OFFICER REPORT

Case No: 25/01019/PIP Permission in Principle

Proposal: Permission in principle for the erection of 1no. self build dwelling

Location: Land Adjacent 21 Ermine Street Little Stukeley

Applicant: Mr Steven Dockerill

Grid Ref: 521161 275263

DESCRIPTION OF SITE AND APPLICATION

The application site is a section of land to the south-west of Ermine Street and adjacent to No.21 Ermine Street, Little Stukeley which presently forms the terminus of built development on this side of the road.

The site measures approx. 0.155ha extending south-west from the highway boundary of Ermine Street and is at the south-eastern end of a row of 5 detached dwellings. To the north-east (located beyond a verge, hedgerow and extensive chain link/barbed wire fence) are single storey dwellings associated with RAF Alconbury. There is no key theme in the design, scale or materials finish of the dwellings in the vicinity.

The site itself is largely rectangular comprising an access track to the south-east but otherwise is laid to grass. It is concealed from Ermine Street by a dense hedgerow to the north-east and there are trees adjacent to the access track and providing a boundary with No.21 'Top Barn' to the north-west (though the latter may be outside of the curtilage). Neither of these tree belts are dense and there are glimpses of the land beyond these. To the south-west there are views of the open countryside.

In terms of constraints, the site is not within a Conservation Area and there are no Listed Buildings or trees subject to Preservation Orders in the immediate vicinity. The site lies within Flood Zone 1 and has no risk of flooding from other sources as per the most recent Environment Agency (EA) Flood Risk Maps and Data.

The current proposal is the first part of a permission in principle application, which only assesses the principal issues namely location, use, and 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 Full Technical Details Consent (FULTDC) application covering all other detailed material planning considerations. Permission in Principle is sought for the erection of 1 self-build dwelling on the site. It should be noted that whilst a block plan has been provided this is purely indicative at this stage and is not approved with details reserved for the FULTDC details above.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

It should be noted that the adopted Scheme of Delegation states that all applications for permission in principle are delegated unless the proposal is recommended for approval and contrary to the adopted and draft development plan. In this case, as detailed in the proceeding sections of this report, the relevant Local Plan policies no longer accord with national guidance and the Local Plan is therefore considered to be out of date. Furthermore, the adopted Scheme of

Delegation also delegates decisions for single dwellings outside of Conservation Areas to Officers. As such, this decision is delegated.

NATIONAL GUIDANCE

The National Planning Policy Framework (December 2024) (NPPF 2024) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'

The NPPF 2024 sets out the Government's planning policies for (amongst other things):

* Delivering a sufficient supply of homes;
* building a strong, competitive economy;
* achieving well-designed, beautiful and safe places;
* conserving and enhancing the natural, built and historic environment.

Planning Practice Guidance and the National Design Guide 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 May 2019

LP1: Amount of Development
LP2: Strategy for Development
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP6: Waste Water Management
LP9: Small Settlements
LP10: The Countryside
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP25: Housing Mix
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP37: Ground Contamination and Groundwater Pollution

The Stukeleys Neighbourhood Plan 2022-2036 (July 2023) Policies:

1 - Definition of 'Built-up Area' (Settlement Boundary)
8 - Protected Settlement Breaks

Supplementary Planning Documents (SPD) and Guidance:

Huntingdonshire Design Guide (2017)
Developer Contributions SPD (2011)
Huntingdonshire Landscape and Townscape SPD (2022)
Huntingdonshire Strategic Flood Risk Assessment (2024)

Cambridgeshire Flood and Water SPD (2024)
Annual Monitoring Review regarding housing land supply (2024)
Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
Land Availability Assessments (2024)
The National Design Guide (2021)
Local policies are viewable at https://www.huntingdonshire.gov.uk

RELEVANT PLANNING HISTORY

8700833OUT - Dwelling adjacent The Finches, Ermine Street (Refused)

8700045REFUSL - Dwelling adjacent The Finches, Ermine Street (Appeal Dismissed)

9401651OUT - Erection of a dwelling adjacent 21 Ermine Street (Refused)

23/00265/OUT - Erection of dwelling (Withdrawn)

23/01562/OUT - Erection of dwelling (Refused)

24/00041/REFUSL - Erection of dwelling (Appeal Dismissed)

CONSULTATIONS

Stukeley Parish Council - Objection, not in accordance with Neighbourhood Plan.

HDC Environmental Health Team - No objections.

HDC Landscapes Officer - No representations received at the time of determination.

Cambridgeshire County Council Highways Team - Further assessment required at FULTDC stage.

