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Your ref: 25/00219/PIP
Our ref: 1660 1 MJB

11 March 2025

For the attention of Hannah Hodges

Head of Development Management
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon
PE29 3TN

Dear Sir

**PLANNING IN PRINCIPLE APPLICATION FOR UP TO 9 DWELLINGS
LAND WEST OF THE LION PUBLIC HOUSE, HERNE ROAD, RAMSEY ST MARY'S, HUNTINGDON (REFERENCE 25/00219/PIP)**

We are instructed to make representation on behalf of [redacted] with regard to the application for Permission in Principle for the above development. [redacted] 10 Lion Close, [redacted] and is a neighbour to the proposed development.

After due consideration of the application, [redacted] **OBJECTS** to the proposal.

The application for Permission in Principle can only take into consideration the following three key areas:

- Location
- Land Use, and,
- Amount of development.

Our comments have concentrated on these three areas. The decision must be made in accordance with the relevant policies in the Development Plan unless there are material considerations, such as the National Planning Policy Framework (NPPF), which indicate otherwise. We explore the three areas in turn.

Location

The first key policy regarding the location of development is Huntingdonshire's Local Plan LP9, Small Settlements. The table on page 60 of the Local Plan defines Ramsey St Mary's as a small settlement.

Policy LP9 supports development within the built-up area where the amount and location of the development proposed is sustainable in relation to the:

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a) level of service

b) opportunities for users to access everyday services and facilities by sustainable modes of travel

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

Development proposals on land well related to the built-up area may be supported where it accords with the specific opportunities allowed for through other policies of the plan.

The first issue is to decide whether the site is within the built-up area, outside but well related to it, or just outside.

The Planning Statement submitted in support of the application concludes the site is within the built-up area because it would assimilate with the adjacent residential properties, would not be visible from the west by virtue of a hedge and is considered by the author of the Statement to be physically, functionally and visually related to existing residential development.

This Planning Statement, however, appears to ignore the definition of the Built-Up area at 4.84 on page 53 of the Local Plan, which states:

> "A built-up area is considered to be a distinct group of buildings that includes 30 or more homes. Land which relates more to the group of buildings rather than to the surrounding countryside is also considered to form part of the built-up area."

The table at 4.85 that follows the definition provides guidance on the operation of this definition. The table specifically excludes:

<u>"Areas of open space, sports and recreational facilities, paddocks, allotments… such land is generally considered to primarily relate to the countryside."</u>
The proposal site is a paddock, one of a row of three behind the frontage development on Herne Road, all of which back onto a field to the north. The application site also abuts a field to the west. The application site falls within this definition and therefore lies outside the built up area of Ramsey St Mary's.

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"…areas of ribbon and fragmented development which are physically and visually detached from the main built form."
This development on Herne Road to the north of, and including the Lion Public House, is Ribbon Development. Although that development is connected to the rest of the settlement, it extends away from its heart which is to the immediate north and south of Ashbeach Road, where you will find the school, post office and businesses, and the concentration of development. There is an argument to be made that the ribbon development should be excluded from the built up area.

"Agricultural Land, woodland, meadow… or sections of large residential curtilages where the character of land primarily relates to the countryside."
If the land is not considered to be a paddock it is agricultural in nature. Even if it is arguably part of the curtilage of the Lion Public House, it does not give the appearance of a pub garden, or a formal garden, and more readily relates to the countryside.

From a location point of view, the application site can in no way be found to be part of the developed area. It meets more than one definition of land that falls outside the built up area.

Nor can the application site be said to be well related to the urban area: as one of a series of paddocks adjacent to another field, the application site relates more to the countryside than the adjacent development to the south, and the ribbon development to the east. There may be a hedge to the northern boundary which provides a buffer to land to the north (although we note the planning statement ignores the existing belt of mature trees), but there is also a hedge to the southern boundary, with a line of mature trees that lie within application site itself, which provides a defined boundary to the edge of the built up area. Even though the paddock is in the same ownership as the public house, this does not add weight to any claim that it should be deemed to be well related to the settlement.

Land use

It is accepted that the application site, being behind a public house and adjacent to a residential development, would be suitable in land use terms subject to the safeguarding of the privacy and amenity of neighbouring properties.

Amount of development

The Planning Practice Guidance states that an application for Permission in Principle must set out the number of dwellings as a range, from the lowest to the highest.

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The application for land at The Lion states development will be up to 9 dwellings, the maximum allowed for by a Permission in Principle.

The Guidance also states that the Technical Details on a site benefitting from a Permission in Principle should be made in accordance with both the relevant policies in the Development Plan and in accordance with the Permission in Principle submitted by the applicant.

The indicative layout fills the available land with residential development, but does not maximise the development potential or demonstrate the efficient use of land; with plots 4-7 provided with large gardens. Although there is an attempt to justify this as providing a buffer to the rural area by the annotation on the plan, it is more likely that the development potential is limited to nine because that is the maximum number of dwellings that can be subject to a Permission in Principle. It is significant in this regard that no measures are taken to provide a buffer to the rural area to the north, not even to the extent of retaining the existing belt of trees within the site.

