OFFICER REPORT

Case No: 25/01099/FUL Full Planning Application

Proposal: Erection of 2 detached 4-bed dwellings with attached garages

Location: Land Adjacent Trinity Hall Church Street Old Hurst

Applicant: Mr Allan Moore

Grid Ref: 530029 277245

DESCRIPTION OF SITE AND APPLICATION

The application site is Land Adjacent Trinity Hall, which is to the south-west of Church Street, Old Hurst.

The application relates to the erection of 2 detached 4-bed dwellings with associated garages. The principle of developing the site for up to 4 dwellings has already been established under the appeal decision associated with 24/00018/REFUSL.

The site is not within a Conservation Area but there is a Grade ll and Grade ll* Listed Building to the north-west of the site. There are no trees subject to Preservation Orders within or adjacent to the site which is within Flood Zone 1 as per the most recent Environment Agency Flood Risk Maps and Data. A small section of the site (to the north-west) is shown as being susceptible to surface water flooding.

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
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
LP34: Heritage Assets and their Settings
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)
Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
Annual Monitoring report 2024 (Housing Supply)
National Design Guide (2021)

Local policies are viewable at https://www.huntingdonshire.gov.uk

RELEVANT PLANNING HISTORY

23/01880/PIP - Proposed residential development (Refused)

24/00018/REFUSL - Proposed residential development (Appeal Allowed)

CONSULTATIONS

Old Hurst Parish Council - Recommend approval - concerns raised re access and addressed in the proceeding sections of this report.
HDC Conservation Team (Informal) - No objections.
HDC Ecology Officer - No representations received at the time of determination.
HDC Arboricultural Officer - No representations received at the time of determination.
HDC Environmental Health Team - No objections subject to condition.
HDC Operations (Waste) Team - No representations received at the time of determination.
Cambridgeshire County Council (CCC) Highways Team - No objections subject to condition.
Cambridgeshire County Council Historic Environments Team - No objections subject to condition.
Middle Level Commissioners (MLC) - No representations received at the time of determination.
Historic England - No comments to make - seek views of specialist (internal) advisers.

REPRESENTATIONS

Two comments have been received both in support of the scheme. These are available to view on HDC's Public Access Site. Some points raised were as follows:

*Main land drain from the village runs beneath the site and would need to be protected or upgraded.

*No objections but address used by mistake on application form.

Officer note - the address issue is noted but has not impacted the way that the development has been determined. Officers have been in contact with the occupant of the address given.

SUMMARY OF ISSUES

When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 48 of the NPPF (2024). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

In Huntingdonshire the Development Plan consists of a number of adopted neighbourhood plans. There is no adopted Neighbourhood Plan in place for Old Hurst and so no weight has been given to any Neighbourhood Plan in the determination of this application.

The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

The main issues to consider are:

*The principle of development
*Design and visual amenity
*Impact on heritage assets
*Residential amenity
*Highway considerations
*Flood risk
*Impact on Trees
*Biodiversity

*The principle of the development

This report should be read with the knowledge that 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 5,586 homes. The current 5YHLS is 4,330 homes equivalent to 3.88 years' supply.

As a result of this, the presumption in favour of sustainable development is applied for decision taking in accordance with paragraph 11 (d) and footnote 8 of the NPPF in relation to applications involving the provision of housing. This is generally referred to as 'the titled balance'. While no 5YHLS can be demonstrated the Local Plan policies concerned with the supply and location of housing as set out in the Development Strategy chapter (policies LP2, LP7, LP8, LP9 and LP10) of Huntingdonshire's Local Plan to 2036 are considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications.

In this case, titled balance is not applied as the site lies within the built-up area (BUA) of the village. The above is included for clarity. It should further be noted that the principle of development of the site for residential development for up to 4 dwellings has already been established under the appeal decision 24/00018/REFUSL. However, it is considered prudent to set out the assessment as to the suitability of the location in principle as below.

