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.

In this instance, the Grafham and Ellington Neighbourhood Plan (NP) (made 23 February 2022) became part of the development plan five years or less and whilst the NP policies support small scale residential development within the built-up area of the villages (Policy GENP4), the NP does not include any allocations to meet the identified housing requirement. In light of this, despite the application site being outside Ellington's settlement boundary as identified in the GENP, officers shall pay due regard to the tilted balance test as set out in paragraph 11d).

It is acknowledged that whilst Policies LP2 (strategy for development), LP9 (small settlements) and LP10 (the countryside) are out of date (and so afforded less weight in the determination of this application) they are not to be entirely disregarded. The overarching principles of sustainable development as defined in paragraph 11 of the NPPF (2024) still hold some weight in the determination of this application. Consideration should be paid as to whether the amount and location of development proposed is sustainable in relation to the level of existing service and infrastructure provision within the settlement and whether there is convenient access to everyday services and facilities through sustainable modes of travel such as walking, cycling, and public transport.

In this instance, the village of Ellington offers limited services, including a public house, village hall and church and infrequent weekday bus service to the Market Town of Huntingdon, with no services on weekends. The nearest bus stop is located approximately 320 metres south of the application site. Whilst not an allocated employment area in the HDC Local Plan, the village of Ellington does have an industrial estate known as 'Brook Farm' which offers employment opportunities. An illuminated pedestrian footpath connects the application site to the wider village of Ellington. Whilst Ellington offers limited facilities and services to support new residential development, the site benefits from good connectivity to the public highway network, with the wider spatial planning area of Huntingdon—including Brampton and Godmanchester, accessible by car within approximately seven minutes. Given the limited-service provision within Ellington and its physical separation from other more sustainable settlements, future occupants of the proposed dwellings would likely be reliant on private vehicles to access everyday services. This reliance conflicts with the principles of sustainable development as outlined in paragraph 109 of the National Planning Policy Framework (NPPF). It is considered the proposed quantum of development (between 7 to 9) dwellings is considered disproportionate to the level of service provision within the village of Ellington.

LP2 defines 'all other settlements with a single built up area of 30 dwellings or more' are defined as Small Settlements as set out in 'Definition of Small Settlements'.' Ellington has more than 30 dwellings and so would fall within this definition.

Under the definition of built up area in para 4.85 undeveloped land that affords important views from a public vantage point to or from a listed building or conservation area are not considered to be within the built up area. In addition, open spaces and sports and recreational facilities…which extend into the countryside and are not well contained by strong boundary features, or primarily relate to the countryside in their use, form or character are considered not within the built up area.

In this case, the immediate site context is characterised by residential development to the south and east, the A14 to the north and A14 access road to the west. Mature hedgerows and scrub vegetation define the northern, western and southern boundaries, while the eastern boundary comprises close board fencing. In this instance it is considered there to be a stronger visual and physical connection

to the surrounding countryside than to the built-up area of Ellington. This is also reflected in the policy GENP 1 and figure 19 of the plan whereby the site is excluded from the built-up area of Ellington. As such, the site is considered to lie within the open countryside, and Local Plan Policy LP10 is therefore applicable.

Policy LP10 of the Local Plan to 2036 limits development in the countryside to those limited to specific opportunities provided for in policies of the local plan. Specific opportunities allowed for by the local plan include Policies LP19 Rural Economy, LP22 Local Services and Community Facilities, LP23 Tourism and Recreation, LP28 Rural Exceptions Housing, LP33 Rural Buildings and LP38 Water Related Development for which these are not applicable to this application. Policy LP10 also requires that all development in the countryside prioritises land of lower agricultural value, avoids adverse impacts on the public's enjoyment and use of the countryside, and respects its intrinsic character and natural beauty.

None of the relevant policies support open market residential development in this location. As such, the principle of development is considered unacceptable in this instance. Overall, the proposed location, land use and quantum of dwellings is considered contrary to Policies LP2, LP9, and LP10 of the Huntingdonshire Local Plan to 2036, the overarching objectives of sustainable development detailed in the National Planning Policy Framework and Policies GENP1, GENP2 and GENP4 of the Grafham and Ellington Neighbourhood Plan.

