OFFICER REPORT

Case No: 25/00865/PIP Permission in Principle

Proposal: Permission in principle for the erection of 2No. Residential dwellings

Location: Land North Of The New House The Fen Fenstanton

Applicant: Messrs Simon, Robin And Sean King

Grid Ref: 531993 269063

DESCRIPTION OF SITE AND APPLICATION

This application concerns a 0.138-hectare rectangular parcel of land currently used as a grassed paddock. The site is enclosed by post and rail fencing along the rear and northern boundaries, with close-board fencing along the southern edge. It is accessed via a private road known as The Fen. At the eastern end of this road lies a public right of way and bridleway, which runs adjacent to the eastern boundary of the site. Mature trees and hedgerows form the eastern boundary, providing natural screening. The site is situated to the north of the built-up area of Fenstanton.

According to the Council's 2024 Strategic Flood Risk Assessment (SFRA) and the Environment Agency's Flood Map for Planning, the northern section of the site falls within Flood Zone 2, indicating a medium risk of fluvial flooding. The EA's and Council's SFRA mapping conflict slightly, with the EA's data showing the site at greater risk from flooding. While the site is identified as being susceptible to groundwater flooding, it is not considered at risk from surface water flooding based on the Council's SFRA.

The current proposal is the first part of permission in principle application; which only assesses the principal issues namely (1) location, (2) use; and (3) amount of development proposed and establishes whether a site is suitable in principle. Should this application be successful, the applicant must submit a Technical Details Consent application addressing all remaining 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
LP8: Key Service Centres
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

PLANNING HISTORY
There is no direct planning history associated with the application site however, the following planning application are related to the adjacent sites:
8001789FUL- Erection of Three Stables - Permitted 22.12.1980

7901178OUT- Erection of 3 Dwellings And Garages- Refused 23.03.1979

7900043REFUSL- Erection of Dwelling And Garage -Dismissed 02.05.1980

7900281OUT- Erection of Dwelling And Garage -Refused 23.03.1979

CONSULTATIONS
Archaeology- No objection. Whilst this site lies in an area of archaeological interest we cannot make specific recommendations without sight of a final site layout plan and an understanding of the scale and impacts of the proposed development. County Archaeology are however content that no works are required prior to determination of an application and consequently we wish to raise no objections for this application to secure Planning In Principle, however 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, if required, could be secured at Technical Details stage.

Highways- No objection. Fen Lane is a private road and while the junction with school lane is not ideal the vehicle movements associated with two dwellings would not be considered as significant, when assessed against the existing dwellings already served from The Fen. No significant adverse effect upon the Public Highway should result from this proposal.

Parish Council-No objection and recommend approval. The Parish did however raise concerns about surface water drainage on the site as existing and the proposal to increase hardstanding on the site posing further flood risk. It was also noted by the Parish the private road does not have capacity for

extra traffic given there has been three additional houses approved along the road in recent years. The Parish also noted that a full Ecological Impact Assessment (EIA) would be required.

Officers note that although the Parish raise material concerns (e.g surface water drainage), many of these can only be considered at Technical Details stage. It should also be noted that the development proposed does not meet the Schedule 1 or 2 threshold for a EIA screening as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Environmental Health Officer- No objection.

Rights of Way Officer- No objection.

REPRESENTATIONS

No third party representations in support or objection to the development proposal have been received 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:
1. Location,
2. Land Use
3. Amount of Development
4. Other Matters

1. LOCATION

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 is akknowledge that whilst Policies LP2 (strategy for development) and LP8 (Key Service Centres) are out of date (and so afforded less weight in the determination of this application) they are not to be entirely disregarded.

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'.' Fenstanton has more than 30 dwellings and so would fall within this definition.

Under the definition of Built up area in para 4.85 paddocks are not defined as within the Built up area. This site is therefore felt to be outside the built up area of Fenstanton. Notwithstanding this, the site is adjacent to the built up area of Fenstanton and therefore considered land well-related to the built up area.