As above, the site is considered to lie within the BUA of the village which is defined as a small settlement under Policy LP9 of the Local Plan to 2036. The Local Plan sets out that:

A proposal that is located within a built-up area of a Small Settlement will be supported where the amount and location of development proposed is sustainable in relation to the:

a. level of service and infrastructure provision within the settlement;

b. opportunities for users of the proposed development to access everyday services and facilities by sustainable modes of travel including walking, cycling and public transport;

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

In terms of parts a and b, Oldhurst has very limited services, there is a church but no public house, places for education and so on. However, arguably, the main facility is Johnson's - a farm which have diversified over recent years and provides a farm shop, café, restaurant etc as well as the clear options for leisure and recreation within the site. Both the church and Johnson's are within approx. 70m and 55m of the site respectively. It is acknowledged that there is no public footpath between the two, however, this is not uncharacteristic of the surroundings. The route is 30mph on an established road within the confines of a rural village. As such, it is not considered that safe and convenient access to the facilities could not be achieved.

Whilst there is likely to be some reliance on a private motor vehicle this is not unusual for a rural setting and it is not considered that the quantum of development would render the site unsustainable. This is especially so when it is considered that Pidley (another small settlement but with other facilities such as a public house, village hall, church etc) lies 3.1km to the east and Warboys (a Key Service Centre within the Local Plan due to options for education, retail, healthcare, recreation and so on within it) lies 2.8km to the north.

Overall, the scheme broadly accords with parts a and b of the Policy. In terms of part c, design and visual amenity are discussed in the proceeding sections of this report. However, for the purposes of this assessment it is not considered that the introduction of a pair of detached dwellings within an area which features a varied (but mainly residential) character would be harmful. In any event, if tilted balance were to be applied, any harm would not be significant and demonstrable in terms of the limited weight that can be applied to LP9 and the requirements of the NPPF (2024).

Overall, the development is considered to broadly comply with Policy LP9 of the Local Plan to 2036 and having regard to the assessment above and the appeal decision is acceptable in principle subject to compliance with other material planning considerations and conditions.

*Design and visual amenity

Church Street has the character of a typical rural village. The Grade II* Listed St Peter's Church is a prominent structure at the western end, Johnson's (part of Church Farm) is to the northern side and there is then a mixture of residential and agricultural development (with the residential mainly focused to the south-west of the road). Dwellings in the immediate vicinity of the application site are generally modern (appearing to be latter half of the 20th Century), are detached and located within generous plots. Design, scale and material finish varies.

The application site hosts a number of agricultural buildings and was once the former farmyard associated with Trinity Hall. The land within the red line hosts two buildings which sit directly to the front of the site adjacent to Church Street. The building to the north-west appears more historic (and is being retained) with the building to be demolished single storey with a blockwork base and corrugated upper section and roof. A small, single storey projection of a modern barn to the rear of the site and some storage containers will also be demolished to facilitate the development.

The scheme proposes a pair of detached dwellings with the principal elevations facing the road. They are a matching design with subservient pitched roof projections to the front. It is noted that they host attached double garages which are forward of the principal elevation which is advised against in the Huntingdonshire Design Guide. However, this is only guidance and it should be acknowledged that this is a characteristic of the surroundings with a number of the dwellings having similar features. It is clear that the design inspiration has been taken from Lodge House to the immediate south-east. Materials proposed for the dwellings are broadly acceptable but, given the sensitive location it is considered prudent to secure samples of some elements (slate, bricks, windows and doors) by condition. Levels detail shown on the existing site plan shows a limited variance across the site. Proposed street elevations show that the dwellings will have a slightly lower ridge than the dwelling to the south-east (Lodge House) and show that it will be comfortably incorporated into the streetscene.

In terms of outside space, each plot benefits from private defensible space to the rear with associated patio and block paved driveway to the front. Boundary treatments - 1.2m post and rail fence to the front and rear with soft landscaping and 1.8m fences to each side and separating the plots at the rear are acceptable. Boundary treatment to the rear is particularly welcomed as it avoids a harsh interface with the open countryside to the south-west. Also welcomed is the consideration to wheeled bin storage.

