LAND TO THE REAR OF 45A WOOD END, BLUNTISHAM

Appendices L to S

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APPENDIX

L

Site photographs and oblique aerial

Viewpoints 8 November 2026; aerial 2 August 2026

Site photographs

Land to the rear of 45A Wood End, Bluntisham, Cambridgeshire PE28 3LE

Photographs 1 and 2 record the views toward the application site from the two nearest public positions, and are referred to at paragraphs 7.2.26 and 7.5.2 of the Planning Statement. Photographs 3 to 5 record garden works carried out within the residential curtilage during 2025, referred to at paragraphs 7.7.1 and 7.7.2. The works were completed before this application was made and form no part of the development proposed. The two camera positions are marked on the key overleaf.

VIEWS TOWARD THE SITE

NO.	DATE	POSITION AND VIEW
1	8 November 2026	The junction of Nobles Lane with Wood End, looking toward the application site.
2	8 November 2026	The mouth of the shared driveway on Wood End between Nos. 45 and 47, looking along the access toward the application site.

2025 GARDEN WORKS

NO.	DATE AND TIME	WHAT THE PHOTOGRAPH SHOWS
3	27 March 2025, 13:52	Garden works in progress. Timber structure and slatted screening complete, with block paving, planted beds and young tree planting established beyond. Aggregate is stockpiled on the grass in the middle distance.
4	10 April 2025, 13:55	Delivery of treated timber by crane lorry to the hard standing at 45A Wood End, with aggregate stockpiled behind.
5	28 April 2025, 10:32	Delivery and discharge of aggregate by tipper lorry onto the existing hard surfacing at 45A Wood End.

The appeal in respect of application 24/00457/OUT was determined on 16 May 2025. Each of photographs 3 to 5 predates that decision. The original image files are held by the applicant and can be produced on request.



1. Picture from Nobles Lane
2. Picture from edge of driveway to 45A Wood End

CAMERA POSITION KEY

Position 1, the junction of Nobles Lane with Wood End. Position 2, the mouth of the driveway serving 45A Wood End.



1 · 8 NOVEMBER 2026 · NOBLES LANE AT WOOD END

The junction of Nobles Lane with Wood End, which is the point on that route closest to the application site, looking toward the site. The view is closed by the Wood End frontage properties. Neither the proposed dwelling nor the existing dwelling at 45A can be seen from this position, and the route runs away from the site thereafter.



2 · 8 NOVEMBER 2026 · MOUTH OF THE ACCESS, WOOD END

The mouth of the shared driveway on Wood End between Nos. 45 and 47, looking along the access toward the application site. The plot on which the dwelling would stand lies approximately 235 m from this position, behind the frontage properties and behind the dwelling and formal garden at 45A. It is not visible from this position or from any other point on the street frontage.



3 · 27 MARCH 2025, 13:52

Garden works in progress. The timber structure and slatted screening are complete, with block paving, planted beds and young tree planting established beyond. Aggregate for the works is stockpiled on the grass in the middle distance.



4 · 10 APRIL 2025, 13:55

Delivery of treated timber by crane lorry to the hard standing at 45A Wood End, with aggregate stockpiled behind. The works recorded at photograph 3 were continuing at this date.



5 · 28 APRIL 2025, 10:32

Delivery and discharge of aggregate by tipper lorry onto the existing hard surfacing at 45A Wood End. This is the latest of the three dated photographs and precedes the appeal decision of 16 May 2025 by eighteen days.



OBLIQUE AERIAL · 2 AUGUST 2026

The application site and its surroundings. The site is bounded to the north by agricultural land and is enclosed to the east and west by mature trees and hedgerow. The existing MOT-surfaced drive, referred to at paragraph 7.7.2 of the Planning Statement, runs the length of the site from the Wood End frontage. North is indicated by the arrow at the foot of the image.

Red · the application site boundary, and annotations relating to the proposed development.

Turquoise · the existing dwelling at 45A Wood End.

The site boundary shown on this photograph is indicative. It has been projected onto an oblique image and is not a survey line. The application site boundary is defined by the Location Plan, drawing P01, at a scale of 1:1250, and that drawing governs in the event of any difference. This photograph is not to scale and no dimension should be taken from it.

The original image file is held by the applicant and can be produced on request.

APPENDIX

M

Appeal decision APP/H0520/W/24/3354920

Inspector A Price, 16 May 2025 — the decision answered by this application

Planning Inspectorate

Appeal Decision

Site visit made on 17 April 2025

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 May 2025

Appeal Ref: APP/H0520/W/24/3354920
45A Wood End, Bluntisham, Cambridgeshire PE28 3LE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
- The appeal is made by Mr & Mrs Vincent Haines against the decision of Huntingdonshire District Council.
- The application Ref is 24/00457/OUT.
- The development proposed is described on the application form as 'one new dwelling at the rear of 45A Wood End.'

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was submitted in outline with all matters reserved. I have had regard to the submitted plans but have regarded all elements of these drawings as indicative.

Main Issues

3. The main issues are:

   - whether the appeal site is suitable for housing, having regard to the character and appearance of the area;
   - the effect of the proposed development on highway safety; and
   - the effect of the proposed development on protected species.

Reasons

Site and location

4. The appeal site comprises a relatively large parcel of open land positioned to the north of Wood End. It is associated with the residential property of 45A Wood End, with no dividing boundary treatments. While established residential development exists nearby, the area to the immediate north of the site is rural in character, made up predominantly of open fields.

5. Policy LP2 of the Huntingdonshire Local Plan (LP) seeks to ensure that new development is concentrated towards locations which provide services and facilities and, pertinent to the appeal, protects the character of existing settlements while recognising the intrinsic character and beauty of the surrounding countryside. This is in a similar vein to LP policy LP9 which relates directly to small

settlements and LP policy LP10 which relates to development in the countryside. LP policies LP11 and LP12 seek to ensure that development proposals respond positively to their context, including the natural environment.

6. Whilst I acknowledge that the appeal site currently forms part of the garden of No 45A, and irrespective of any formal designation, the site undoubtedly has a more rural than urban character. This positively contributes to the verdant and open landscape to the immediate north of the site. This is exemplified by the open and principally undeveloped nature of the appeal site, together with the mature hedges and trees that dominate the site's boundaries. These characteristics are in stark contrast with the more formal garden area to the immediate south of the site (most closely associated with No 45A) and the formal garden plots to the east, including at The Sycamores, which typically have clear site boundaries and a strong domestic character.

7. The proposed development would be at odds with this, introducing built form where this is not currently the case. Whilst the proposed dwelling would likely be of a similar scale to established properties within the surrounding area (for later approval), it would, when combined with the new access road and likely domestic paraphernalia, have a harmful urbanising effect on the site and surrounding countryside to the north.

8. I note the existence of established development within the surrounding area, some of which can be glimpsed from the appeal site between gaps in landscaping. My attention is also drawn to a previous appeal decision at Top Farm[1]. Nevertheless, established properties within the surrounding area typically sit in garden plots arranged in a traditional manner relative to roads, which would not be the case here. The siting of the proposed development would not reflect the prevailing layout of the surrounding area and would be discordant with the established pattern and rhythm of development in this part of Bluntisham.

9. I note the appellant's argument that the site may have been used for parking previously. However, this does not alter my findings in respect of this main issue.

10. Overall, I conclude that the proposed development would harm the character and appearance of the surrounding area, contrary to the relevant provisions of LP Policies LP2, LP9, LP10, LP11 and LP12. These policies, in summary and when taken together, seek to ensure that the character and appearance of the area, including the countryside, is not harmed and that developments make a positive contribution to the local distinctiveness and character of an area.

Highway safety

11. An existing driveway currently serves 45A Wood End. This leads from No 45A, between Nos 45 and 47 and out onto Wood End. Wood End lies within a built-up area with a speed limit of 30MPH. The indicative access to the proposed development is shown to be via this driveway, which would be extended into the appeal site.

12. The highways authority has raised concerns in respect of the intensification of the use of the existing access and that this would require, amongst other things, vehicular and pedestrian visibility splays at the junction with Wood End. The

[1] 1. Appeal Reference APP/H0520/W/23/3334460

appellant provided a technical note (TN) in response to this, produced by Sanderson Associates Consulting Engineers.

13. The submitted TN sets out the context to the site, which includes reference to several properties adjacent to Wood End having direct access onto the highway. Such arrangements, whether relating to individual properties or small groups of properties, are typical of this part of Bluntisham. Wider access points, together with visibility splays, are apparent at more contemporary and larger housing developments, such as at Meridian Close and The Fairway.

14. The TN concludes that the level of visibility for the proposed development, using the existing driveway arrangement, would be acceptable. Based on the evidence before me together with my observations on site, combined with the minor nature of the proposed development, I have no reason to disagree with those findings.

