# OFFICER REPORT

**Case No:** 25/00548/PIP Permission in Principle

**Proposal:** Permission in Principle for up to 4 dwellings

**Location:** Land East Of Pond Close Pidley

**Applicant:** Mr David Hopkins

**Grid Ref:** 532821 278078

## DESCRIPTION OF SITE AND APPLICATION

The application site is a section of land to the East of Pond Close within the village of Pidley and lying to the south of Warboys Road (the main route through the village).

The site measures approx. 0.194ha extending south-west from the developed edge of Warboys Road into a section of undeveloped land situated between the rear of properties on Pond Close (which itself extends south-west at greater depth) and some agricultural/meadow land. Built development continues south-east of the meadow land with dwellings bordering Warboys Road south of the retained meadow land.

The site is mainly laid to grass and bounded by dense but maintained hedgerows at the Warboys Road boundary. Informal boundary treatments such as post and rail fencing are established within the site, and it appears that sometime in recent years the section of land in question has been separated from the surrounding meadow land. Whilst there are views of the surrounding countryside from within the site, this section of Pidley is largely developed and domestic buildings of varying age, design and scale form the streetscene.

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 also lies within Flood Zone 1 as per the most recent Environment Agency Flood Risk Maps and Data. A small section to the west is identified within the 2024 Strategic Flood Risk Assessment as being at risk of surface water flooding in the future (1000-year extent).

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 up to three dwellings on the site.

The site has had one previous application refused (ref 19/02574/PIP) which sought permission in principle for up to four dwellings. The main reason for refusal was that the site was considered to lie outside the built-up area (BUA) of the village and that the development would result in encroachment into the countryside which would cause adverse harm.

It should be noted that at the time the decision above was made the Local Planning Authority (LPA) could demonstrate a five-year housing land supply which is not presently the case. As such, tilted balance (explained in further detail in the proceeding sections of this report) is engaged and less weight can be given to Local Plan Policies which limit development outside of BUA's.

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. 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

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**

19/02574/PIP - permission in principle for up to 4 dwellings (Refused)

**CONSULTATIONS**

*Pidley Parish Council recommend refusal with reasons summarised as below:

*Overdevelopment of the site too excessive for the infrastructure of the village
*Inability for sewage system to cope with development
*Loss of green belt
*Lack of transport links to serve the parish
*Damage/loss of habitat for wildlife
*Impact on Amenity of adjacent properties
*Footpath to be installed

*CCC Highways - No objections in principle. Improvements to access and addition of footpath required which can be dealt with under FULTDC.

*HDC Environmental Health - No objections.

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

**REPRESENTATIONS**

Twelve objections have been received, and these are available to view on HDC's Public Access Site. Of these twelve, three originate from the same dwelling to provide additional detail/context. As such, objections are from ten properties in total. They are summarised below for completeness:

*Impact on privacy/overlooking of land and property and general loss of residential amenity.
*Safety and wellbeing concerns to occupants/users of gardens.
*Overdevelopment and impact on character of the area which undermines the Local Plan.
*Reduction in value of property due to lost amenity/views impacted.
*Loss of hedgerow/ecological harm and pollution.
*Mirrors earlier refusal, issues and policies remain relevant, and surrounding land has altered (new dwelling) since earlier refusal.
*Loss of Grade 2/valuable agricultural land.
*Limited infrastructure in the village which cannot be sustained and accessibility issues (requirement to travel for services etc).
*Parish Council did not support the development of the land under the 'call for sites'.
*Highway/pedestrian safety issues due to lack of footpath and proposed access.
*Impact on services such as utilities (water, sewerage and broadband).
*Reference to a 2018 application and conditions (this does not relate to this site) but references conditions imposed to prevent residential occupation/use.
*Land has been sub-divided by introduction of new planting.

*Reference to another approval made under tilted balance and does not consider this to be the case at present.
*Concerns about surface water drainage.
*Concern that this could lead to development of the wider site/set a precedent.
*Impacts during construction phases of development.
*Lack of detail provided with the application.