Overall, the scheme is considered to be acceptable in terms of design and visual amenity and will not be harmful to the character or appearance of the area. It therefore accords with Policies LP11 and LP12 of the Local Plan to 2036.

*Impact on Heritage Assets

The site is not within a Conservation Area but the Grade II Listed Trinity House and Grade II* Listed St Peter's Church are within the setting.

Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Para. 212 of the NPPF sets out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

Para. 213 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'

Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.

Whilst the application is not accompanied by a Heritage Statement the Planning Statement does reference these. Crucially, whilst the appeal decision could not comment on such matters as design, scale and layout (given that it related only to permission in principle), the Inspector did conclude that the site was capable of accommodating residential development (up to 4 dwellings) whilst preserving the setting of the Listed Buildings.

Given the setting of the Grade ll* church, Historic England have been consulted. They had no comments to make on the application (but advised that this shouldn't be viewed as no objections) and suggested that views of internal specialist heritage advisors should be sought. HDC's Conservation Team have been informally consulted and raise no objections observing that given the site is separated from the heritage assets by the retained outbuildings and the fact that the buildings to be demolished are post 1948 (and so not curtilage listed) there will be no impact on any listed buildings or their settings.

It should also be noted that the site is located within an area of archaeological potential, as such, CCC's Historic Environments Team have been consulted. Having reviewed the submitted details they raise no objections to the development subject to a condition to secure a programme of archaeological investigation works.

Overall, taking all of the above factors into consideration, alongside the design assessment in the preceding sections of this report the development is considered to be acceptable with regard to its impact on the designated heritage assets and therefore accords with Policy LP34 of the Local Plan to 2036.

*Residential amenity

Policy LP14 of the Local Plan states that a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings. HDC's Environmental Health Team have been consulted and raise no objections in terms of noise or odour either on the future occupants or to third parties. They do note that there could be some contamination of the land due to its previous use and so recommend a standard condition to deal with this matter.

In terms of impact on surrounding dwellings and land, given that the land to the north-west is within the red line and the farm buildings are being retained and that the land to the north-east and south-west is undeveloped, the main focus is the impact on the occupants of Lodge House to the south-east. The separation between the dwelling (Plot 1) and the common boundary with Lodge House reduces to 1.2m at some points with the separation (dwelling to dwelling) approx. 2.5m at some points. A site visit reveals a number of windows in the side (north-west) elevation of Lodge House. Officers have contacted the occupants of this dwelling who have confirmed that the windows are either serving non-habitable rooms or for those which do serve habitable rooms are secondary windows (which would be consistent with their scale). As such, there are no concerns with regard to overbearing impact, overshadowing or loss of light. Windows in the side elevation of Plot 1 (opposite Lodge House) are all (aside from the ground floor utility room and door) denoted

as obscure glazed (which will be conditioned). As such, there will also be no impact on overlooking or loss of privacy on the occupants of either Lodge House or Plot 1. It is noted that an air source heat pump (ASHP) will be provided on the facing elevation and so specifications of these will be secured by condition in order to prevent impact from noise.

In terms of impacts on the dwellings themselves, there are no windows in either of the facing side gables. Windows serving the study and bedroom 2 in each plot have a separation of approx. 18.5m (window-to-window) which, whilst less than the 21m minimum for back-to-back development is considered acceptable in this instance and will not result in a harmful degree of overlooking. Plot 2 has its north-west elevation adjacent to the retained agricultural buildings but again, there are no windows serving habitable rooms in this elevation and so no concerns with regard to the light available to these rooms. In terms of space standards, the bedrooms sizes comply with those set out within the technical housing standards document and the overall floorspace of the dwellings also complies with the standards. As detailed in the preceding sections of this report, the dwellings also benefit from suitable defensible space and have options for recreation and leisure in relatively close proximity.

