OFFICER REPORT

Case No: **25/00567/PIP** **Permission in Principle**

Proposal: **Permission in Principle for construction of up to 3no dwellings**

Location: **Land West Of 38 Perry Road Buckden**

Applicant: **Mr Gaughan**

Grid Ref: **518711 267376**

DESCRIPTION OF SITE AND APPLICATION

The site covers approximately 0.29 hectares and is accessed from the northern side of Perry Road in Buckden. Abutting the northern and western sides are open farmland, with residential dwellings to the south and east. The site is approximately 270m west of Buckden Roundabout where links to the wider district are found as well as other services.

The site currently comprises grassland associated with No. 38 Perry Road with a close boarded timber fence and hardstanding to the front from an existing access and extensive and mature boundary hedging and trees to the front, side and rear boundaries.

The site is not within any Conservation Area or setting of any listed building. Nor are any trees on or within close proximity to the site legally protected.

According to Environment Agency Flood Mapping data and the Huntingdonshire Strategic Flood Risk Assessment (2024), the site is in Flood Zone 1 and is at a low risk of groundwater and surface water flooding.

The site is also in the Buckden Neighbourhood Plan Area

Preapplication advice is sought for Permission in Principle for construction of up to 3no dwellings.

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 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
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

The site has no planning history.

CONSULTATIONS

Parish Council: No comments received

Huntingdonshire District Council's Landscape Officer: No comments received

CCC Highways: No objection in principle but notes the following:

o Drawing 25.16.100 Schematic Block Plan of the layout does not include a turning area for delivery vehicles etc so, should vehicles be parked on the proposed propertys' driveways and also No, 38's driveway, they would have to reverse out onto the B661 which is unacceptable.
o The gravelled area in front the gate which will be closed off will need to be reinstated as grass verge.
o No gates are permitted on shared accesses.

o A footway should be constructed across the frontage of No. 38 to link the development to the existing footway network on the north side of Perry Road (this may require the relocation of the speed indicator device).
o the access will need to meet the full requirements for a shared access in our General Principles for Development document Highways development - Cambridgeshire County Council including appropriate drainage.

Full details of the access design including any off-site highway works shall be expected as part of the Technical Details Consent application.

Huntingdonshire District Council's Environmental Health Team (EH): No objection. Full comments:

"We have considered the likely material considerations in relation to environmental health matters such as land contamination, noise, air quality, odour, dust, fumes, light, vibration and nuisance. On this occasion we have no objection to the proposal."

REPRESENTATIONS

No representations 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 of development and proposed 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.

The site comprises 0.29 ha of open grade 2 agricultural land sited on the edge of Buckden at the end of a row of linear development with further residential development on the other side of Perry Road. The Huntingdonshire Local Plan defines Buckden as a Key Service Centre as it is a large village and is considered capable of accommodating some development due to their level of available services, facilities and infrastructure. Therefore Policy LP8 of the Huntingdonshire Local Plan is relevant. This policy states:

"A proposal for development on a site which is additional to those allocated in this plan will be supported where it is located within a built-up area of a Key Service Centre.

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."

It is therefore key to establish whether the site is within the built up area, well related or outside

Policy LP8 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 LP8 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 LP8 which specifies that only certain types of development on land within a built-up area (defined 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.

Firstly, it must be considered whether the site falls within the Countryside or on land well-related to the built-up area.

Paragraph 4.85 of the Local Plan provides extensive criteria-based guidance on the assessment of whether land falls within or outside the built-up area, specifically excluding:

"Open spaces [that] primarily relates to the countryside in their use form and character."

Consequently, given the rural nature and character of the site it is considered that the proposed site does not fall within the built-up area, with the site's relationship with the built-up area is limited to the development to the immediate east and south and the main body of the village to the east.

Given the Council's 'tilted balance' position it is noted that there is a footpath on the other side of Perry Road which provides pedestrian and cycle access to the wider Buckden Villlage services such as public transport between St Neots and Huntingdon (360 metres away), a convenience store (527m), a public house (490m), butchers (252m), church (735m), pharmacy (1.1km) and primary school (1km). Therefore it is accepted that despite its countryside setting, up to three

dwellings on the proposal site would not be considered an isolated home (as set out in paragraph 84 of the NPPF) as the site is in a sustainable location where any future dwelling on the site would not be reliant on a private motor vehicle. Subsequently, it is considered that an additional 3 dwellings within the built-up area of Buckden would have minimal impact on demand for services.