The description of development cannot be changed at Technical Details stage, so before a decision is issued the Local Planning Authority will need to be certain all nine dwellings are capable of being delivered.

There are a number of concerns about the potential to develop nine dwellings on this plot, paramount amongst these arise from polices LP30: Biodiversity and Geodiversity and LP31: Trees, woodland, hedges and hedgerows in the adopted Local Plan.

Policy LP30 states that all proposals will demonstrate that all potential adverse impacts on Biodiversity and Geodiversity have been investigated and that development will result in no net loss of biodiversity and provide net gain where possible through the planned retention, enhancement and creation of habitats and wildlife features. New biodiversity features will be provided on site. Any impact will be minimised as much as possible before any mitigation measures, ideally on site, will be considered.

This policy predicted the Biodiversity Net Gain regulations, which came into effect last year and similarly seeks retention of biodiversity on site, with mitigation and enhancement being delivered on site.

Policy LP31 requires proposals to show how a scheme has been influenced by the presence of trees, with the loss of trees and woodland avoided.

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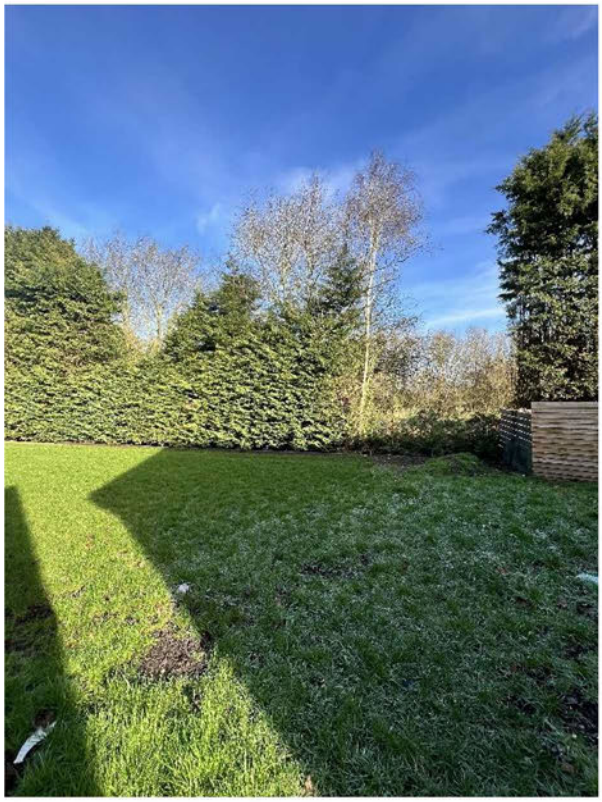
The indicative layout makes no reference to the substantial hedgerows that surround the site on three sites, nor the trees that are within and adjacent to those hedges and hedgerows. In addition to these natural features, there is a belt of trees along the length of the northern boundary behind, and equivalent in width to 205 Herne Road. If the indicative layout was followed, these trees would be lost, together with the hedgerow.

There is also a line of trees to the north of the hedge to the southern boundary. As the hedge is a substantial evergreen hedge and these trees appear to be thriving, they must be well established and mature. The condition of the hedge and trees is indicated by the photograph below, taken in March 2025, which shows the height of the hedge and the trees in the application site beyond. Similarly, these trees, and potentially the hedge, would be lost if the indicative layout was to be delivered, despite the hedge lying in third party land. They are certainly not shown as being retained.



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The presence of these trees and hedges/hedgerows (and the associated ditches) do not appear to have informed the proposed development. Retention of the trees would also reduce the development potential of the site, even accounting for the large gardens on the plots 4 to 7.

Even if development could be amended to retain existing trees and hedgerows in accordance with Policy LP31, there is the issue created by the access road, which will necessitate removal of a large number of established trees in front of and alongside the pub itself. The site cannot be accessed without loss of a large numbers of these trees.

It is not clear, therefore, if Permission in Principle was granted, that Technical Details could be agreed in accordance with Policy LP31. The development would be undeliverable. If the loss of trees for the access alone were justified, a substantial number of replacement trees would need to be planted on site to mitigate this loss. This would cast great doubt on the principle of development (if it cannot be accessed because of the impact on the existing trees) and the scale of development that can be accommodated on site, should the loss of the trees on the frontage be accepted and a scheme agreed for the necessary level of replacement planting.

The Planning Statement provided by the applicant suggests the issue of trees can be dealt with at Technical Details stage, but, even a cursory inspection, indicates that this would be a far from straightforward matter.

On the access road itself we note that it appears to run less than 500mm from the public house building. The foundations of the pub would be expected to extend 500mm from the building, and the road would need its own foundation. It follows that the construction of the road could undermine the existing building.