Officer comments:

Whilst the concerns raised are noted, some are not material planning considerations and so cannot be given weight in the determination of this application. As such, matters regarding loss of property value and loss of view cannot be considered. Further, each application is required to be assessed upon its own merits and so it cannot be considered that this would set a precedent for future development in the village/adjacent to the site. There is reference to a 2018 permission (18/00296/FUL) which, whilst south-east of the site and showing as being land within the ownership of the applicant does not include the site being considered under this application and is a different nature of development and so is not relevant to this determination. Lastly, an application for Permission in Principle is subject to consideration of only certain matters (as discussed in the proceeding sections of this report). As such, the LPA are satisfied that there is sufficient detail such to determine this application. Remaining matters will be addressed in the proceeding sections of this report.

**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.

The Local Plan is undergoing a review/update, and the Land Availability Assessments (LAA)consider this site. The site was put forward as part of a larger site (Pidley-cum-Fenton 3: Old Football Field, Warboys Road, Pidley) for delivery of six homes. Objections state that this was not supported by the Parish Council. The site has been considered under Land Availability Assessments and Sustainability Appraisals which have identified that the wider site has the potential to provide 24 homes. Key points identified were that the wider site:

*Is located such that it has the potential to be effectively masterplanned to become part of the existing area.

*Is of a size that could contribute to the housing needs of the district.

*Requires flood mitigation.

*Should consider safety of residents and active travel access to the site.

*Would require landscape mitigation to transition to open countryside

*Should look at revising the density to make the best use of land

It should be noted that this does not mean that the development suggested above will take place, simply that the site has not been discounted and therefore progresses to the next stages of consideration as part of the local plan update.

In this case, given the site and its history, Policies LP9 and LP10 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. It is noted that a comment has been submitted suggesting that the LPA can provide a five-year supply, but this is not the case following the December 2024 changes to the NPPF.

Pidley 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. It also states that land which relates more to the group of buildings rather than to the surrounding countryside is also considered to form part of the BUA.

Officers have given careful regard to the previous refusal (19/02574/PIP) which considered the site to lie outside of the BUA and thus would be harmful to the character and appearance of the area citing lack of accordance with LP10 as a main reason for refusal. It remains the view of the LPA

that the site does lie outside of the BUA of Pidley and is better related to the countryside. However, as stated above, 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 if potential adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Although the site is outside the BUA, the policy context has changed since the last decision on this site. The provision of four open market houses to add to the 5YHLS does weigh in the favour of the application site when it is in a sustainable location in the tilted balance.

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 2 agricultural land (the same grading applies to much of the BUA of Pidley), and it is noted that concerns regarding the loss of this land has been raised. However, it is considered that the loss of agricultural land is largely inevitable if housing is to be provided within this rural district and as such has to be considered in the planning balance. For the purposes of this assessment and in respect of tilted balance the LPA cannot object to the loss of this small section of land when balanced against the merits of the scheme, especially given that it has not been discounted within the land availability assessments.

In terms of part b, a permission in principle application is not required to provide full details of a proposal. These, in the event of an approval shall be dealt with under a later FULTDC application. This scheme relates to a development of up to four dwellings, there is no indication as to the size, scale or layout. Therefore, the matter for consideration here is if the introduction of any built form on this land would be harmful. Warboys Road largely hosts residential development of varying age, scale and design along its length. There are gaps in this development (the site being a case in point), but it does have a domestic character. Anyone travelling north-west or south-east along Warboys Road would have some views of Pond Close which is a mid-20th Century Local Authority housing area and which extends south-west into the countryside at a greater depth than the proposed site. Thus, the pattern of development on this side of Warboys Road is not linear and development extending into the countryside is not uncharacteristic. It is not considered that the quantum of development would result in significant and demonstrable harm as to how the countryside is experienced when considered against the surrounding built form.

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 so well related to the surrounding built form adjacent to a road which is a main thoroughfare between settlements. As such, it cannot reasonably be considered that this would result in the introduction of built development into a tranquil and undeveloped location.

Overall, having regard to the requirement to apply tilted balance to this decision, the LPA cannot demonstrate that the introduction of the quantum of development proposed would result in overdevelopment or significant and demonstrable harm and therefore cannot defend a refusal given the limited weight that can be afforded to Policy LP10.