Overall, subject to conditions, the development is considered to be acceptable with regard to residential amenity matters and its approach to contaminated land and therefore accords with Policies LP14 and LP37 of the Local Plan to 2036.

*Parking and highway safety

The site is accessed from a central point off of Church Street. As this will be a new access from a highway CCC Highways Team have been consulted. Having reviewed the submitted information they raise no objections noting that the vehicle movement associated with the two dwellings are unlikely to exceed those generated by the previous use as a working farm. They also accept that there appears to be sufficient space within the site to accommodate parking and turning.

Overall, subject to conditions they consider the development to be satisfactory and that any harm would be mitigated by conditions. It is noted that the Parish Council had concerns regarding the location of the access is such close proximity to the entrance to Johnson's and visibility, however, visibility splays have been provided on the plan and as above, CCC consider the access to be satisfactory.

In terms of parking provision, each dwelling benefits from a double garage which exceeds the recommendations of scale set out in the Huntingdonshire Design Guide and which (alongside the additional outside parking space adjacent to the garages) should also provide the required level of cycle storage. Huntingdonshire District Council has no specific policy in place to dictate the level of parking which should accompany a development but, in this instance, that proposed is considered to be satisfactory.

Overall, based upon the detail provided alongside the above assessment the development is considered to be acceptable with regard to parking provision, sustainable travel and highway safety and therefore (subject to condition) accords with Policies LP16 and LP17 of the Local Plan to 2036.

*Flood risk

The application site lies largely within Flood Zone 1 as per the most recent Environment Agency Flood Risk Maps and Data. However, the same data shows that a minor section to the north-west of the site does have a risk of surface water flooding. This shows that there is a 3.3% chance of annual flooding from surface water (over 30 years), a 1% chance (over 100 years) and 0.1% (over 1000) years. The footprint of Plot 2 and some of the garden area falls within this area. Ther NPPF (2024) details that any form of flooding should be considered (including future flood risk) where development is proposed by applying the sequential test. However, Planning Practice Guidance

(PPG) has recently been updated to reflect that the sequential test does not have to be applied if an individual flood risk assessment identifies that the development is safe from current and future flood risk.

In this case, no flood risk assessment has been provided, the submitted statement touches on flooding stating that "the proposed development is not located in an area at risk of flooding, will not increase flood risk on site or elsewhere taking into account climate change and the site can be appropriately drained".

Whilst no FRA has been provided Officers have adopted a pragmatic approach for several reasons:

*The principle of the development for the site for up to 4 dwellings has already been established. It is noted that this did not detail design and layout (and so the area susceptible to surface water flood could be avoided in final plans) but it remains that no 'in principle' objections were raised due to this.

*The area is relatively small in practice and the annual risk is extremely low.

*There is already built development and a large degree of hard surfacing on the site.

*There is a limited variance in levels across the site.

*Surface water management can be dealt with effectively by way of condition.

*Condions will also be added to provide drainage at the site access to avoid water pooling on the highway.

Officers note the comment raised regarding drainage lying below the site (serving other areas of the village) but this, and means of connection for waste water will be dealt with at the building regulations stages. It is not considered that the quantum of development proposed will place unmanageable pressure on the system.

Overall, having regard to the planning balance, for the reasons set out above and matters which can be secured by condition, the proposal is acceptable with regard to its approach to flooding and is considered to accord with Policies LP5, LP6 and LP15 of the Local Plan to 2036.

*Impact on Trees

None of the trees within or adjacent to the site are afforded formal protection. There is one tree (a Sycamore) close to the access which will be removed to facilitate the development. An Arboricultural Assessment prepared by Ethical Arboriculture and dated June 2025 accompanies the application. The tree is referred to T001 in this document. The report advises that this is a Category C tree (defined as providing little contribution to local amenity and unlikely to be retained in excess of 10 years). The report finds that given the position of the tree in relation to the highway and the overhead electricity cables there will always be pressure to reduce the canopy span and that long term retention would not be viable regardless of whether the development proceeds or not. HDC's Arboricultural Officer has been consulted but no representations have been received at the time of determination.