It is however noted that residential development on the application site would be minor and seen as a rounding off opportunity on the edge of the village given its adjacency to the built-up area of Fenstanton. Development on the site would be capable of being visually, physically and functionally integrated within the built-up area. Furthermore, Fenstanton is recognised as a highly sustainable settlement, offering future residents convenient access to a range of essential services and facilities-including retail, education, commercial, and community amenities-within walking or cycling distance. The village is also well-served by frequent bus services, providing direct connections to larger service centres such as Huntingdon.

Policy LP8 states 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 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.

Notwithstanding the above, the Council are unable to demonstrate a 5YHLS and Local Plan Polices concerned with the supply and location of new residential development are considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications. As such the proposal shall be considered under the 'tilted balance' as defined in paragraph 11(d) of the NPPF.

Paragraph (d) states 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 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.

A balancing exercise shall be undertaken in the conclusion of this report.

2. LAND USE

According to the Council's 2024 Strategic Flood Risk Assessment (SFRA) and the Environment Agency's Flood Map for Planning, the northern section of the site falls within Flood Zone 2, indicating a medium risk of fluvial flooding. The EA's and Councils SFRA mapping conflict slightly, with the EA's data showing the site at greater risk from flooding. While the site is identified as being susceptible to groundwater flooding, it is not considered at risk from surface water flooding based on the Council's SFRA.

Flood Zone 2 is defined as having a medium risk of flooding in the Government's National Planning Practice Guidance (PPG). The National Planning Policy Framework 2024 (NPPF) seeks to direct inappropriate development away from areas at the highest risk of flooding (whether existing or future). A sequential test, risk-based approach to the location of development, is required for major and non-major development (refer to check the development class) if any proposed building, access and escape route, land-raising or other vulnerable element will be in Flood Zone 2.

The sequential test, which evaluates whether alternative sites at lower flood risk are available, is generally required for developments proposed in Flood Zones 2 and 3. However, since Permission in Principle (PiP) applications are restricted to considering only the site's location, land use, and the amount of development, detailed flood risk assessments and sequential tests are not typically necessary at this stage. These matters are usually addressed during the subsequent Technical Details Consent stage.

In this instance, due to discrepancies between flood risk mapping and the proposed site layout, it is acknowledged that, although layout considerations fall outside the scope of a Permission in Principle (PiP) application, the submitted information demonstrates that at least one dwelling can be accommodated outside areas at risk of flooding. As such, Officers are satisfied that the submission of a Flood Risk Assessment and, if necessary, a sequential test at the Technical Details Consent stage will be sufficient to address these matters. It is considered this matter does not form a strong reason for refusing the development proposed.

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.

The Huntingdonshire Design Guide (2017) identifies three key considerations when assessing residential development proposals: the potential for overlooking and loss of privacy, the reduction in daylight to neighbouring properties, and the risk of the development appearing overbearing due to its scale 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.

There are neighbours close to the southern boundary of 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).

It should also be noted the Environmental Health Officer was consulted as part of the application and raised no objection to the proposed development.

At this stage, Officers are satisfied that the proposed dwellings could be delivered, subject to appropriate scale and siting, without resulting in significant harm to residential amenity. The detailed design, including any potential impacts relating to overshadowing, overbearing presence, or overlooking, will be fully assessed at the Technical Details Consent stage. Accordingly, the proposal is considered to comply with Policy LP14 of the Local Plan to 2036 at this stage.

3. AMOUNT OF DEVELOPMENT

Local Policy LP12 states new development will be expected to be well designed based upon a thorough understanding of the constraints and appraisal of the site's context, delivering attractive, usable and long-lasting buildings and spaces. A proposal will be supported where it can demonstrate that it contributes positively to the areas character and identity, successfully integrates with adjoining buildings, the routes and spaces between buildings, topography and landscape.

These matters will be addressed at the Technical Details Consent stage, where the design will need to respect the local character and the amenity of neighbouring properties. Consideration should also be given to changes in land levels and the need for softened boundaries where the site adjoins the open countryside. The design should be guided by the principles set out in the Huntingdonshire Design Guide (2017).