* Amount of Development

Local Plan and national planning policies emphasise the importance of development that respects the character, appearance, and distinctiveness of its surroundings, while also promoting the efficient use of land. Paragraph 119 of the NPPF highlights that planning decisions should encourage effective land use to meet housing needs, while safeguarding the environment and supporting healthy living conditions. Paragraph 125 stresses the need to avoid low-density development, particularly where land supply is limited, and advises that applications failing to make efficient use of land should be refused. Additionally, Paragraph 174 recognises the intrinsic character and beauty of the countryside, reinforcing the need to protect such areas from inappropriate development.

This application proposes the construction of between 7 to 9 dwellings, with a maximum gross internal area of 999m2, on a broadly rectangular site measuring approximately 0.49ha. The site is considered to be of a suitable size to accommodate the proposed scale of development. Notwithstanding this, as detailed above, the local planning authority considers the proposed quantum of development unacceptable.

The site comprises open grassland bordered by mature trees and hedgerows along its northern, western, and southern edges, serving as a visual buffer between Ellington's built-up area and the A14 to the north. To the east, seven new dwellings are currently under construction, while to the south, across Thrapston Road, lies existing residential development. This southern development is characterised by a mix of individually designed homes, featuring varied setbacks, building footprints, spacing, massing, and roof forms. This diversity contributes to the area's distinctive character, creating a more fragmented and loosely grained pattern of development along the village's northern edge.

The proposal is located adjacent to the Ellington Conservation Area, situated across Thrapston Road, and lies within the setting of Yew Tree Farm, a Grade II listed building approximately 100 metres to the southeast.

Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Furthermore, section 66 of the Planning (LBCA) Act 1990 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. Local Plan policy LP34 and Neighbourhood Plan Policy GENP 2 align with these statutory provisions and NPPF advice.

The transitional position of the site lies outside the built-up edge of the settlement of Ellington. Residential development on the site would diminish the transitional nature of this site at its position between existing brownfield development and the wider countryside. Due to the PROW's surrounding the boundaries of the application site, residential development would impact views out from the boundary of the conservation area where the rural setting of the settlement can be experienced. The PROW'S at present offer uninterrupted views towards the conservation area however the proposal would detrimentally impact these views through built development intervening the land between the open Public Right of Way and the designated conservation area to the south.

Although the application seeks permission for between 7 and 9 dwellings, the proposal must be assessed against the maximum parameters set out in the submission. A development of this scale would inevitably require associated infrastructure, including vehicular access, parking areas, private gardens, boundary treatments, and external lighting. The introduction of these domestic features would result in a distinctly urbanising influence on the site, diminishing its current rural and transitional character which serves as a visual and spatial buffer between the Ellington Conservation Area and the surrounding rural landscape.

*Other matters
Archaeology
The site at present comprises a rectangular parcel of undeveloped open grassland and this PIP application seeks to establish whether the site is suitable in principle for residential development in this case. It should be noted the site is an area of high archaeological potential.

The County Archaeology Officer, consulted on the application, has raised no objection to the proposal. The Officer has however recommended that a condition on development could be secured at Technical Details stage.

A desk-based Archaeology Assessment should be considered at Technical Details Consent stage should the application be successful.

Public Right of Way
As detailed above, two Public Rights of Way (PROW) are located within the application site, running along its eastern and northern boundaries. These routes have recently been diverted under the Highways Act 1980.

Any subsequent Technical Details application should consider the full width of each footpath to be cleared, with offset distances should they be bordered.

Flood Risk
The site is located in Flood Zone 1 which is at the lowest risk from fluvial flooding according to the Huntingdonshire Strategic Flood Risk Assessment 2024 and Environment Agency Flood Map for Planning. The site is not susceptible to ground water flooding and a small area on the northern and western boundaries are vulnerable to surface water flooding.

It is noted that previous applications on the site were to be refused due to insufficient information on sustainable drainage systems. This is however a matter that should be considered at Technical Details Consent stage should the application be successful.

Overall, the site is appropriate in respect of flood risk and surface water drainage of the site could be considered at the Technical Details Consent stage in the event of a successful application.