15. Overall, I conclude that the proposed development would be acceptable in respect of highway safety, in accordance with the relevant provisions of LP Policy LP17. This policy, in summary, seeks to ensure that proposals provide safe access. Nevertheless, the lack of identified harm in this respect is neutral in my consideration of the appeal proposal and does not alter my conclusion on the other main issues.

Protected species

16. The submitted Preliminary Ecological Appraisal (PEA) identifies that the site accommodates a mix of suitable and unsuitable terrestrial habitats for Great Crested Newts (GCNs) and that GCNs have the potential to be harmed as a result of the proposed development. The PEA concludes that further steps are required, which could either come in the form of further GCN surveys to inform a mitigation strategy or applying to join a District Level Licensing scheme.

17. A Natural England GCN District Level Licensing Impact Assessment and Conservation Payment Certificate has been submitted in support of the appeal. This has been counter signed by Natural England. Based on the evidence submitted, I am satisfied in respect of the proposed development's effect on GCNs and that the scheme would be in accordance with the relevant provisions of LP policy LP30 which seeks to ensure that development proposals demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated. Nevertheless, the lack of harm in this respect is neutral in my consideration of the appeal proposal and does not alter my conclusion on the other main issues.

Other Matters

18. I understand the frustration of the appellant who seeks to construct a single dwelling, referencing permissions and proposals for much larger developments in the area. However, as the appellant has acknowledged, each development proposal must be considered in the context of its own individual site circumstances and planning balance. That those developments are in the pipeline or have taken place, whatever their scale or location, is not reason for me to automatically allow development at the appeal site, particularly where harm has been identified.

19. I note that the proposed development would contribute one further home to housing supply in the area and that, once occupied, would contribute to the local

economy and community. However, these benefits would inevitably be limited by reason of the scale and nature of the proposed development. I also note the environmental ambitions of the appellant. Nevertheless, this benefit would not be wholly reliant on the scheme before me. The meeting of other planning policy requirements and any required mitigation would be neutral.

Conclusion

20. For the reasons above and having had regard to the development plan as a whole, and all other relevant material considerations, I conclude that the appeal should be dismissed.

[redacted]

INSPECTOR

APPENDIX

N

Appeal decision APP/H0520/A/14/2227565, with the 1400480FUL refusal notice

Inspector G D Jones, 12 January 2015

The Planning Inspectorate

Appeal Decision

Site visit made on 29 December 2014

by G D Jones BSc(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 January 2015

Appeal Ref: APP/H0520/A/14/2227565
45 Wood End, Bluntisham, Huntingdon PE28 3LE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Vincent Haines against the decision of Huntingdonshire District Council.
- The application Ref 1400480FUL, dated 26 March 2014, was refused by notice dated 22 September 2014.
- The development proposed is the construction of a replacement 5 bedroom detached dwelling and garage block at land on the rear of 45 Wood End.

Decision

1. The appeal is allowed and planning permission is granted for the construction of a replacement 5 bedroom detached dwelling and garage block at land to the rear of 45 Wood End, Bluntisham, Huntingdon PE28 3LE in accordance with the terms of the application Ref 1400480FUL, dated 26 March 2014, subject to the conditions set out in the Appendix.

Preliminary Matters

2. In my formal decision I have moved the reference to the location of the proposed dwelling from the description of the development to the site address for the avoidance of doubt and to avoid unnecessary duplication.

3. The reasons for refusal of planning permission refer to Policies LP13, LP15 and LP29 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013). Although this document has been the subject of public consultation, there is no evidence before me to indicate if there are any unresolved objections to these policies, and I am mindful that they may be subject to further amendment. With reference to paragraph 216 of the National Planning Policy Framework (the Framework), I therefore attribute only limited weight to these policies.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the surrounding area, including its effect on trees, and on the living conditions of the occupiers of neighbouring properties.

Reasons

Character and Appearance

5. The scale, height, alignment and spacing of the buildings along Wood End in the vicinity of the appeal site are mixed, giving a reasonably varied feel to the street scene. While most the nearby properties have clearly defined frontages to the street, during my visit to the area I observed a number of reasonably substantial outbuildings to the rear of the principal buildings. I also noted that the developments at Old Farm Court, immediately to the west of the appeal site, and at Blacksmiths End, a little to the east, include substantial dwellings that are sited to the rear of the longer-established dwellings that front Wood End. The land to the north is more rural in character. A further reasonably consistent characteristic of the area is the quality and quantity of mature planting, which gives it a pleasant verdant feel.

6. Although the proposed dwelling would have three storeys, the second floor accommodation would be formed within the roof space. Nonetheless, the building would have a reasonably large footprint such that overall it would be of a substantial scale, larger than that of the majority of the surrounding buildings.

7. As the site is not significantly higher than the highway in Wood End and neighbouring streets, and given the presence of the buildings that front these roads and intervening boundary treatment and planting, it is largely screened from the street. I have found nothing in the evidence or when visiting the area to suggest that the countryside to the north is publicly accessible. Consequently, notwithstanding its substantial scale, the proposed house could be introduced to the site without being readily visible from public vantage points. Its detailed design is simple but pleasant. For these reasons and bearing in mind the existing varied pattern of nearby development and street scene, I do not consider that the proposed development would have a significant influence on the character and appearance of the area.

8. In making this assessment I have taken into account the effect that the development may have on trees and existing planting. Policy En18 of the Huntingdonshire Local Plan Part One 1995 (the Local Plan) states that the District will seek to protect important site features including, among other things, trees. The Council's evidence indicates that plans submitted with the planning application do not accurately represent the trees that are within or near to the appeal site. This is not contested by the appellant.

9. With reference to the information before me and having visited the site it is clear to me that the development would result in the loss of some trees and planting, particularly in the southwest corner of the site where the proposed garage/store building would be located. Nonetheless, in my judgement, within the context of the substantial amount of trees and planting that could be reasonably retained and protected both within the site and in the surrounding area, this loss would not be significant and would not alter the proposed development's effect on the character and appearance of the area as outlined above. In this context the trees concerned, while attractive, do not amount to important site features in the terms of Policy En18 of the Local Plan.

10. For the foregoing reasons, I conclude that the proposed development would not have an adverse effect on the character and appearance of the area, including

in respect to trees. It would not therefore conflict with relevant objectives in Policies En18 (Trees and the Landscape) and En25 (General Design Criteria) of the Local Plan, Policy HL5 (the Quality and Design of Development) of the Huntingdonshire Local Plan Alteration 2002 and the Huntingdon Design Guide 2007, and would accord with the Framework.

Living Conditions

11. The proposed house would be located a substantial distance away from the rear elevations of the existing dwellings in Wood End, such that potential overlooking into these neighbouring dwellings would not have a significant effect on privacy. The first floor windows of the proposed house would face these neighbouring rear gardens. However, as these windows would be set well back from the common boundary, there would not be a significant degree of overlooking to these gardens.

12. The proposed house would stand some 2-4 metres from the common boundary with the nearest dwelling, 3 Old Farm Court. Nonetheless, the proposed house would be located some 25 metres from No 3 and sited such that it would not directly face the side or front elevations of this house or those of the other houses in Old Farm Court. Consequently, any views from the windows of the proposed house into the properties in Old Farm Court, including garden areas, would be reasonably distant and largely at relatively oblique angles such that there would be no significant effect on occupants' privacy.

13. Given the proposed siting of the house some distance from neighbouring properties as outlined above, notwithstanding its substantial scale, the proposed development would not appear oppressive or overbearing.

14. For these reasons, the appeal development would not materially harm the living conditions of the occupiers of neighbouring properties. Consequently, it would not conflict with Policy H31 of the Local Plan that seeks to protect residential amenity, or similar objectives in the Framework.

Other Matters

15. In addition to the foregoing matters, concern has been expressed locally in respect to highway safety, the removal of trees, 'garden grabbing', works to boundary treatment, the potential creation of a precedent, impact on views, flood risk and drainage, effect on wildlife, adequacy of play space and noise. These matters are largely identified and considered in the Council officer's report on the planning application, and it concluded that they would not amount to reasons to justify withholding planning permission, and I see no compelling reasons to disagree.

16. Additionally, regarding 'garden grabbing', while garden land does not fall within the definition of previously development land, the Framework does not preclude such development and nor do any of the development plan policies cited in the reasons for refusal. Furthermore, for the avoidance of doubt, I have taken the comments regarding the removal of trees since the planning application was determined into account in my assessment of the proposed development as outlined above.

17. My attention has been drawn to other residential development in the area. While I have taken this into account in terms of how it influences the character and appearance of the area, each proposal falls to be assessed primarily on its

own merits and, in any event, I am unaware of the full circumstances associated with any such other case.