Given that, effectively, based upon the above the location of the development is accepted it falls to be considered under Policy LP9 as if it were within the BUA of the settlement. LP9 has three key 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. The last point has largely been addressed above and so overall, this is a decision on the sustainability of the location for housing which is a matter which has been raised in some of the objections.

It is acknowledged that Pidley has limited services but is by no means isolated or devoid of services. There is a public house, church and village hall alongside a regular bus service. Further, the larger settlements of Somersham (2.2km to the east) and Warboys (2.9km to the north-west) are accessible and defined as Key Service Centres (due to the level of facilities and infrastructure they contain) within the Policy LP8 of the Local Plan. As such, some development within the BUA of a small settlement such as Pidley can be accommodated sustainably. Key here is the location of the site being within the heart of Pidley rather than its peripheries. It is acknowledged that the footpath to the south of Warboys Road does not extend to this site, but it cannot reasonably be argued that any occupants of a future development would experience detriment in comparison to an occupier of the surrounding dwellings.

There is likely to be some reliance on a private motor vehicle, but this is not unusual in a rural setting. It remains that accessibility to some services and facilities can be accessed sustainably and so this meets the required tests. Matters regarding sewerage are addressed in the proceeding sections of this report, but in terms of other utilities (water/broadband etc) it cannot be considered that the addition of four dwellings would result in such a degree of demand that it could not be accommodated.

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.

2. Land use

The site lies within Flood Zone 1 as per the most recent Environment Agency Flood Risk Maps and Data. However, the 2024 Strategic Flood Risk Assessment does identify a small section to the north-west of the site to be at risk of surface water flooding in the future (1000-year extent).

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. However, the NPPF (2024) requires the LPA to consider risks from all forms of flooding both at present and in the future and direct development to areas at lower risk of flooding. In this case, given that this only affects a very small area of the site, does not affect the entrance to it and, there is potential for the dwellings to be sited such that they are not within the flood zone, the LPA are satisfied that there would be no significant risk of increased flooding to either occupants of the dwelling or occupiers of the surrounding land. However, a Site-Specific Flood Risk Assessment should accompany the FULTDC application.

It is noted that concerns have been raised regarding sewage disposal, however the quantum of development would not significantly exacerbate this issue. Overall, the site is appropriate in respect of flood risk and surface water and drainage of the site (including sewage) could be considered at the FULTDC stage. At present for example, there are no details as to how sewage will be dealt with and so this cannot be assessed.

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 dwelling 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, an application for up to four dwellings may only result in two under a FULTDC application. They may be single storey etc and so 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.

It is noted that there are a number of objections surrounding impacts on developments which have been undertaken since the earlier refusal and loss of privacy/overlooking of gardens on Pond Close. However, once again, until the scale and arrangement is out forward this cannot be assessed. Further, by virtue of the layout and density of existing dwellings forming Pond Close there is likely to be some degree of overlooking at present. It is not considered that (subject to a careful arrangement) there would be significant or harmful overlooking of gardens/property on Pond Close. It is true that the situation will change for some residents which is unfortunate but is not a justifiable reason for refusal based upon the matters for consideration. It is further considered that a high level of residential amenity could be achieved for future occupants of the site. It is not possible to address concerns regarding disturbance during the construction phases, all development will result in some degree of disruption. In some cases (for larger scale development) it may be necessary to secure details of a management plan, but the Council's Environmental Health Team have not raised this as a concern. This however does not absolve the applicant or their appointed contractors of their responsibilities for responsible working practices and any concerns can be highlighted to Environmental Health where needed.

Cambridgeshire County Council's Highways Team have been consulted as part of this process and raise no objections in principle but do note that, the access would need to be constructed in accordance with the highways authority guidance and a footpath would need to be installed (a matter also raised by the Parish Council). Such matters would need to be considered 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).

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.

*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 presence of grassland, and hedging within, surrounding, and immediately adjacent to the site means that a preliminary ecological survey and any additional species-specific surveys would be required as part of any FULTDC application to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and appropriate mitigated. Details of how a 10% BNG will be achieved in accordance with the legislation would also be required. Whilst objections are noted, these matters cannot be considered at the permission in principle stage.

*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.

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