Residential Amenity

Policy LP14 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. Matters when considering residential development are whether the proposal would cause a loss of privacy, reduction to the level of daylight and being overbearing in size and layout.

Under a PIP application Officers at this stage need to be satisfied the site is capable of accommodating the amount of development proposed without having a detrimental impact on neighbour's amenity and the amenity of the proposed occupiers.

The site albeit set within countryside is adjacent to residential uses to the east and south. A public trunk road (the A14) is located to the north. Given the sites proximity to the A14 with associated noise and air quality impacts, the Environmental Health Officer was consulted on the application.

The Environmental Health Officer raised no objection to the proposal. Acoustic design, building orientation, room layout, mechanical ventilation are noise mitigation measures which could be secured at Technical Details stage, should this application be successful. Subject to Air Quality mitigation measures, secured at Technical Details stage, the occupants of the proposed residential development would not be significantly impacted by poor air quality.

There are neighbours close to boundaries at this site; however the scale and design of the dwellings could significantly lower their impact on these neighbours and where they are felt to be solutions to protect amenity (location of windows, layout etc).

Officers are satisfied at this stage that the dwellings could be achieved subject to their scale and siting, without causing significant residential amenity harm to future and adjacent occupants, the final details of the dwellings will be assessed at the technical details stage where impacts of any additional overshadowing, overbearing, overlooking will be fully assessed. Therefore, the proposal is in accordance with policy LP14 of the Local Plan to 2036 at this stage.

Highways
Cambridgeshire County Council's Highways Officers have also been consulted as part of this application and raise no objection in principle but do note that, any application that comes forward would need to be constructed in accordance with the local highway's authority guidance. This matter would be considered at Technical Details Consent stage should PIP be granted on the site.

Ecology, protected species and trees
Policy LP30 of the Local Plan states that a proposal will be required to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and that a proposal will 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.

It is noted that previous applications lacked an adequate assessment of potential impacts on biodiversity and geodiversity. In this case and whilst cannot be considered as part of this application, the application is accompanied with a PEA. The PEA concluded the site has low ecological value overall but offers habitat potential for protected species such as great crested newts, reptiles, badgers, hedgehogs, and nesting birds. While no significant impacts are anticipated, precautionary measures are recommended during construction, including sensitive site clearance, toolbox talks, and pre-commencement inspections. Enhancements such as native planting, bat and bird boxes, reptile refugia, and hedgehog access features are advised to support biodiversity. The report concludes that, with appropriate mitigation and enhancement, the development is unlikely to result in significant ecological harm. Biodiversity and geodiversity mitigation and enhancement measures would be required as part of any Technical Details Consent.

In addition to the above and separate from the requirements of Policy LP30, the development will be subject to Biodiversity Net Gain legislation pursuant to the Environment Act 2021. A mandatory 10% Biodiversity Net Gain (BNG) would need to be demonstrated with any future application unless it can be demonstrated that the development would be exempt. Details of how a 10% BNG will be achieved in accordance with the legislation would also be required under a subsequent Technical Details Consent application.

Policy LP31 of the Huntingdonshire Local Plan to 2036 requires proposals 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.

It is noted that previous applications on the site failed to assess the impacts of the proposal on boundary hedgerows and trees. In this case the application is accompanied with an Arborucultrual Method Statement detailing how adjacent trees would be protected during construction. Notwithstanding this, a PIP application shall only consider (1) location, (2) use; and (3) amount of development proposed. In this case, Officers are satisfied the quantum of devlopment proposed (7 to 9 dwellings) could be accommodated within the site without posing a significant risk to nearby adjacent trees. The methods of construction around these trees is a matter to be assessed at Technical Details Consent stage, should the development be permitted.

Water Efficiency
Any future application for technical details consent would need to confirm compliance with the optional Building Regulation requirement for water efficiency in Approved Document G, as set out in criteria j. of Policy LP12 of Huntingdonshire's Local Plan to 2036.

Accessible and Adaptable Homes
Policy LP25 of Huntingdonshire's Local Plan to 2036 requires all new dwellings to comply with optional Building Regulation requirement M4(2) 'accessible and adaptable homes', unless it can be demonstrated that site specific factors make this impractical or unviable. Any future application for technical details consent would need to confirm compliance with this policy.

