OFFICER REPORT

Case No: 25/00566/PIP Permission in Principle

Proposal: Permission in Principle demolition of existing nissen hut and erection of 1 dwelling

Location: Land East Of Strawberry Field House Warboys Road Pidley

Applicant: Mr David Hopkins

Grid Ref: 533008 277830

DESCRIPTION OF SITE AND APPLICATION

The application site is a section of land in the village of Pidley. It lies to the south-west of Warboys Road (the main road through the village). This application seeks permission in principle for the demolition of a Nissen Hut and the erection of a single dwelling.

The site measures approx. 0.31 ha extending south-west from the developed edge of Warboys Road into a section of land to the rear of the properties on Warboys Road. Directly adjacent to the site is a single storey dwelling which was a conversion of an agricultural building approved under planning application reference number 16/01795/FUL. It should be noted that permission was granted for this dwelling as it already benefited from a prior approval decision for conversion (ref 16/01052/PMBPA).

The site is mainly hard surfaced, there is grass/meadow land to the north-east and north-west with open fields/agricultural land to the south-west. The Nissen hut is a typical design, metal clad and with a concrete base.

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 as per the most recent Environment Agency Flood Risk Maps and Data and is not a future risk of flooding from any sources as per the 2024 Strategic Flood Risk Assessment.

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 to demolish the Nissen hut and erect a single dwelling on the site.

The site has had one previous application refused (ref 19/00420/PIP) which sought permission in principle for the same development. 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. This decision was appealed (ref 19/00012/REFUSL) and subsequently dismissed. Further details on this decision are in the proceeding sections of this report.

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

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

19/00420/PIP - Permission in Principle for the Demolition of an existing Nissen Hut and erection of a single Dwellinghouse (Refused)

19/00012/REFUSL - Permission in Principle for the Demolition of an existing Nissen Hut and erection of a Single dwellinghouse (Appeal Dismissed)

CONSULTATIONS

*Pidley Parish Council recommend approval.

*CCC Highways - No objections in principle. Further details would be required as part of any future application for technical details consent.

*HDC Environmental Health - No objections.

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

*CCC Historic Environment Team - No objections.

*Natural England - No objections.

*Wildlife Trust - No representations received at the time of determination.

REPRESENTATIONS

None received at the time of determination.

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.

Officers have given careful consideration to the earlier refusal under ref 19/00420/FUL which considered the site to lie outside of the built-up area (BUA) of the village and therefore better related to the countryside than the BUA. Overall, the application was refused with the following reason given:

"By virtue of the application site's rural location within the open countryside, the proposed permission in principle for one dwelling would represent a significant encroachment of residential development into the countryside. Existing buildings located in the close vicinity are separate from the built-up area and the intensification of residential development within the area would cause adverse harm to the intrinsic rural character of the surrounding area. This identified harm to the countryside will significantly and demonstrably outweigh the limited benefits of the scheme".

As well as this main reason for refusal, the Officer also considered that the site was an unsustainable location for development due to the limited services available in the settlement.

It should be noted that at the time that the above decision was made the LPA were (as at present) in a tilted balance situation. This was due to the fact the decision was made at a transitional period between the (now defunct) local plan and the emerging local plan (which was adopted in May 2019). The Case Officer at the time acknowledged that the policies of the old local plan concerned with housing supply were not consistent with the NPPF at the time and therefore limited weight could be afforded to these (hence the engagement of tilted balance). At the time that the report was written, other policies of the emerging local plan (whilst considered sound) required some amendments and so varying degree of weight was given to each policy as required.

The above decision was appealed under reference 19/00012/REFUSL and subsequently dismissed. It should be noted that at the time of the appeal decision (3rd September 2019) tilted balance was no longer engaged as the new local plan had been adopted and the policies concerned with housing supply were up to date.

Under the appeal decision the Inspector considered that functionally, the site was well related to the BUA and therefore the application of Policy LP10 (The Countryside) was not relevant. It should be acknowledged that there are tests to be applied to development considered in areas to be well related to the BUA (rural exception housing sites providing affordable housing for example) but there is no evidence that this scheme would fall within that category. Nevertheless, the Inspector

found that the proposal should be assessed against design policies (LP11 and LP12) and concluded that overall, the site was unsuitable for housing and would be harmful to the character and appearance of the area and therefore in conflict with Policies LP11 and LP12.

As above, the local plan was in a transitional period when the decision was made and, in its infancy when the appeal decision was made. No regard appears to have been given to Local Plan Policy LP33 (Rural Buildings) which allows for the replacement of a building in the countryside subject to certain tests. These tests do not afford the same level of weight as the typical design policies (only requiring an enhancement), nor are there tests for the sustainability of the site under LP33. Furthermore, this decision is not a titled balance decision as the local plan policies afforded limited weight under tilted balance are not applied to this decision.