The proposed density of the site of two dwellings is felt to reflect the grain and character of development along The Fen. FRA details to be submitted and considered at Technical Details Stage would inform whether the site is able to accommodate two dwellinghouses. It is also felt there is sufficient space within the site to accommodate proportionally scaled landscape buffers to the countryside to soften the impact. A subsequent Technical Details stage would consider soft and hard landscaping details.

As detailed above, mature trees and hedgerows form the eastern boundary of the site. The LPA consider these trees to provide value to the character of the private road 'The Fen' and Public Right of Way. This eastern boundary verge is not within the applicants control and therefore any future design would need to consider the impacts of the proposed dwellings on the canopies and root protection areas of the adjacent trees. A future Technical Details Consent application should be accompanied with an Arboricultural impact assessment, tree survey and tree protection plan.

With regard to ecology, no supporting ecological information was submitted with the application. However, it is not considered that there are likely to be ecological constraints that would prevent the determination of this proposal under a Permission in Principle application. Any potential ecological impacts should be addressed at the Technical Details Consent stage, and any future application should be supported by a Preliminary Ecological Appraisal.

A subsequent Technical Details application would need to be supported with a Biodiversity Net Gain (BNG) statement, pre-development biodiversity value in a Statutory Biodiversity Metric and accompanying plan. The submitted details would need to demonstrate how a mandatory 10% BNG will be achieved.

As detailed above whilst the Parish raise concerns regarding the ecological impacts of the development, the proposed residential development does not meet the threshold for EIA screening and matters in regard to ecology can only be considered at Technical Details Consent stage.

In relation to highways, the Local Highway Authority has raised no objections to the proposal. However, matters such as access arrangements and visibility splays will need to be fully assessed at the Technical Details Consent stage.

Under the Permission in Principle (PiP) regulations, it is not possible to impose planning conditions at this stage. Therefore, any additional information required must be submitted as part of a subsequent Technical Details Consent application. This includes details relating to on-site parking, bin storage, turning space for vehicles, and secure cycle storage.

4. OTHER MATTERS

The Planning Practice Guidance (PPG) states that the scope of permission in principle is limited to location, land use and amount of development as assessed above. Following grant of permission in principle, the site must receive a grant of technical details consent before development can proceed. The granting of technical details consent has the effect of granting planning permission for the development. Other statutory requirements may apply at this stage such as those relating to protected species or listed buildings. The following other matters will be considered at Technical details stage.

Water Efficiency

Any future application for Technical Details Consent for a dwelling at the site 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.

Infrastructure Requirements and Planning Obligations
Bins - Unilateral Undertaking (UU)
Once Permission in Principle has been granted, the development cannot proceed until Technical Details Consent is also secured. The approval of Technical Details Consent constitutes full planning permission for the proposed development. At this stage, other statutory requirements may also apply, such as the submission of a Unilateral Undertaking (UU) for the provision of wheeled bins.

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

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

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 in accordance with paragraph 11 (d) part ii.

While the site is located outside the defined built-up area of Fenstanton, it is considered that residential development in this location could be visually, physically, and functionally integrated with the existing settlement. Future occupants would benefit from access to a suitable range of local services and facilities, all of which are accessible via sustainable modes of transport. It is considered that the site has the capacity to accommodate two dwellings, and that an appropriate layout and scale could be achieved at the Technical Details Consent stage to ensure a satisfactory form of development.

Although part of the site lies within Flood Zone 2, the precise extent and implications of flood risk will be assessed at the Technical Details Consent stage. Importantly, there is sufficient land within Flood Zone 1-where the risk of fluvial flooding is lowest and there is no identified risk from surface water flooding-to accommodate at least one dwelling. On this basis, the site is considered acceptable in principle with regard to flood risk and drainage.

The proposal will result in the delivery of two homes towards the housing supply. This is afforded moderate weight.

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. This is afforded moderate weight.

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 technical details 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.

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.

Taking national and local planning policies into account and material considerations, the principle of the proposed development, is, on balance, considered acceptable and therefore recommended that Permission in Principle be granted subject to approval of outstanding details at Technical Details stage.

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