Developer Contributions
Any subsequent Technical Details application should be accompanied by a signed Unilateral Undertaking for the provision of wheeled bins in accordance with the Developer Contributions SPD (2011).

Community Infrastructure Levy (CIL)
As the proposed development is for new residential dwellings, the development would 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.

* The Planning Balance

In conclusion, 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 tilted 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.

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

Paragraph 14 of the NPPF states that where the presumption in favour of sustainable development applies to housing proposals, significant weight should be given to any conflict with a neighbourhood plan—provided the plan became part of the development plan within the last five years and includes policies and allocations to meet its identified housing requirement. In this case, the Grafham and Ellington Neighbourhood Plan, adopted on 23 February 2022, meets the first criterion but does not include specific housing allocations. While Policy GENP4 supports small-scale residential development within the built-up areas of the village, the absence of allocations means the protection offered by paragraph 14 does not apply in full. As such, officers must apply the tilted balance test under paragraph 11(d) of the NPPF when assessing the application, despite the site being located outside Ellington's defined settlement boundary.

The Council is able to proceed to the second stage of assessment, commonly referred to as the 'tilted balance', as outlined in paragraph 11(d)(ii) of the National Planning Policy Framework (NPPF). This is because the proposed development is not considered to result in harm to habitat sites (including those listed in paragraph 194), Sites of Special Scientific Interest, Local Green Spaces, irreplaceable habitats, designated heritage assets (or other heritage assets of archaeological interest as referenced in footnote 75), or areas at risk of flooding. Accordingly, the application is deemed to satisfy the first test set out in paragraph 11(d)(i) of the NPPF.

Whilst the full impact of the proposal is unable to be fully gauged at Stage 1 of the Permission in Principle process, the proposal would provide the benefits of delivering between 7 and 9 dwellinghouses towards the housing supply and would provide the economic benefits including job creation and long-term spending by future occupants on local services/facilities. These benefits are afforded moderate weight.

Notwithstanding this, the proposed development, comprising 7 to 9 dwellings, is considered disproportionate to the limited level of service provision within Ellington. Due to the village's physical separation from more sustainable settlements, future occupants would likely be reliant on private vehicles to access everyday services. This level of car dependency conflicts with the principles of sustainable development set out in paragraph 109 of the National Planning Policy Framework (NPPF). The proposed quantum of development (between 7 to 9) dwellings is considered disproportionate to the level of service provision within the village of Ellington. The proposal is not supported by any relevant policies for open market housing in this location and is therefore considered unacceptable in principle and unsustainable. Significant and demonstrable weight is afforded to this.

Although the full impact of the proposal cannot be fully assessed at Stage 1 of the Permission in Principle process, the proposed development of between seven to nine dwellings, along with associated infrastructure, would introduce a suburban character that erodes the site's rural and transitional qualities. This would harm its role as a visual and spatial buffer between the Ellington Conservation Area and the surrounding countryside, contrary to local and national planning policies promoting sensitive design. This suggests that the site is not a suitable location for the development of seven to nine new dwellings. Significant and demonstrable weight is afforded to this.

* Conclusion

Section 38(6) Planning and Compulsory Purchase Act 2004 states that "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

The proposed development lies outside the built-up area of Ellington and fails to meet the specific criteria for development in such locations as set out in the Huntingdonshire Local Plan to 2036 and the Grafham and Ellington Neighbourhood Plan. The introduction of residential dwellings on this open, undeveloped site would erodes the site's rural and transitional qualities and harm its role as a visual and spatial buffer between the Ellington Conservation Area and the surrounding countryside,

resulting in significant and demonstrable harm to the character and setting of the settlement. Additionally, the site's separation from essential services and infrastructure would lead to an unsustainable reliance on private vehicles. Overall, it would result in significant and demonstrable harm and is contrary to Policies LP9, LP10 (part b), LP11, LP12 (parts a, b, c, f and i), policies GENP1, GENP2 and GENP4 of the Grafham and Ellington Neighbourhood Plan (2020- 2036), the National Design Guide (2021) parts C1, I1, M1 and M2, and the provisions of the NPPF (2024), in particular Para. 135 parts a, c and f.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to **Charlotte Dew**