Local Plan Policy LP10 places significant restrictions on developments in countryside locations, referring to only "limited and specific opportunities as provided for in other policies of this plan" as being acceptable in principle. Policy LP10 requires all development in the countryside to:

(a) seek to use land of lower agricultural value in preference to land of higher agricultural value:
(i) avoiding the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) where possible, and
(ii) avoiding Grade 1 agricultural land unless there are exceptional circumstances where the benefits of the proposal significantly outweigh the loss of land;
(b) recognise the intrinsic character and beauty of the countryside; and
(c) not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others.

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

With regard to Policy LP10 part (a) the application site comprises an undeveloped field which is classified as Grade 2 agricultural land, nationally considered as amongst the best and most versatile agricultural land.

Some 98% of the district comprises land within Grades 1 to 3, with 15% being Grade 1 and an estimated 77% of land falling within the definition of best and most versatile land. The proposal would result in the irreversible loss of some of this best and most versatile agricultural land. While the site is relatively small in relation to the extent of the district's most versatile land, and the development would not prevent the farming of the wider agricultural field, the irreversible loss of agricultural land which can be used for food or crop production would conflict with Policy LP10 part (a)(i).

In terms of Policy LP10 part (b), the proposal is for a form of development which illustratively retains and enhances features of the site's character through large retention of boundary trees and hedgerows, the provision of and appropriate quantum of onsite open space, and the potential for new planting to enhance biodiversity.

Whilst layout is not for considered under the remit of this application, nonetheless the applicant's illustrative layout plan shows one potential way in which 3 dwellings could be accommodated on the site. Therefore, officers are content that, in principle, a scheme of 3 dwellings could be designed in a manner that accords with the Huntingdonshire Design Guide SPD 2017.

In respect of the wider visual impact of residential development in this location, it is accepted that development of the site would inherently affect the intrinsic character of the adjoining countryside. Notwithstanding the potential for new landscape screening, Buckden's countryside setting of fields wrapping around its well-defined western perimeter would be partially eroded. To this extent the proposed development would have some conflict with Policy LP10 part (b).

Policy LP10 part (c) requires proposals to avoid giving rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others. These objectives could be secured by conditions and would remain controlled at technical stage, such that in principle compliance with Policy LP10 part (c) would appear possible.

Overall, it is considered that the proposed development of up to 3 dwellings on the site is acceptable in this location and the proposed land use and amount of development are acceptable in principle. The proposals would constitute a sustainable form of development in accordance with Policy LP8 of the Huntingdonshire Local Plan to 2036 and the NPPF (2024) in this regard.

2. LAND USE

The Huntingdonshire Strategic Flood Risk Assessment 2010 shows the site to be within Flood Zone 1 and the site is at low risk of surface water flooding and groundwater flooding as per the relevant 2024 SFRA maps. Accordingly, as the site is considered to be in Flood Zone 1.

Overall, the development is considered acceptable with regard to flood risk and accords with Policy LP5 of the Local Plan to 2036.

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 states when considering residential development there are three key issues that need to be addressed which are loss of privacy, reducing the level of daylight and being overbearing in size and layout.

Officers need to be satisfied at this stage that 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 Environmental Health officer raises no concerns in regard amenity impacts. At this stage it is felt that housing could be achieved here subject to details at technical details stage in regards to overlooking, loss of privacy and loss of light to neighbours. It is also considered that a good standard of amity is achievable on the site for future users of the proposed dwellings given the relatively large plot sizes and the ability to meet nationally described space standards.

The proposed access would be shared with 38 Perry Road and Cambridgeshire County Council Highways have raised concerns regarding manoeuvring, amongst comments regarding the grass verge, shared access gates, footway construction and shared access details. Measures could be planned into the design at technical details stage to address these issues. Subsequently there is some concern that to accommodate highways concerns, the three dwellings of the size proposed on the Schematic Block Plan (DWG: 25.16.100) may not be achievable on the site and three smaller or that two semi-detached dwellings sited to the western side of the site would be appropriate and would allow for the hedgerow on the western boundary to be retained.