REPRESENTATIONS

One objection has been received and this is available to view on HDC's Public Access Site. It broadly relates to the following matters:

*Inappropriate development on land outside of settlement boundary.

*Weight should be given to Neighbourhood Plan (given the date of adoption) and recent appeal decision (24/00041/REFUSL)

*Weight should be given to previous decisions on the site notwithstanding the position of tilted balance due to potential for harm on the character and appearance of the area and consideration that undue weight has been given to this in the submission.

*Harm outweighs any benefits.

SUMMARY OF ISSUES

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'. As 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.

As required, this decision is taken by carrying out an assessment on the planning balance and by considering the full suite of local and national planning policies. In the assessment below the merits of the application are discussed and weight is given to each element. Under this consideration, Para 11d (ii) of the NPPF (2024) refers to directing development to sustainable locations (and so considering a settlement hierarchy). This is replicated within Local Plan Policy LP9. However, Para 11d (ii) also requires that the harm of a proposal would significantly and demonstrably outweigh the benefits when considering the framework as a whole.

In this case, given the site and its history, Policies LP9 (Small Settlements) and LP10 (The Countryside) of the Local Plan are the correct policies for assessment though are afforded reduced weight given the lack of five-year housing land supply and engagement of tilted balance.

Little Stukeley is defined as a small settlement under Policy LP9 of the Local Plan which states that these settlements can support proposals within the built-up area (BUA) of the settlement subject to tests relating to the sustainability of the settlement (levels of infrastructure, accessing services by sustainable travel methods and so on) as well as the impact on the settlement as a whole. The

Local Plan defines a BUA as a distinct group of buildings that include 30 or more homes. Land which relates more to the group of buildings rather than to the surrounding countryside is also considered to form part of the built-up area.

As recognised in the officer report for refused application 23/01562/OUT, it is considered that the following principle guidance from the Local Plan is most relevant to the assessment of whether the application site forms part of the built-up area:

"The built-up area will exclude Isolated properties or areas of ribbon and fragmented development which are physically and visually detached from the main built form and will also exclude sections of large residential curtilages where the character of the land primarily relates to the countryside"

The associated implementation guidance to support the above principle states:

"These spaces can provide a visual buffer between built development and the open countryside, softening the visual impact and linking the built-up area with its rural context. Large curtilages with grounds stretching away from the rest of the built-up area are excluded to prevent sub-division of the plot for new development. The built-up area will include elements of the grounds that relate closely to the buildings, for instance formal gardens, ancillary parking and hard tennis courts but not those parts with a more natural, rural character."

It was concluded within this application (and this was the main basis for refusal) that the site was outside of the BUA of the village and this was also consistent with Policies 1 and 8 of the Stukeleys Neighbourhood Plan 2022-2036 (July 2023). The Inspector agreed with this view in the appeal which was subsequently dismissed (ref 24/00041/REFUSL). It should be acknowledged that the LPA has not altered their position on this. However, it must be considered that due to the situation with the 5YHLS, reduced weight can be afforded to the policies related to housing supply. The Inspector found that there would be no conflict (subject to design) with Policies LP11 and LP12 of the Local Plan with conflict relating to Polices LP2, LP9 and LP10(b) as well as Policy 1 of the Neighbourhood Plan.

LP2 is an overarching policy covering the general strategy for development and is a thread which is reflected in other Local Plan Policies. Matters regarding LP9, LP10(b) and the Neighbourhood Plan are discussed in further detail below.

Given the above assessment, Policy LP10 is the starting point for assessment. LP10 seeks to limit development in the countryside unless allowed through other opportunities provided for within the Local Plan. LP10 states that all development in the countryside must:

a. seek to use land of lower agricultural value in preference to land of higher agricultural value:

i. avoiding the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) where possible, and

ii. avoiding Grade 1 agricultural land unless there are exceptional circumstances where the benefits of the proposal significantly outweigh the loss of land;

b. recognise the intrinsic character and beauty of the countryside; and

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

In this case the land is defined as grade 3 agricultural land (and so not land of the highest value). It does not appear to be in agricultural use at present and it must be noted that the Inspector considered as part of the appeal (ref 24/00041/REFUSL) that the loss would be minimal and found

that there was no significant conflict with part a of LP10. There is no reason for the LPA to take a different view on this matter (especially given the tilted balance consideration).