We note the Highway Authority has been contacted and raises no objection on the grounds of road safety. This response, however, is limited to road safety and does not consider the impact on the public house building, the amenity of the occupants of 205 Herne Road or the practicality of waste collection along such a long private road. We also note the lack of any assessment of car parking required to support the public house. On-street parking would impact on the bus stop on Herne Road.

In addition to the treatment of trees on site Policy LP30: Biodiversity and Geodiversity requires all possible efforts be taken to avoid adverse impacts on biodiversity. If it is demonstrated that adverse impacts are unavoidable, they must be minimised as much as possible and then mitigated. The policy sets a hierarchy of mitigation, with the first step being to mitigate on site.

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With regard to statutory Biodiversity Net Gain (BNG), the starting point for identifying habitats is the substantial hedges and hedgerows that bound the site. As these are included within the redline, there will be an expectation that the hedges are maintained, enhanced and their length included in any BNG assessment, with any new hedges outside any domestic curtilage to be recognised as part of any post development scheme. We also note that the southern and western hedges include ditches, another valuable habitat that will need to be retained, enhanced and increased in biodiversity value.

The trees also provide a valuable habitat and, if the loss of any trees can be justified, they will need to be replaced by new planting. As the existing trees are mature specimens, the number of replacements will need to be much higher than the numbers lost. Again, these would need to be outside any domestic curtilage to achieve statutory biodiversity value. This would reduce the development potential of the site rendering the indicative layout undeliverable and casting doubt on the ability to deliver 9 dwellings on the site, together with the biodiversity enhancements.

The main body of the site is a grassed paddock. It is not known what sort of grassland this is, but it is also a habitat that would be lost to development and would need to be replaced, enhanced and increased in value.

Although the applicants are correct in stating that in principle the issue of biodiversity and tree protection should be dealt with at Technical Details stage, these issues should inform any decision about the quantum of development that should be approved. In worst case scenarios, there may be a conclusion that the quantum of development that can be delivered is zero. It follows, therefore, that would not be unreasonable to conclude that the development applied for could not be delivered, contrary to the Permission in Principle regulations and planning practice guidance. There is also a question as to whether the access proposals to the site area acceptable and achievable.

We also note the potential conflict with Policy LP14: Amenity. The dwellings at 10 and 11 Lion Court are both located close to the site boundary. There will be potential issues of privacy and overlooking of their homes and gardens, specifically from plots 3 and 4 of the illustrative layout. Although there is currently a hedge and trees along the site boundary, these are not shown on the illustrative layout, despite the trees lying within the settlement boundary. Great care needs to be taken in placing the limited number of dwellings on site to ensure privacy and amenity of residents of both the existing and proposed dwellings will be protected.

With regard to material considerations, the Planning Statement's argument appears to be:

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On an economic basis - providing CIL and New Homes Bonus plus the benefit of employment during construction and supporting local business.

In social terms – delivery of new homes to meet the objectively assessed need and a supply of smaller dwellings.

In environmental terms – provision of energy efficient properties, utilising existing infrastructure in Ramsey St Mary's in a sustainable settlement.

The main argument appears to be in supporting the supply of housing in a sustainable location.

On the first issue, we note the latest Housing Delivery Test concluded that 164% of the required number of new homes were provided in the three year monitoring period and that the five year supply stood at 6.49 years at 31 March 2024. Despite the publication of the new housing targets in December 2024 (which are on a par with recent delivery), there is not an immediate need to boost the supply of housing land in the district identified.

There would appear to be little benefit from the proposed development of nine dwellings outside the built up area of a small settlement, even if the issues of tree loss and Biodiversity Net Gain could be overcome

We conclude, therefore, that the application for Permission in Principle should be refused for the following reasons:

Location: contrary to the claim in the application, according to the terms set out in the adopted Local Plan, the application site lies outside the developed area of the small village of Ramsey St Mary's: the land is outside the settlement curtilage and relates more to the open countryside. Nor is the site infill or well related to the settlement curtilage.

Land Use and **Scale of Development:** while the use of the land for residential use may be acceptable, there are significant concerns about the ability to deliver development at technical details stage, primarily regarding the loss of trees and biodiversity.

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These concerns relate to the delivery of development in principle and, should the principle of development be accepted, the amount of development expected to be achieved on the site. There is a real and evident risk that any Permission in Principle would be undeliverable at Technical Details stage. In addition to this, there are reasonable concerns regarding the amenity of occupants of both the existing and proposed dwellings.

The primary "material consideration" promoted to justify varying from local policy and national requirements is the delivery of new homes, although both the Housing Delivery Test and Five-Year Housing land supply appear to be very healthy and the new housing target published in December 2024 is just over the average net delivery rates.

For this reason our client **OBJECTS** to the application and invites you to refuse Permission in Principle.

Yours faithfully

[redacted]

[redacted]

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