There are neighbours close to the eastern boundary of this site, however the scale and design of the dwellings could significantly lower their impact on these neighbours and there 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 harm, the final details of the dwellings will be assessed at the technical details stage where impacts of any additional overshadowing, overbearing, overlooking, noise impacts and land contamination will be fully assessed. Therefore the proposal is in accordance 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 details will be considered at Technical Details Stage and will need to be sympathetic to the local character and neighbouring properties, taking consideration of any land level changes and softened boundaries towards the countryside. The design should be informed by the Huntingdonshire Design Guide 2017.

Both Local Plan and National policies seek to secure developments which are in keeping with the context of the area and which would have no detrimental impact on the character, appearance, and distinctiveness of an area, whilst also making efficient use of land.

Paragraph 124 of the 2024 NPPF states that planning decisions should promote an effective use of land in meeting the need for homes whilst safeguarding and improving the environment and ensuring, healthy living conditions. Paragraph 130 of the NPPF 2024 states that where there is an existing shortage of land for meeting identified housing needs it is especially important that planning decisions avoid homes being built at low densities, failing to make optimal use of the potential of each site. Paragraph 130 further states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF.

The application is for the erection of up to three dwellings on a rectangular piece of grade 2 agricultural land. The area of the site measures approximately 0.29 hectares in size, which is equates to 10.34 dwellings per hectare which is considered relatively low density and sufficient to accommodate the amount of development proposed and is similar to dwellings in the vicinity. Taking into consideration the location of the site and the density of nearby existing development, a development of up to three dwellings within the site would not conflict with the HDC Local Plan to 2036 and the NPPF in this regard.

The application site is located at the western edge of the village. The site currently comprises grassed land and is bounded by mature trees and hedges with open countryside to the west and north. Two-storey dwellings are common on the eastern and southern boundaries.

A 5m-wide tarmacked driveway and crossover are shown on the Schematic Block Plan (DWG: 25.16.100) with off-road parking spaces provided on each private driveway, with private amenity space, hard and soft landscaping and grassland indicated elsewhere. It is acknowledged that any development of the existing agricultural land would have some impact to the site and surrounds, however, it is considered that the provision of up to three dwellings within land well-related to the built up area would not have significant effect on the landscape in terms of scale or layout when compared to other residential uses adjacent to the proposal site or would cause significant pressure on local infrastructure to warrant a refusal of the application on amount of development.

The full impact of the amount of proposed dwellings would be determined at the Technical Details stage.

It is noted that there are mature trees to the boundaries. Given the proximity to the development, these trees have the potential to dominate any rear garden and impact future daylighting, the final internal layout should take this into account - as such there may be an increased pressure to prune or fell this tree by future occupants. The LPA consider these trees may have a value to the countryside along with the hedges around the site and should be considered in the technical

details stage by producing a tree survey, aboricultural impact assessment, mitigation plan and tree protection plan, as well as landscaping details for hard and soft landscaping. Again, there is the opportunity to address this without harm to the character of the area in accordance with policy LP31. Mitigation and replacement planting would be considered at technical details stage.

In regard to ecology, no ecology information was submitted as part of the application. It is not considered there are likely to be ecological issues which would make it inappropriate to determine this application as a permission in principle application. Any ecological impacts would need to be addressed at Technical Details stage and any application should be accompanied by a preliminary ecological appraisal.

Any future technical details application would also need to demonstrate Biodiversity Net Gain and provide the metric and full assessment to be considered. This may require a legal agreement at the technical details stage in accordance with policy LP30.

In regard to highways, the Local Highway Authority has not objected but their full comments will need to be considered at technical details stage.

The PIP regulations prohibit any form of conditions being imposed to this development and as such any information requested would need to be submitted as part of any subsequent Technical Details Consent. As well as consideration of onsite parking, bin storage, turning for the dwelling 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)
Following a 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 the submission of a UU for Wheeled Bins.

CONCLUSION

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 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.

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 titled balance'. 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.

There is no harm to heritage assets therefore, NPPF para's 214/215 are not relevant in this case. 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. It has been established that the proposed development would have access to services and facilities. It is considered that the application site could satisfactorily accommodate up to 3 dwellings and the general layout and scale could be made acceptable for technical details stage.

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

The proposal will result in the delivery of up to 3 homes towards the housing supply. Substantial weight is afforded to this.

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.

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.

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.

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