Conditions and Conclusion

18. In addition to the standard time limit condition the Council has requested three conditions which I have considered in the light of government guidance on the use of conditions in planning permissions.

19. A condition controlling the materials to be used in the construction of the external surfaces of the development would be necessary to protect the character and appearance of the area. For this reason and to protect trees, a condition to secure a tree survey assessing trees to be retained and removed along with measures for their protection during construction would be necessary. In light of the highway authority's comments, a condition preventing the independent use of 'the existing cabin to the rear of the site' would also be necessary.

20. Additionally, for the avoidance of doubt and in the interests of proper planning, a condition requiring that the development is carried out in accordance with the approved plans would also be necessary.

21. For all of the reasons given above, I conclude the appeal should, subject to the identified conditions, be allowed.

[redacted]

INSPECTOR

Appendix – Conditions

Conditions imposed in respect of Appeal Ref APP/H0520/A/14/2227565:

1) The development hereby permitted shall begin not later than three years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Drawing No P02; Drawing No P03; Drawing No P04; Drawing No P05; Drawing No P06; Drawing No P07; Drawing No P08; Drawing No P09; Drawing No P10; Drawing No P11; Drawing No P12; Drawing No P13.

3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

4) No development shall commence until a tree survey, including a full assessment of the trees to be removed and retained and any impact the development would have on those to be retained along with any associated mitigation, has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

5) Following the first use of the development hereby permitted the existing cabin to the rear of the site shall not be used independently of the host property.

Application Number: 1400480FUL

TOWN & COUNTRY PLANNING ACT, 1990

REFUSAL OF PLANNING PERMISSION

Mr Vincent Haines
45 Wood End
Bluntisham
Huntingdon
Cambridgeshire
PE28 3LE
United Kingdom

Huntingdonshire District Council in pursuance of powers under the above Act, hereby **REFUSE TO PERMIT**

Construction of a replacement 5 bedroom detached dwelling and garage block on land rear of 45 Wood End.
at Land North Of 45 To 51 Wood End Bluntisham

in accordance with your application received on 24th April 2014 and plans (listed below) which form part of the application

Plan Type	Reference	Version	Date Received
Location Plan	P01		24.04.2014
Block Plan	P02		27.03.2014
Floor Plan/s	P03		27.03.2014
Floor Plan/s	P04		27.03.2014
Floor Plan/s	P05		27.03.2014
Elevations	P07		27.03.2014
Tree Survey	P13		27.03.2014
Roof Plan	P06		27.03.2014
Elevations	P08		27.03.2014
Elevations	P09		27.03.2014
Section	P10		27.03.2014
Floor Plan/s	P11		27.03.2014
General	P12		27.03.2014

For the following reasons:

1. Reason.
   The proposal by reason of its design, siting, scale and massing would form an inappropriate and incongruous development that would fail to integrate into the context of the site and the surrounding area. The development would be harmful to the character of the site, and the

[redacted]

Head of Development
ufm2
Date 22nd September 2014

Huntingdonshire
DISTRICT COUNCIL

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surrounding countryside. This proposal is therefore contrary to Policy En25, of the Local Plan 1995, Policy HL5 of the Local Plan Alteration, and Policy LP13 of the Draft Huntingdonshire Local Plan to 2036, and the National Planning Policy framework, and Huntingdonshire design Guide 2007.

2. Reason.
   The proposal by reason of its siting, scale and massing close to the common boundary with No. 3 Old Farm Court would form an oppressive and overbearing development. In addition the siting along with the position of the windows would result in an unacceptable level of overlooking, resulting in a loss of privacy to the occupiers of No. 3 Old farm Court. The application is therefore contrary to Policy H31 of the Local Plan 1995, and Policy LP15 of the Huntingdonshire Local Plan to 2036, and the National Planning Policy Framework.

3. Reason.
   The applicant has failed to demonstrate that this proposal will not result in harm to the existing trees along the common boundary with No. 30 Old Farm Court due to the inaccurate and inadequate information submitted with the application. The proposal in this respect, in its current form is contrary to Policy En18 of the Local Plan 1995 and Policy LP29 of the Local Plan to 2036.

4. Note to applicant.

   The LPA positively encourages pre-application discussions and makes clear that applications will then normally be determined as submitted. Details of the 'Pre-Application Advice' process can be found on the Planning pages on the Council's website www.huntingdonshire.gov.uk. If, as proposed, a development is considered unacceptable and it is apparent how it can be revised to make it acceptable, the LPA will set out how it can be amended to make it acceptable as part of its response to a pre-application enquiry. When an application is received, conditions will be used where they can make a development acceptable. A clear reason for refusal identifies the specific reasons why the development is unacceptable and helps the applicant to determine whether and how the proposal may be revised to make it acceptable.

   In relation to this application, it was considered and the process managed in accordance with Paragraphs 186 and 187 of the NPPF. It has not been possible to identify solutions to the policy concerns as given in this decision.

[redacted]

Head of Development
ufm2
Date 22nd September 2014

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NOTES

1. **Rights of Appeal under the Town and Country Planning Act, 1990 Section 78, The Planning (Listed Buildings and Conservation Areas) Act 1990 Section 20 and the Town and Country Planning (Control of Advertisement) Regulations 1989.**
2. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant permission subject to conditions, he/she may appeal to the Secretary of State responsible for planning within;
   - **Six months from the date of this decision notice.**
   - **Eight weeks from the date of this notice if the decision relates to an advertisement.**
3. Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the Development Orders and to any directions given under the Orders. He does not, in practice, refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.
4. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State responsible for planning and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act, 1990.
5. In certain circumstances, a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
6. This decision notice does not convey any approval or consent which may be required under any enactment, bye-law or regulation other than Section 57 of the Town and Country Planning Act 1990.

[redacted]

Head of Development
ufm2
Date 22nd September 2014

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OFFICER REPORT

Case No: 1400480FUL **Full Planning Application**

Proposal: **Construction of a replacement 5 bedroom detached dwelling and garage block on land rear of 45 Wood End.**

Location: **Land North Of 45 To 51 Wood End Bluntisham**

Applicant: **Mr Vincent Haines**

Grid Ref: **536428 275198**

`DESCRIPTION OF SITE AND APPLICATION

This application relates to land to the rear of No 45 Wood End; although the site extends to the north of No. 47, 49 and 51 Wood End. The site is located in a predominately residential area, on the western side of the village where the existing developments are mainly in linear form, fronting Wood End.

Open countryside surrounds the site apart from the developments to the south, which sit in linear form. There are a number of established trees and other vegetation in the site area. A cabin is located on the eastern side of the site. There is an existing access that serves 45 Wood End.

The application seeks permission for a single two storey dwelling, with accommodation in the roof to the rear of No. 45 Wood End. A detached garage is proposed to be located to the south of the site, close to the common boundary with No. 47, 49 and 51 Wood End. The proposed new dwelling would be accessed from Wood End, between No.47 & 45 Wood End. A number of trees are proposed to be removed from the site.

NATIONAL GUIDANCE

The National Planning Policy Framework (2012) sets out the three dimensions to sustainable development - an economic role, a social role and an environmental role - and outlines the presumption in favour of sustainable development. Under the heading of Delivering Sustainable Development, the Framework sets out the Government's planning policies for : building a strong, competitive economy; ensuring the vitality of town centres; supporting a prosperous rural economy; promoting sustainable transport; supporting high quality communications infrastructure; delivering a wide choice of high quality homes; requiring good design; promoting healthy communities; protecting Green Belt land; meeting the challenge of climate change, flooding and coastal change; conserving and enhancing the natural environment; conserving and enhancing the historic environment; and facilitating the sustainable use of minerals.

For full details visit the government website
https://www.gov.uk/government/organisations/department-for-communities-and-local-government

PLANNING POLICIES

Saved policies from the Huntingdonshire Local Plan (1995)

H31: "Residential privacy and amenity standards" – Indicates that new dwellings will only be permitted where appropriate standards of privacy can be maintained and adequate parking provided.

H32: "Sub-division of large curtilages" states support will be offered only where the resultant dwelling and its curtilage are of a size and form sympathetic to the locality.

T18: "Access requirements for new development" states development should be accessed by a highway of acceptable design and appropriate construction.

En18: "Protection of countryside features" – Offers protection for important site features including trees, woodlands, hedges and meadowland.

En20: Landscaping Scheme. - Wherever appropriate a development will be subject to the conditions requiring the execution of a landscaping scheme.

En25: "General Design Criteria" - indicates that the District Council will expect new development to respect the scale, form, materials and design of established buildings in the locality and make adequate provision for landscaping and amenity areas.