In terms of part b (the reason which was upheld as part of the appeal), it is acknowledged that this scheme will result in the introduction of built development outside of the BUA of the settlement resulting in the erosion of this open space at the terminus of the village. This will result in some harm and it remains that it fails to protect the character and beauty of the countryside. However, on the other hand, it should be regarded that at this stage, whilst indicative plans have been submitted this application does not cover any matters relating to design, scale, layout etc only the principle of the development. As such, the resultant scheme could differ from that suggested, thereby having a lesser impact (for example a single storey dwelling would have a reduced impact on the landscape). The LPA reserve control of the development in this regard as the same tests can be applied at FULTDC stage. Furthermore, whilst the objections in relation to the history of the site are recognised as well as the recent appeal decisions and adoption of the Neighbourhood Plan it cannot be disregarded that the LPA is within a tilted balance situation. As a result, this means that LPA's must grant permission to development which ordinarily may be considered 'unpalatable' unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF 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. (NPPF Para. 11(d)(ii)). Matters regarding sustainability are considered in the proceeding sections of this report. However, for the purposes of this assessment, whilst Officers have carefully considered the objection, the history of the site and the relevant local and national policies, Officers cannot identify that the harm arising from a single dwelling (which would, however minimal boost supply) would be significant or demonstrable, particularly when factors which are permitted to be considered under a permission in principle application are considered.

Turning attention to part c, some residential development will always give rise to some factors such as noise, light pollution and so on. However, this site is well related to the adjacent built form and adjacent to a road which is a thoroughfare between settlements. As such, it cannot reasonably be considered that this would result in the introduction of factors arising from built development into a completely undeveloped rural location.

Overall, having regard to the requirement to apply tilted balance to this decision, and the assessment above, the LPA cannot demonstrate that the introduction of the quantum of development proposed would result in overdevelopment or significant and demonstrable harm as required by Para. 11d (ii) of the NPPF (2024) and therefore cannot defend a refusal given the limited weight that can be afforded to Policy LP10 at this time. It should be acknowledged that in reaching this decision careful consideration has been given to Policies 1 and 8 of the Stukeleys Neighbourhood Plan 2022-2036 (July 2023) which aim to prevent coalescence between settlements, maintain the distinctiveness of the villages and safeguard the countryside from encroachment. Whilst it is acknowledged that the proposal (being outside of the BUA) is contrary to these aims, Huntingdonshire District Council as the Local Planning Authority are required to determine applications on their own merits and on the 'planning balance' considering the full suite of both local and national policies. Whilst under normal circumstances the policy position is clear, given the reduced weight which can be afforded to development in the countryside, alongside the quantum of development proposed it cannot be concluded that (aside from the obvious encroachment) that significant or demonstrable harm would be caused when the other aims of Policies 1 and 8 of the Neighbourhood Plan are considered.

Given that, effectively, based upon the above the location of the development is accepted the application falls to be considered under Policy LP9 as if it were within the BUA of the settlement. LP9 has three tests relating to the level of infrastructure within the settlement, opportunities for access to everyday services and facilities by utilising sustainable travel methods and the impact on the character of the settlement.

It is acknowledged that in terms of services, Little Stukeley has very little provision. Great Stukeley has a public house/hotel village hall and recreation ground and lies less than 1km from the site (but there are no footpaths or cycleways into Great Stukeley). The centre of the Huntingdon Spatial Planning Area which provides a vast amount of services for education, recreation, healthcare and so on lies approx. 2.8kn to the south-east. A bus service provides travel to Huntingdon and other larger settlements and the stop is with walking distance of the site (with footpath links already in place).

Whilst it may be that there will be some reliance on a private motor vehicle for some journeys, given that above considerations (alongside the fact that this relates to only one dwelling), it cannot reasonably be concluded that significant and demonstrable harm would be caused by this provision. In making this conclusion it should be noted that whilst this is based upon the services available and their accessibility, great weight has also been given to the quantum of development, suitability of sites (in terms of sustainability) may be viewed differently dependent on quantum and cumulative development within a settlement.

Matters surrounding the impact on the character of the area have been addressed in the preceding sections of this report.

Overall, having regard to if significant and demonstrable harm can be identified the LPA have to conclude that the scheme is broadly compliant with Policy LP9 of the Local Plan and would constitute a sustainable form of development in accordance with the NPPF (2024) and in terms of the planning balance, the positive aspects of the proposal outlined above, including the provision of housing, demonstrably outweigh the material planning considerations weighing against the development proposal.

In order to support the NPPF's objective of significantly boosting the supply of homes it is considered this site needs to come forward sooner than the standard 3 years usually allowed for PIP applications. Therefore, the timescale for the submission of Technical Details in this instance is amended 2 years.