LP33 states that:

A proposal for the conversion of a building in the countryside that would not be dealt with through 'Prior Approval/ Notification' will be supported where it can be demonstrated that:

a. the building is:

i. redundant or disused;

ii. of permanent and substantial construction;

iii. not in such a state of dereliction or disrepair that significant reconstruction would be required;

iv. and structurally capable of being converted for the proposed use; and

b. the proposal:

i. would lead to an enhancement of the immediate setting;

ii. and any extension or alteration would not adversely affect the form, scale, massing or proportion of the building.

A proposal for the replacement of a building in the countryside will be supported where criteria a, i to iii above are fulfilled and the proposal would lead to a clear and substantial enhancement of the immediate setting. A modest increase in floorspace will be supported.

In this case, given that the application is for permission in principle limited detail has been provided with it (there are no details of design and scale for example). However, further details have been sought from the applicant as to the condition of the building. Internal photographs have been provided which show the building to be largely empty, having a solid concrete base and in a sound condition. Whilst it cannot be entirely guaranteed that the building is 'redundant or disused' given the siting (especially having regard to the siting of the adjacent dwelling approved under ref 16/01795/FUL) it is questionable as to if this could reasonably be considered to continue to function in the way in which it was originally intended. The exterior of the building was found to be visually in a good condition at the time that a site visit was carried out.

As such, it is considered that the scheme would be broadly compliant with Policy LP33 i - iv. Matters under part b do not apply to a replacement building but the policy states that a proposal should lead to a clear and substantial enhancement of the immediate setting. No details of design are required under an application for permission in principle but the applicant should give regard for this requirement under any application for technical details consent. An assessment on the impact on the character and appearance of the area is discussed in further detail in the proceeding sections of this report.

Overall, it is considered that the development would broadly accord with Policy LP33 of the Local Plan to 2036 and the location for a single dwelling (in accordance with the tests set out within the policy in regard to scale and design under a future technical details consent application) is acceptable in principle.

2. Land use

The site lies within Flood Zone 1 as per the most recent Environment Agency Flood Risk Maps and Data and is not identified as having a risk from any sources of flooding (now or in the future) under the 2024 Strategic Flood Risk Assessment.

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. Given the scale of the site and low risk of flooding there would be no requirement for the submission of a flood risk assessment, nor, given the permeability of the surrounding land is there likely to be an increased risk of surface water flooding. Overall, the scheme could be realised in accordance with Policies LP5 and LP15 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 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, at present there is no detail as to the scale of the proposed dwelling (though the applicant will have to give regard to the tests of Policy LP33 under which this is permitted). Consideration of scale of the dwelling, the siting of windows, layout (parking etc) should also be carefully considered having regard to the adjacent dwelling approved under ref 16/01795/FUL. At this stage, 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 to occupiers of adjacent dwellings and land.

Cambridgeshire County Council's Highways Team have been consulted as part of this process and raise no objections in principle but do note that as this would be an intensification of the access they would require:

*Details of vehicle-to-vehicle visibility based upon the speed limit of 85 percentile accompanied by a speed survey

*On site parking and turning, layout of the site, means of access and visibility splays.

They acknowledge that these would be provided under a future technical details consent application.

As such, based upon the details available alongside the lack of objection from specialists there is unlikely to be a significant impact on the local highway network or highway safety as a result of the quantum of development proposed.

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 Plan Policies LP11 and LP12 states that a proposal will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings, including natural, historic and built environment, to help create distinctive, high quality and well designed places. And that 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. Careful regard has been given to the earlier refusal and dismissed appeal. Whilst Policy LP33 does not apply the same weight as Policies LP11 and LP12 there is clearly some degree of overlap and it is clear that a proposal should lead to a clear and substantial enhancement of the immediate setting. The previous decision and appeal raised concerns regarding:

*The disruption of the pattern of pattern of development (running parallel with Warboys Road).

*The introduction of residential uses/domestic paraphernalia, parking etc in a rural location.

*Impacts of introduction of the above on what is viewed as a 'buffer area' resulting in an urbanising influence on the location.

As detailed in the preceding sections of this report, neither the refusal nor the appeal considered Policy LP33 instead assessing against LP11 and LP12. Whilst it is acknowledged that this will result in the introduction of residential development in a rural location, the matters for consideration under Policy LP33 are will the proposal result in a clear and substantial enhancement of the setting. At present, the Nissen hut is typical in design and material finish and adds little value to the area. It is considered that a sympathetic development could be achieved which would result in an enhancement and a more cohesive form of built development having regard to the adjacent established dwelling approved under 16/01795/FUL.

Overall, it is considered that the replacement of the Nissen hut with a single dwelling could be achieved on site in broad accordance with Policies LP11, LP12 and LP33 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 rural nature of the building, presence of grassland and trees (although not of notable value from a site visit) 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.

*Impact on Trees

It is noted that there are some trees directly adjacent to the hut and in the immediate vicinity. Aside from a Leylandii to the south-east (not a notable species) the other trees are of limited scale and do little to add to the character of the area. Further, their species and condition do not appear notable such to warrant their protection or retention. Overall, the scheme could be realised in accordance with Policy LP31 f 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

Taking national and local planning policies into account and material considerations, the principle of the proposed development, is 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:
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