Saved policies from the Huntingdonshire Local Plan Alterations (2002)

HL5 – Quality and Density of Development - sets out the criteria to take into account in assessing whether a proposal represents a good design and layout.

Adopted Huntingdonshire Local Development Framework Core Strategy (2009)

CS1: "Sustainable development in Huntingdonshire" – all developments will contribute to the pursuit of sustainable development, having regard to social, environmental and economic issues. All aspects will be considered including design, implementation and function of development.

CS3: "The Settlement Hierarchy" – identifies Bluntisham as smaller settlements in which residential infilling will be appropriate within the built up area.

Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013)

Policy LP 1 - Strategy and principles for development

The Council will support proposals which contribute to the delivery of new housing, economic growth and diversification and infrastructure provision through the following development strategy:

* 3 strategic expansion locations will make provision for approximately 12,450 new homes giving a range of accommodation to meet the needs of all sectors of the community and to facilitate growth of the local economy, in particular through the designated enterprise zone at Alconbury Weald
* market towns and key service centres will make provision for approximately 7,850 new homes and support economic and community development that serves needs in the most sustainable locations, promotes the vitality and viability of established communities and maintains their character and identity
* the Ouse valley, Great Fen, Grafham Water/ Brampton Woods area and the Nene valley will be priority areas for strategic green infrastructure enhancement of public access

Development proposals will be expected to:

a. prioritise the use of previously developed land in accessible locations;

b. contribute to the creation or maintenance of mixed and socially inclusive communities by integrating development of homes, jobs, services and facilities;
c. make efficient use of land, buildings and infrastructure within existing settlements whilst preserving local character and distinctiveness;
d. promote healthy, active lifestyles by protecting and enhancing green space, sport and recreation facilities
e. maximise opportunities for use of public transport, walking and cycling;
f. provide appropriate infrastructure to meet the needs generated by the proposed development;
g. support the local economy by providing a mix of employment opportunities suitable for local people;
h. minimise greenhouse gas emissions, oxides of nitrogen, fine particles and other forms of pollution;
i. reduce water consumption and wastage, minimising the impact on water resources and quality and managing flood risk; and
j. protect and enhance the historic environment and the range and vitality of characteristic landscapes, habitats and species.

Policy LP 2 - Contributing to Infrastructure Delivery

A proposal will be supported where it makes appropriate contributions towards the provision of infrastructure, and of meeting economic, social and environmental requirements.

Community Infrastructure Levy
Applicable developments will be liable to pay the Community Infrastructure Levy (CIL) as set out in the Huntingdonshire Community Infrastructure Levy Charging Schedule or successor documents.

Planning Obligations
Contributions in addition to the CIL may be necessary to make the proposals acceptable in planning terms. Such contributions will be calculated as set out in the Developer Contributions Supplementary Planning Document (SPD) or successor documents and will be sought through a planning obligation. The nature and scale of planning obligations sought will depend on the form of development and the impact it is considered to have upon the surrounding area on the basis of documentary evidence. Provision may be required on or off site as set out in the SPD. The timing of provision of infrastructure and facilities will be carefully considered in order to ensure that adequate provision is in place before development is occupied or comes into use.

All considerations and negotiations will be undertaken in a positive manner in order to come to the most appropriate solution and will, subject to such evidence being submitted, take viability and other material considerations including specific site conditions into account.

Where particular requirements of development sites set out in other policies in this plan are known they are included in the applicable policy.

Subdivision of sites in order to avoid liability for contributions will not be accepted. Contributions will be calculated on the complete developable area. Where the development proposes the sub-division of a larger developable area contributions will be apportioned on a pro-rata basis.

Policy LP 10 - Development in Small Settlements

The following places are defined as Small Settlements:

Bluntisham is defined as a smaller settlement

A proposal which is located within the built-up area of a Small Settlement will be considered on individual sustainability merits, taking into account whether it is in accordance with other policies of this Local Plan. Sustainability will be considered on issues including the:

a. availability of services;
b. availability of sustainable modes of transport;
c. efficient use of land and existing infrastructure;
d. in relation to new homes, whether the proposal contributes to the mix of housing type and size having regard to the current Strategic Housing Market Assessment; and
e. effect on the character of the settlement and surroundings

An enabled exceptions proposal, including housing, which is appropriately located within or adjacent to the built-up area of the Small Settlement will be supported where it accords with the criteria set out in Policy LP 4 'Enabled Exceptions' or Policy LP 26 'Homes in the Countryside'.

Policy LP 13 - Quality of Design

A proposal will need to be designed to a high standard based on a thorough understanding of the site and its context. A proposal will therefore be expected to demonstrate that it:

a. provides a strong sense of place through a design solution which reflects the surroundings and in the case of large scale proposals through a masterplan which identifies how the place will develop;
b. contributes positively to the local character, appearance, form and pattern of development through sensitive siting, scale, massing, form and arrangement of new development and use of colour and materials;
c. includes high quality hard and soft landscaping and boundary treatments so that there is a distinctive environment for the development and to help integration with adjoining landscapes;
d. respects and responds appropriately to the distinctive qualities of the surrounding landscape, and avoids the introduction of incongruous and intrusive elements into views. Where harm to local landscape character as a result of necessary development is unavoidable, appropriate mitigation measures will be required;
e. has had regard to the Huntingdonshire Design Guide SPD (2007), Huntingdonshire Landscape and Townscape Assessment SPD (2007) and the Cambridgeshire Design Guide (2007) or successor documents and other relevant advice that promotes high quality design or that details the quality or character of the surroundings including, but not limited to, conservation area character statements, neighbourhood development plans, village design statements, parish plans, urban design frameworks, design briefs, master plans and national guidance; and
f. has engaged positively with independent Design Review during the pre-application stage as appropriate and has implemented recommendations from the process where possible.

Residential Development

A proposal for homes, including conversions and subdivisions that creates new homes, will be expected to demonstrate how they achieve the criteria of the 'Building for Life' standard or equivalent successor standards in order to achieve high quality development.

A proposal including 10 or more homes will be expected to demonstrate how they meet the 'Building for Life' Silver (Good) Standard or higher, or an equivalent in a successor or equivalent standard. Where there are significant constraints to meeting this standard they should be detailed in the design and access statement for the proposal.

As part of meeting the needs of our ageing population and those of people with disabilities a proposal that includes 10 or more homes will be expected to demonstrate how it complies with the Lifetime Neighbourhood standards or successor standards.

Policy LP 15 - Ensuring a High Standard of Amenity

A proposal will be supported where a high standard of amenity is provided for existing and future users and residents of both the surroundings and the proposed development. A proposal will therefore be expected to demonstrate how it addresses:

a. availability of daylight and sunlight, particularly the amount of natural light entering homes, the effects of overshadowing and the need for artificial light;
b. the design and separation of buildings with regard to the potential for overlooking causing loss of privacy and resultant physical relationships and whether they could be considered to be oppressive or overbearing;
c. the predicted internal and external levels, timing, duration and character of noise;
d. the potential for adverse impacts on air quality, particularly affecting air quality management areas;
e. the potential for adverse impacts of obtrusive light and the contamination of land, groundwater or surface water; and
f. the extent to which people feel at risk from crime by incorporating Secured By Design principles.

Policy LP 18 - Parking Provision

A proposal will be supported where it incorporates appropriately designed vehicle and cycle parking with a clear justification for the level of provision proposed, having regard to:

a. the potential to increase the use of alternative transport modes including public transport, walking and cycling;
b. highway safety;
c. servicing requirements;
d. the needs of potential users; and
e. the amenity of occupiers of nearby properties.

Parking provision should be considered as an integral part of the design process and its impact on the
surrounding townscape and landscape minimised. Reference should be made to the Cambridgeshire Design Guide and the Huntingdonshire Design Guide or successor documents and to the Lifetime Homes standard.

Parking facilities may be shared where location and patterns of use permit. Careful consideration will be given to the siting and design of garaging, responding to the character and appearance of the area.

Minimum levels of car parking for disabled people as set out in national guidance will be required.

Policy LP 29 - Trees, Woodland and Related Features

A proposal will be supported where it avoids the loss of, and minimises the risk of harm to trees, woodland, hedges or hedgerows of visual, historic or nature conservation value, including orchards, ancient woodland and aged or veteran trees. The landscaping scheme for the proposal will incorporated any of these features that lie within the site and should link with any of these features on adjacent land/ nearby.

A proposal should seek to avoid affecting any:

a. tree or woodland that is protected by a Tree Preservation Order if this would result in its loss, give rise to a threat to its continued well-being; or
b. tree, woodland, hedge or hedgerow of visual, historic, cultural or nature conservation value, where it would result in damage to a feature that would undermine that value.