2. Land use

The site lies within Flood Zone 1 and does not have a risk from other sources as per the most recent Environment Agency Flood Risk Maps and Data.

Flood Zone 1 is defined as having the lowest risk of flooding in the Government's National Planning Practice Guidance (PPG) and development of this nature is acceptable within Flood Zone 1.

As such, the site is appropriate in respect of flood risk. Matters relating to surface water and drainage of the site (including sewage/wastewater) could be considered at the FULTDC stage. At present for example, there are no details as to how sewage/wastewater will be dealt with and so this cannot be assessed but it is not considered that one additional dwelling would place an unmanageable strain on drainage infrastructure.

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 and concerns have been raised regarding potential impacts.

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 quantum of development proposed without having a detrimental impact on neighbour's amenity and the amenity of the proposed occupiers.

HDC's Environmental Health Team have been consulted and raise no objections in terms of noise or odour impacting neighbours nor future occupants of the dwellings nor raise any concerns in respect of contaminated land or pollution.

As detailed above, permission in principle applications do not provide details of layouts, house types and so on. Therefore, there is no approval of the scale and design at this stage. As such, there is no way to thoroughly assess impacts such as loss of light or overbearing impacts (though these will be thoroughly assessed under any subsequent FULTDC application). For the purposes of this assessment, the LPA consider that the site is large enough to accommodate the quantum of development proposed without resulting in harm. Given the scale of the site it is also considered that a high level of residential amenity could be achieved for future occupants of the site.

Cambridgeshire County Council's Highways Team have been consulted as part of this process and raise no objections in principle but do note that further details of visibility splays, size and scale of the access, its use (shared agricultural and domestic - with additional design requirements if a shared access) and radius kerbs. They observe that such matters can be dealt with at FULTDC stage.

Given the lack of objection from technical consultees and the relatively small scale of development, whilst the concerns raised are noted it is not considered that significant harm would be caused in terms of highway safety as a result of this scheme.

Overall, it is considered that the scheme could be realised in accordance with Policies LP5, LP15, LP14, LP17, and LP37 of the Local Plan to 2036.

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.

In this case, the LPA are satisfied that the density of development can be accommodated on the site and matters of scale, design and massing are not matters for consideration at permission in principle stage. Given the earlier assessments it is considered that some form of residential development in accordance with that proposed could be achieved on site in broad accordance with Policies LP11 and LP12 of the Local Plan to 2036, the National Design Guide (2021) and the provisions of the NPPF (2024). This is also consistent with the Inspector's view under appeal ref 24/00041/REFUSL who considered that there would be no conflict with design policies (subject to in that case further detail required as part of a reserved matters application).

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. The applicant would need to also receive a grant of technical details consent before the 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.

*Impact on Trees

As referenced in the preceding sections of this report, there are some trees on the north-western, and south-eastern boundaries as well as a hedgerow to the north-east. These are not afforded formal protection and do not appear to be of any notable species or condition. These were not identified as a constraint under the refused application (23/01562/OUT) and so it would be unreasonable to raise this at this stage. The proposed block plan (whilst indicative) shows the north-eastern hedgerow retained as well as the trees to the south-east (those to the north-west appear to be outside of the boundary). Such soft landscaping is welcomed and should form part of a FULTDC application.

There is no reason to consider that the development would be contrary to Policy LP31 of the Local Plan to 2036.

*Ecology

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.

Further to the above (and separate from the requirements of LP30) the development will be subject to Biodiversity Net Gain legislation pursuant to the Environment Act 2021. This means that a 10% statutory Biodiversity Net Gain (BNG) would be required with any future application, following the hierarchy of onsite provision; mixture of on-site and off-site provision; and the last resort of statutory biodiversity credits unless it can be demonstrated that the development would be exempt. The application has been presented as a self-build and the submission details that the applicant is a member of the HDC Custom/Self-Build Housing Register. As such, provided that this can be demonstrated it is likely that the development would be exempt as per current legislation.

The earlier outline application (23/01562/OUT) did not identify any major concerns in terms of biodiversity impacts. It is noted that a Preliminary Ecological Appraisal (PEA) was provided (the report states dated December 2022). As this will now have expired and the site does not appear to have undergone any significant changes since this time a revised PEA will be required as part of any FULTDC application to allow a thorough assessment of any impacts and required mitigation measures to ensure compliance with Policy LP30 of the Local Plan to 2036.

*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.

*Conclusion

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.

CONTACT OFFICER:
Enquiries about this report to **Kevin Simpson**