Whilst the loss of any tree is unfortunate, in this case the specialist report suggests that the loss can be mitigated by replacement planting. Having regard to the planning balance, the merits of providing two dwellings outweighs the retention of a single, unprotected tree of low value and therefore Officers support this view. Replacement planting shall be secured by condition.

A site visit reveals that there is quite a dense tree belt to the rea of the site (which appears to be outside of the red line). These do not appear to be referenced in the report. Whilst the location of built development is a significant distance from these trees works will be required in their vicinity (providing the garden areas and boundary treatments and so on) it is considered prudent to secure a Tree Protection Plan by condition.

Overall, subject to condition, the development is considered to be acceptable with regard to its impact on trees and therefore accords with Policy LP31 of the Local Plan to 2036.

*Biodiversity

Policy LP30 of the Local Plan requires a development to ensure no net loss of biodiversity and achieve a net gain where possible.

As well as the above (and separate from the requirements of LP30) qualifying new development is subject to Biodiversity Net Gain legislation pursuant to the Environment Act 2021. This means that a 10% statutory Biodiversity Net Gain (BNG) is required, 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.

In this case the application was accompanied by a Preliminary Ecological Appraisal prepared by The Landscape Partnership and dated October 2023. It should be noted that at the time that the application was submitted the appraisal was within the 24 months which is normally considered the 'shelf-life' for such reports.

This concluded that the value of the site in terms of ecology was low and that impacts would be neutral. It did not consider that any further surveys were required. It did make recommendations for mitigation/enhancements and some details of these have been provided on the submitted site plan. These are generally welcomed but further details of their implementation (timescale in relation to development, monitoring etc) will be secured by condition.

In terms of BNG, the submitted assessment prepared by Samsara Ecology and dated August 2025 found that off-site habitat units will need to be purchased as the required 10% BNG cannot be achieved on-site. HDC's Ecology Officer has been consulted but no representations have been received at the time of determination. However, Officers are satisfied that the measures outlined above are acceptable and can be secured by condition.

Overall, the scheme accords with Policy LP30 of the Local Plan to 2036.

*Other matters

*Accessible and Adaptable Homes

Policy LP25 of the Local Plan to 2036 requires proposals that include housing to meet the optional Building Regulation requirement M4(2)" Accessible and adaptable dwellings" unless it can be demonstrated that site specific factors make this unachievable. The submitted Design and Access Statement confirms that the dwellings will accord with this and this shall be secured by condition.

*Water Efficiency Policy

LP12 of the Local Plan to 2036 requires proposals that include housing to comply with the optional building regulation for water efficiency, as set out in Approved Document G. This shall be secured by condition.

*Developer contributions (CIL)

The development will 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. CIL forms have been provided as part of the application and these shall be dealt with by the Council's Implementation Team.

The proposal is considered to accord with the requirements of Policy LP4 of the Local Plan to 2036 and the Developer Contribution SPD in this regard.

Developer contributions (Wheeled Bins)

The application is accompanied by a signed wheeled bin unilateral undertaking dated 6th of October 2025. The proposal is therefore considered to accord with the requirements of Policy LP4 of the Local Plan to 2036 and the Developer Contribution SPD in this regard.

*Conclusion

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

The proposed development is considered to be compliant with the relevant national and local policy as it is acceptable in principle, would be visually acceptable and would not be harmful in terms of heritage impacts, residential amenity, contaminated land, highway safety, flood risk, ecology or impact on trees.

Having regard to all relevant material considerations the proposed development is considered to comply with Policies LP2, LP5, LP6, LP9, LP11, LP12, LP14, LP15, LP16, LP17, LP30, LP31, LP34 and LP37 of Huntingdonshire's Local Plan to 2036 and consequently, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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:
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