Where such a loss, threat or damage is proven to be unavoidable this will only be acceptable where:

c. there are sound arboricultural reasons to support the proposal; or
the proposal would bring benefits that outweigh the loss, threat or damage to the feature concerned and the loss, threat or damage is addressed through minimisation and provision of appropriate mitigation measures, reinstatement of features and/ or compensatory tree planting, landscaping or habitat creation to ensure the character of the landscape or townscape is protected as far as is possible

SPD – Huntingdonshire Design Guide is relevant to this case.

PLANNING HISTORY

There is a long planning history relating to this site.

In 1975 outline permission was refused. The more relevant history relates to a certificate of lawful development, under planning ref: 1201037CLED that clarified the building at the rear of the site close to the north eastern boundary had a lawful use as a dwelling. In terms of land use the site area identified with the red line with the CLED application is the same site area with this application. Planning ref: 1301011CLPD confirmed the proposed extension to the dwelling was permitted development under the town and Country Planning (General Permitted Development) Order 1995, as amended.

CONSULTATIONS

Bluntisham Parish Council have recommended the application is refused

County Highways: No objection to the application

REPRESENTATIONS

There have been 8 representations received in response to the application, 6 of the letters received have raised objections to the proposal, and some have commented twice on the details of the application. One letter of support has been submitted. This letter is from a visitor of the applicant (the owners of 45 Wood End).

The concerns raised about the application inc:

* Fence work to the boundary, prior to the determination of the application

* Conflicts with policy

* Scale of the dwelling

* Not in keeping

* Poor design

* Access arrangements will cause traffic hazard

* Precedent for other properties

* Loss of privacy

* Replacement dwelling questioned

* Removal off trees

* Impact on views

* Flood risk

* Detrimental to wildlife

* Drainage

* Over bearing impact

* Insufficient play space

* Noise pollution

SUMMARY OF ISSUES

The main issues to consider are the principle of a new dwelling in this location, the design and the impact the proposal may have upon the character of the area. The issues of neighbour amenity and the impacts the proposal may have upon the established trees at the site will also be considered.

Principle:

The site is located in the village of Bluntisham, where infill developments within the built up area can be supported, bearing in mind other policy considerations.

The site is located in a back land position, and at the edge of the built framework of the village. The certificate of lawful development outlined in the application ref: 1201037CLED clarified the site area had been used for more than four years for residential purposes, therefore the site area as submitted for the purposes of this application is considered to be in the built up area of the village, albeit at the edge of the village.

The application is therefore considered to be acceptable in principle for the purposes of the settlement policies in the adopted Plan under Policy CS3. However, the application will need to be accessed against other planning policies in terms of the design of the proposal and its impact upon the rural character of this site, and the amenities of the neighbouring properties, as well as any impacts upon the established trees.

Whilst the site area, as identified in the location plan submitted with the application is considered to have a lawful residential use, it should be mentioned here, the land to the further to the north, not included in the site area, is considered to be open countryside in character, and not in residential use.

Design and character:

There are specific policies in the Development Plan that consider the design of the planning proposals; Policy En25 of the Local Plan describes how developments are expected to generally respect the scale and form of the established buildings. The aim of the policy is to encourage good design and well-mannered design. The National Planning Policy Framework (NPPF) makes

reference to the design of buildings. The document makes it clear that good design is a comprehensive part of sustainable development. Para 61. states that it's not just the visual appearance of buildings and the architecture, the connections between people and places and the integration of new development into the natural, built and historic environment. Policy LP13 of the new Local Plan – 2036, which is yet to be formally adopted, echoes the advice found in the NPPF. The policy is clear in its expectations of design. It states that a development proposal should contribute positively to local character, appearance, form and pattern of development through the sensitive siting, scale and mass.

This site is located at the edge of the village, with land associated with countryside features surrounding all sides of the site apart from the southern boundary. Policy LP13 goes on further to express that development proposals should respect and respond appropriately to the distinctive qualities of the surrounding landscape and avoid incongruous and intrusive elements into views.

This site is in a back land position with direct connections with the open countryside to the north and its further surrounding boundaries. Policy H35 of the local Plan 1995 resists tandem developments such as being proposed here, however, the NPPF suggests that back land development should be considered against any harm it may cause. The NPPF is a current policy document that is a material consideration in the determination of this case. Whilst Local Plan policy suggests the application should be resisted, it is the harm the development may have that should be considered.

The proposal subject to this application seeks permission for a large two storey dwelling, which also proposes accommodation in the roof space. The dwellings to the frontage of Wood End are of mixed design, and some of larger scale than others. The more sporadic developments that form courtyard type developments on the northern side of Wood End are of modest scale and proportions and simple detailing, with any mass broken up by the finer features of the design, a design that is expected in a back land site such as this, to reduce any impacts of the character of the countryside beyond. The scale of the proposed building is considered to be excessive for this site, having a negative effect of the appearance of the site, at this edge of village location. It does not reflect a modest style edge of village development that currently exists and for this reason the proposed dwelling would not integrate well with its surroundings. It is considered the dwelling due to its siting, scale and mass, and design does not contribute to positively to the local character of the other buildings in the locality, the site or the open countryside beyond.

The applicant has made reference to the other proposals in the area, however, each application is treated on its own merits and every site is unique. The design of any new building should reflect the design, form and scale of the existing built environment to ensure it integrates well with its surroundings. It is for the reasons as set out above the application cannot be supported as it is contrary to Policy En25 of the Local Plan 1995, Policy HL5 of the Local Plan Alteration 2002, and the new Policy LP13 of the Local Plan – 2036, and the National Planning Policy Framework.

Reference has been made from local representatives about the application being subject to policies that assess applications in the countryside for replacement buildings. However, as acknowledged above, this site, due to the residential lawful development application in 2012, does form part of the village built environment and not the countryside. However, for the avoidance of doubt the land beyond the site boundaries, apart from the south does reflect the character of open countryside and is not considered to be in residential use.

The garage has been designed to house four vehicles, with provision for storage. The garage in terms of its design is not considered to harm the character of the site or the surrounding area.

Neighbour amenity:

Policy H31 of the Local Plan expects development to only be permitted where appropriate standards of privacy and amenity can be maintained. Policy LP15 of the new Local Plan follows this theme.

The proposed new dwelling is proposed to be located approx. 6 metres from the common boundary with No. 3 Old Farm Court. The side of the new proposed dwelling is proposed to be approx. 9 metres in depth and 20 metres in width. Whilst it is fully acknowledged that a building with the distance proposed may be sufficient to ensure the proposed new dwelling does not become over bearing in nature, the scale of the building, coupled with the back land position will result in the building becoming over bearing to the occupiers of No. 3 Old Farm Court, when using their private garden space. There are a number of established trees along this boundary. The information submitted with the application suggests some of the trees will be lost to make way for the proposed development. However, the information submitted with the application with regard to the position of the trees, is inaccurate, which in turn does not allow for a proper assessment of the harm to the trees in terms of the visual appearance of the site from the neighbours perspective.

As the proposed building will be positioned to the north, and north east of the existing built form, the proposal is not considered to cause undue harm with regard to loss of light, or will it result in causing any over shadowing.

The openings proposed on the upper floor side elevation facing the neighbours are proposed to serve bathrooms and dressing rooms, and it would be expected the glazing to be obscured for privacy reasons. However, there will be a perceived amount of overlooking from these windows. There are a number of windows proposed on the front elevation that would serve bedrooms. One centrally placed window will be full length in a 'Juliet balcony' arrangement. Whilst there are a number of trees along the side boundary, as stated above the information submitted with the application is inadequate to allow for any harm to be assessed, in this respect. However, it is considered that the trees should not be relief on to maintain the level of privacy that is currently enjoyed by the residents of 3 Old Park Farm, as they can be lost at any time due disease etc. The proposed new dwelling is considered to cause harm to the occupiers of No. 3 Old Park Farm when using their private garden space, in terms of loss of privacy.

As such the application is not in accordance with Planning Policy H31 of the Local Plan 1995 and Policy LP15 of Local Plan – 2036, which aim to protect the amenities of the existing and future users and the residents of both the surrounding and the proposed development.

Full consideration of the neighbour's comments has been taken in account in the determination of this application, and the issues raised have been
addressed in the relevant paragraphs in the body of the report.

Trees:

The site has a number of established good trees located within the boundary and along the common boundaries. Policy En18 of the Local Plan seeks to protect features such as trees. Policy LP29 of the Local Plan – 2036 continues this theme, by suggesting a proposal will be supported where it avoids the loss and minimises the risk of harm to trees. The development proposal as shown on plan No. P02 and P13 indicate that some trees will be relocated or removed; it also expresses the trees that are to be retained. However, during a site visit it became apparent the some of the trees have not be plotted accurately, and it is therefore difficult to access the impacts the development may have upon the trees. It is acknowledged that the trees on the site are not protected by a tree preservation order, but for assessment a proper assessment to take place as to the harm the development may have upon the trees, the information provided is inadequate and inaccurate. Therefore the proposal as submitted does not met the aims of Policy En18 and LP29 in terms of the potential harm the development would have upon the trees.

Highway Safety:

There is an existing access from Wood End that serves the existing dwelling (45), as the lawful land use to the rear is also residential, the County Highways have not objected to the proposal, in terms of highway safety. There is sufficient parking proposed for the proposed new dwelling and the existing dwelling.

Conclusion:

The proposed dwelling by reason of its siting, scale, design and massing will be harmful to the character of this edge of village location. The development will cause harm to the amenities of the neighbouring properties in terms of the building becoming an overbearing feature of harm when using their private garden space. In addition the proposal will result in loss of privacy currently enjoyed by the occupiers of No. 3 Old Farm Court. The information relating to the trees is inadequate and in accurate to allow for an assessment of the harm to the trees to be fully assessed. The application is therefore contrary to Policies En18, En25, and H31 of the Local Plan 1995, Policy HL5 of the Local Plan Alteration 2002, Policies LP13, LP15 and LP29 of the Local Plan – 2036, and the NPPF.

Having regard to national and local policies the application is hereby refused.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

BACKGROUND PAPERS:

CONTACT OFFICER:
Enquiries about this report to **Linda Walker Development Management Officer 01480 388411**

RECOMMENDATION

REASONS FOR REFUSAL.

1. Reason. The proposal by reason of its design, siting, scale and massing would form an inappropriate and incongruous development that would fail to integrate into the context of the site and the surrounding area. The development would be harmful to the character of the site, and the surrounding countryside. This proposal is therefore contrary to Policy En25, of the Local Plan 1995, Policy HL5 of the Local Plan Alteration, and Policy LP13 of the Draft Huntingdonshire Local Plan to 2036, and the National Planning Policy framework, and Huntingdonshire design Guide 2007.

2. Reason. The proposal by reason of its siting, scale and massing close to the common boundary with No. 3 Old Farm Court would form an oppressive and overbearing development. In addition the siting along with the position of the windows would result in an unacceptable level of overlooking, resulting in a loss of privacy to the occupiers of No. 3 Old farm Court. The application is therefore contrary to Policy H31 of the Local Plan 1995, and Policy LP15 of the Huntingdonshire Local Plan to 2036, and the National Planning Policy Framework.

3. Reason. The applicant has failed to demonstrate that this proposal will not result in harm to

the existing trees along the common boundary with No. 30 Old Farm Court due to the inaccurate and inadequate information submitted with the application. The proposal in this respect, in its current form is contrary to Policy En18 of the Local Plan 1995 and Policy LP29 of the Local Plan to 2036.

4. Note to applicant.

The LPA positively encourages pre-application discussions and makes clear that applications will then normally be determined as submitted. Details of the 'Pre-Application Advice' process can be found on the Planning pages on the Council's website www.huntingdonshire.gov.uk. If, as proposed, a development is considered unacceptable and it is apparent how it can be revised to make it acceptable, the LPA will set out how it can be amended to make it acceptable as part of its response to a pre-application enquiry. When an application is received, conditions will be used where they can make a development acceptable. A clear reason for refusal identifies the specific reasons why the development is unacceptable and helps the applicant to determine whether and how the proposal may be revised to make it acceptable.

In relation to this application, it was considered and the process managed in accordance with Paragraphs 186 and 187 of the NPPF. It has not been possible to identify solutions to the policy concerns as given in this decision.

APPENDIX

O

Visibility study from appeal 2227565

Eight positions A to H

Appendix P

Visibility study

Land to the rear of 45A Wood End, Bluntisham, Cambridgeshire PE28 3LE

Full planning application for the erection of one new dwelling

Applicant: Mr and Mrs Vincent Haines

What this document is

This is an extract from the appellant's supporting material submitted on appeal **APP/H0520/A/14/2227565**, which concerned land at 45 Wood End, Bluntisham and was allowed by the Planning Inspectorate on 12 January 2015. The pages reproduced are Appendix 4 of that material, headed "Views from Surrounding Areas".

They comprise, in order:

- the approximate location of the 10 m flagpole, marked on the site plan;
- a photograph of the flagpole standing in the garden;
- an aerial key lettering the eight photograph positions A to H across Bluntisham and Colne; and
- the eight village views, A to H.

The date of the photographs

The photographs were taken in 2014. They are relied on for what they show at that date, and not as a record of the present condition of the site. They predate the implementation of the permission granted on that appeal: the dwelling at 45A has since been built at the position the flagpole occupied, together with the tree removal its construction required. Nothing has been removed since, and the hedgerow and trees on the northern and western boundaries remain.

Scope of this extract

No other part of the 2015 appeal material is reproduced. The appeal decision itself is at Appendix O.

Where this is relied on

Planning Statement sections 3.1.5, 7.2.26, 7.2.26a and 7.2.26b.

Appendix 4

Views from Surrounding Areas

(28) Approximate Location of 10M Flagpole



(29) Flagpole in Garden



(30) Approximate Picture Locations – Aerial View of Bluntisham & Colne



(31) Village View - A



(32) Village View - B



(33) Village View - C



(34) Village View - D



(35) Village View - E



(36) Village View - F



(37) Village View - G



(38) Village View - H



APPENDIX

P

Appeal decision 6009048 (Needingworth), with the officer report on 26/00274/PIP

Inspector G Dring, 7 October 2026

Planning Inspectorate

Appeal Decision

Site visit made on 4 August 2026

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 7 October 2026

Appeal Ref: 6009048
Land South of Lodel Farm Overcote Lane, Needingworth, Huntingdon PE27 4TN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
- The appeal is made by Burgess and Walker Transport Ltd against the decision of Huntingdonshire District Council.
- The application Ref is 26/00274/PIP.
- The development proposed is 7 to 9 dwellings.

Decision

1. The appeal is allowed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) states that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages, firstly the permission in principle stage, which establishes whether a site is suitable in principle and secondly, the technical details consent (TDC) stage when detailed development proposals are assessed. This appeal relates to the first of these two stages.

3. The scope of the considerations for the permission in principle stage is limited to location, land use and the amount of development. All other matters are considered as part of the subsequent TDC application stage if permission in principle is granted. A plan has been submitted showing how nine dwellings could be accommodated on the site, but I have considered this to be solely for illustrative purposes because the application only relates to the principle of the proposed development.

4. I have taken the site address above from the appeal form rather than the application form as it describes the location of the site more clearly.

5. A new National Planning Policy Framework (Framework) was published on 17 August 2026 which replaces the previous version. Both parties have had the opportunity to comment on the new Framework. Accordingly, I have had regard to the current Framework in reaching my decision.

Main Issue

6. The main issue is whether the site would be suitable for housing development having regard to its location, the proposed land use and the amount of development with particular regard to:

- the spatial strategy and the accessibility of services and facilities; and
- the effect of the development on the character and appearance of the area including the effects on the use of the countryside by others.

Reasons

Suitability of location

7. Policy LP 9 of Huntingdonshire's Local Plan to 2036 Adopted May 2019 (LP) identifies Needingworth as a small settlement where, subject to compliance with a number of criteria, development will be supported within the built up area. A second part to the policy goes on to identify that in cases where land is well-related to the built up area, development may be supported where it accords with other LP policies, including Policy LP 10, which relates to the countryside.

8. Based on the evidence before me and my visit, I find that the site sits outside of the village but adjacent to the settlement edge. It is therefore not within the built up area of Needingworth. Nevertheless, the Council state that the site is well related to the built up area of the settlement. Given the proximity to the settlement edge, I also find that it could be described as well related in this context. The proposal therefore falls to be assessed against Policy LP 10 of the LP.

9. The initial part of Policy LP 10 restricts development in the countryside to limited and specific opportunities as provided for in other policies in the LP. It is not asserted by either main party that the proposal would meet the requirements of any other LP policies that would provide support for new rural development. Consequently, the proposal would fail to comply with Policy LP 10, and it would be contrary to the overarching spatial strategy.

10. Needingworth has some local services and facilities which include a primary school, convenience store, Post Office, village hall, places of worship, public house and recreation facilities. I am also told that the village is served by a bus service which provides access to larger nearby settlements, including St Ives, which offers a wider range of services and facilities and employment opportunities.

11. Concerns are raised by the Council about the need for future occupants to walk along the unmade track to reach Overcote Lane, before being able to enter onto the pavement which leads into the village. However, as part of the TDC stage, the condition of the track could be required to be upgraded to provide a more suitable surface which could accommodate vehicles, cycles and pedestrians. When considering the distance along the track, I did not find this overly far, with many services and facilities reachable within approximately a 10-15 minute walk. I therefore find that future occupants would have suitable access to services and facilities by means other than the private car.

12. In addition, I witnessed the adjacent open space which has a paved footpath across it which could provide an alternative option for future occupants and which for instance would provide a short walk to the primary school. I have not been told of any substantive reason why a pedestrian link could not be provided at the later stage to integrate the site more effectively in this way.

13. I therefore find that future occupants of the site could have suitable access to local services and facilities, as well as reasonable public transport links to other nearby larger settlements in accordance with the requirements of LP Policies LP 12 and

LP 17, which seek, amongst other things, that developments promote accessibility of services and facilities by public transport, cycling and walking. Notwithstanding the above, the proposal would be contrary to the spatial strategy set out in the LP. The development would therefore be contrary to Policies LP 9 and LP 10 of the LP which seek to direct new development to within the built up area of smaller settlements and to limit development within open countryside locations.

Character and appearance

14. The site forms an undeveloped area of land largely surrounded by boundary vegetation. Along the western boundary, the site sits adjacent to an open space which forms part of the settlement of Needingworth. An existing access and track is used to reach the site, which runs alongside existing residential development located to the west. To the north is a single dwelling, Lodel Farm, which sits within a spacious plot, with other outbuildings and agricultural structures beyond to the north. To the east and south is open countryside.

15. The site is open and undeveloped currently which contributes positively to the character and appearance of the countryside that surrounds the settlement, providing a rural setting to the edge of the village. The provision of residential development on the site would erode this openness and diminish the current rural character and appearance. As a result, there would be harm to the character and appearance of the area.

16. However, the site is a relatively small area which is fairly well contained by existing boundary vegetation, adjacent to the settlement edge. Whilst the boundary trees had been reduced in height at the time of my visit, when within the site, they still provide a sense of enclosure. I did not find that there were significant wider views from within the site over the wider agricultural landscape to the south and whilst there were views to the east, these were limited to where there is a break in the tree line currently.

17. Views of the development would be possible from the adjoining open space and from neighbouring residential properties, but I am satisfied that a scheme could be designed that would not result in unacceptable harm to outlooks. Also, the presence of Lodel Farm and the existing built form within the settlement being visible from vantage points along Overcote Lane means that a development on the site would not appear overly incongruous in wider views and on approach to the village. I therefore find that the adverse impact would be relatively localised.

18. Given the relationship between the site and the existing open space within the settlement, a development could be designed which responds appropriately to the existing pattern of development of the residential area adjacent.

19. The overall length and nature of the vehicular access to a proposal of the size identified would be at odds with the general arrangement of other residential development in this area of the settlement where dwellings tend to extend back in depth from the main roads. However, the access track already exists, running alongside the edge of the settlement. Also, planning permission for 30 dwellings has been granted by the Council recently on land to the north of Lodel Farm, which would infill the area between Overcote Lane and Lodel Farm to the north of the appeal site. When delivered, this development would extend the settlement to the east along Overcote Lane, largely enclosing the access route to the appeal site and screening it visually.

20. Taking into account the Framework Glossary definition of a settlement which includes land which has permission for development which will form part of the built-up area once the development is complete, I find it necessary to take into account that existing permission which would alter and extend the settlement in proximity of the site.

21. The proposal would result in the urbanisation of the site, with the introduction of residential activity, external lighting and vehicular movements for instance. However, given the more localised effects, the size of the site and its proximity to the settlement edge, I do not find that the proposal would result in unacceptable harm to those who use and enjoy the wider countryside. In this respect the proposal would not conflict with Policy LP 10 criterion c.

22. However, overall, whilst it would be localised, the proposal would nevertheless result in harm to the character and appearance of the area. It would therefore be contrary to Policies LP 10 and LP 12 of the LP which seek that developments contribute positively to the character and identity of the area, integrate with the landscape, and that the intrinsic character and beauty of the countryside is recognised.

Other Matters

23. The Council do not object to the loss of the Grade 2 agricultural land given the limited size of the site, that it is not currently farmed, that it is not the highest grade of agricultural land and that the majority of the developed land in Needingworth is also Grade 2. Based on the evidence before me, I can find no reason to conclude differently on this matter.

24. Access to the site, matters of highway safety, parking and traffic generation, biodiversity and wildlife, landscaping, trees and hedgerows and drainage and flooding would be addressed at the TDC stage. As would the effect of any design on the living conditions of local residents by virtue of noise, disturbance, traffic, outlook, privacy and light pollution. Whilst interested parties raise concerns in these respects, there is no compelling evidence before me to suggest that these matters cannot be addressed at the TDC stage. Therefore, they are not matters which would fall within the scope of the first stage of the permission in principle route.

25. Concerns are raised about the living conditions of future occupants in relation to noise and smell disturbances from the nearby poultry farm. The Council has not objected to the proposal on this basis, and there is no substantive evidence before me which suggests I should take a different view.

26. An interested party has raised objection to the use of the existing track and questions the ownership of it. However, whilst there is no definitive evidence presented, in any event for the purposes of the assessment of an application for permission in principle, matters related to the ownership of the land would be separate to and would not ultimately influence the assessment of the planning merits of the proposal.

Planning Balance

27. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless

material considerations indicate otherwise. The proposal would be contrary to the LP policies identified above relating to the location of the development and the character and appearance of the area. Consequently, the proposal would be contrary to the development plan when read as a whole.

28. However, it is not disputed that the Council cannot currently demonstrate a five year supply of deliverable housing sites. The most recent evidence indicates that the supply is 3.68 years.

29. Policy S3 of the Framework sets out that decisions should apply a presumption in favour of sustainable development and that outside settlements Policy S5 should be applied. Framework Policy S5:1 identifies that outside settlements, only certain forms of development should be approved as set out under criteria a. – j., unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies set out in the Framework.

30. Criterion j. identifies support for development which would meet an evidenced unmet need where a development would be physically well related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure. Given the housing land supply position, this criterion is engaged.

31. Given the proximity of the site to the settlement edge, the site would be spatially well-related to the settlement. The Council also found the site to be well-related to the built up area in its Officer Report. Taking into account the planning permission already granted for residential development to the north of Lodel Farm to the north of the site, the physical relationship between the site and the settlement would be further enhanced. Notwithstanding the limited harm I have found to the character and appearance of the area, I do not find that the nature of the residential development proposed, given its location and at the scale proposed would be inappropriate in this case. Consequently, it would be physically well-related in the context of the Framework Policy S5:1 j. test.

32. Whilst interested parties raise concerns about the capacity of infrastructure, including the school, doctors, highway network and drainage, there is no substantive evidence before me that there is not sufficient infrastructure to support the level of development proposed, or that such a development would not be of an appropriate scale for the settlement. Therefore, the proposal would comply with criterion j. of Framework Policy S5:1.

33. Turning now to consider whether the benefits of the proposal would be substantially outweighed by any adverse effects when considering the policies set out in the Framework.

34. The provision of up to nine dwellings would support the Framework's objective of significantly boosting the supply of homes which attracts substantial weight. In addition, as a smaller development it could also be delivered relatively quickly and add to the mix of housing in the area. As stated above, there is also a shortfall in housing land supply in this area.

35. There would also be some economic benefits associated with the development, during the construction phase and after with residents contributing to the local

economy. A 10% biodiversity net gain would also be achieved which would provide some benefit, however given that this is a requirement of planning policy this is a neutral factor in the planning balance.

36. Considering the adverse effects, the proposal would be contrary to the spatial strategy set out in the LP. There would be some harm to the natural environment with the loss of land of rural character, at odds with Framework Policy N2:1 which requires the natural beauty of the countryside to be considered. However, I have found above that the harm would be localised and there is no evidence before me which suggests that a development could not be designed to respond to the context of the settlement, which it would be located adjacent to.

37. Taking these factors together, I find that the benefits would not be substantially outweighed by the identified adverse effects, when assessing the proposal against the policies set out in the Framework.

Conditions

38. The PPG makes it clear that it is not possible for conditions to be attached to a grant of permission in principle, whose terms may only include the site location, type and amount of development. Therefore, I have not imposed any conditions.

Conclusion

39. For the reasons given above, I find that the proposal would conflict with the development plan when read as a whole. However, there are material considerations, including the Framework, which indicate that permission should be granted in this case, other than in accordance with the development plan. The appeal is therefore allowed.

[redacted]

INSPECTOR

OFFICER REPORT

Case No: 26/00274/PIP **Permission in Principle**

Proposal: **Permission in Principle for 7 to 9 dwellings**

Location: **Land South Of Lodel Farm Overcote Lane Needingworth**

Applicant: **Burgess And Walker Transport Ltd**

Grid Ref: **534622 271557**

DESCRIPTION OF SITE AND APPLICATION

The application site is a section of land to the south of Lodel Farm and accessed off Overcote Lane, Needingworth. It is a section of agricultural land on the edge of the residential area of Needingworth.

The site measures approx. 0.76 ha (excluding the long access track) extending in a southerly direction from the southern boundary of Lodel Farm. The access from Overcote Lane measures approx. 250m. The developed residential areas of Ashton Close and Bramley Avenue lie to the west, Lodel Farm and its associated buildings are to the north and there is open countryside to the east and south.

The site in its entirety comprises a single lane unmade track from Overcote Lane bordered by grass verges and sporadic tree planting. This then opens into a section of agricultural land, mainly covered by soil and grass. There is a low level post and rail fence to the west separating the site from a section of grassland to the south of Ashton Close. There is some evidence that there may have been a partial boundary formed by trees/hedgerow but these appear to have been removed (and from the condition of the land at the time that the site visit was completed this appears to have taken place relatively recently). From aerial imagery (most recent that Officers can obtain is from Summer 2021) the southern section of the site appears to be well contained by a dense tree belt/hedge planting and contains some structures. The section to the north (excluding the access) is mainly grassed with some sporadic shrub growth.

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. The same data shows a 1 in 1000 year risk of surface water flooding to the far north and there are some sections (1 in 30, 1 in 100 and 1 in 100 year risk) on the margins of the access but this is very minor in practice and would not prevent access to and from the site.

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 seven to nine dwellings on the site.

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

23/01002/OUT - Proposed development of up to affordable 30 dwellings to include public open space, landscaping, access and associated works. Approval sought for Access to Overcote Lane only at this stage with Layout, Landscaping, Scale and Appearance as reserved matters (Approved)

N.B, this does not relate to the site itself but is a consideration in the decision making and is assessed in the proceeding sections of this report.

CONSULTATIONS

*Needingworth Parish Council recommend refusal citing the following reasons:

*Countryside harm due to loss of agricultural land, lack of boundaries, harmful to rural character, harmful to wildlife and fails to comply with policy.

*Parking and highway concerns due to poor access, uncertainty over ownership of access, increased vehicle movements and potential harm caused by required modifications.

*Wastewater given the location close to a commercial chicken farm and sewage works. PC also points out that Anglian Water have previously commented on an earlier application which was considered that there is insufficient capacity at the works.

*Trees and hedgerow removal (aside from that which has already been undertaken) will be required.

It should be noted that not all of the points raised are material planning considerations (land ownership for example) and some matters cannot be addressed under what the Local Planning Authority are permitted to consider within the confines of a Permission in Principle application. Each point will however bee addressed in the proceeding sections of this report.

*CCC Highways - No objections in principle - further details needed under FULTDC application.

*HDC Environmental Health - No objections in principle but further details with regard to potential land contamination would be required as part of any future application.

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

REPRESENTATIONS

Objections have been received from eight addresses and these are available to view on HDC's Public Access Site. These are also broadly summarised below:

*Poor access to the site and refusal to permit access
*Potential harm to habitat/wildlife due to proximity to nature reserves
*Query of ownership/right of access
*Land outside of village boundary, is valuable agricultural land which should not be developed
*Flood concerns
*Inadequate infrastructure, schools, GP Surgery etc
*Concerns about traffic
*Concerns about waste-water capacity
*Impact on the peaceful character of the area and character of the village
*Noise concerns from the access road/general disturbance to neighbours
*Aesthetically harmful

*Concerns about suitability of the site for prospective residents due to the location of the chicken farm

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 4,345 homes equivalent to 3.68 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.

Needingworth 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. The Local

Plan goes on to state at that agricultural land, woodland, meadow, areas of water and natural habitats that penetrate the built form or sections of large residential curtilages where the character of the land primarily relates to the countryside, should be excluded from the built up area as these spaces can provide a visual buffer between built development and the open countryside, softening the visual impact and linking the built up area with its rural context. Guidance also states that land which is not defined by strong boundary features and which is not enclosed by built development on more than two sides should also be excluded from the BUA.

Given the location and character of the site, the lack of strong boundary features and lack of immediate adjacent built development on more than two sides the site is considered to be part of the countryside as opposed to the BUA. Whilst well-related to the BUA the submission does not demonstrate that it would meet the specific policy requirements (rural exceptions housing etc which would allow for such development).

Having regard to the above considerations, Policy LP10 is the starting point for assessment.

LP10 seeks to limit development in the countryside unless allowed through other opportunities provided for within the Local Plan. LP10 states that all development in the countryside must:

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

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

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

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

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

In terms of part a, the land in question is Grade 2 agricultural land and so whilst some of the most valuable land it is not land of the highest grading. It should be noted that the majority of the developed area of Needingworth is also Grade 2 agricultural land. Whilst the concerns regarding this loss of land are noted, these have to be balanced with the provision of housing within a rural district. In this case, given the relatively small section of land in question and the fact that it does not appear to be in use for agricultural purposes at present, this would not solely be a justifiable reason for refusal, particularly with the requirements to apply tilted balance to this consideration.

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 (or in this case a successful appeal) shall be dealt with under a later FULTDC application. This scheme relates to a development of seven to nine dwellings, there is no indication as to the size, scale or layout. Whilst an indicative site plan has been provided to show a proposed layout, this is purely indicative and solely indicates that the intended quantum of development could be achieved. Therefore, the matter for consideration here is if the introduction of any built form on this land would be harmful. As referenced earlier in this report, the area, whilst well related to the BUA has a distinctly rural character and a visitor to the site experiences it as countryside with wider views over unspoilt countryside to the east and south. It is considered that the development of this land (regardless of its scale) would be incongruous to the setting and would erode the rural character of the area resulting in the loss of land which forms a buffer between the countryside and built form of the village and would cause significant and demonstrable harm.

Turning attention to part c, some residential development will always give rise to some factors such as noise, light pollution and so on. Whilst the site is considered to be of a size which would limit

impacts on occupants of neighbouring dwellings (and HDC's Environmental Health Department have not raised any objection in relation to these factors) it is considered that the introduction of residential development and its associated factors (noise, light, vehicle movements, outdoor activities etc) would significantly alter the character of the area and thus would be contrary to the Policy.

Whilst the site is considered to lie outside of the BUA (and so Policy LP9 need not be applied under normal circumstances), given that tilted balance is engaged, an assessment has been conducted as to if the site was within the BUA of the settlement. These tests relate to the sustainability of a location when services within it are considered, opportunities for users to access everyday services and facilities and general impact upon the character. The last point has largely been addressed above and so overall, this is a decision on the sustainability of the location for housing.

Whilst it is a small settlement, Needingworth does provide a number of services and facilities such as places of worship, public houses, a village hall, school, areas for play and leisure and so on. There is also a bus service to larger settlements such as St Ives which is only approx. 2.1km (the town centre approx. 3.7km from the site and which could be accessed by sustainable travel methods by persons of reasonable fitness. Therefore, Needingworth as a whole is by no means at the lower end of the settlement hierarchy and, whilst the concerns regarding the level of infrastructure is noted it remains that Needingworth is considered to be a sustainable location for development of this nature. That said, the LPA do maintain and assess the level of development being directed to such settlements to ensure that these do not become overwhelmed.

However, notwithstanding the above considerations, Officers do not consider the site to be sustainable in its own right. As mentioned in the preceding sections of this report the access track is unmade and is approx. 250m from Overcote Lane. It is unlit, and, whilst it connects with the Overcote Lane footpath (west of the access) a user navigating this on foot or by bicycle to safely and conveniently access the previously referred to services is unlikely. It is acknowledged that the subsequent FULTDC application may present options to upgrade this access but, given that the application is silent on this, Officers do not feel that they have sufficient information to assess this at this stage to confirm the suitability of the access and subsequently the location as sustainable for residential development. Notwithstanding this issue, it remains that this would be an isolated development in relation to the main settlement area and uncharacteristic of its surroundings by virtue of the lengthy access alone and so fails to accord with Policy LP9(b).

In terms of part c, the impact on the character and beauty of the countryside (and therefore the character of the locality and settlement) has been addressed in the preceding sections of this report. However, it is repeated here that the LPA are of the opinion that the introduction of residential development in this location would create an intrusive form of development which would cause significant and demonstrable harm by virtue of the erosion of the rural character of this section of Needingworth and therefore fail to comply with Policy LP9(c) of the Local Plan to 2036.

Overall, whilst as required by titled balance reduced weight has been applied to Policies LP9 and LP10 of the Local Plan to 2036 it is considered that the development of the site for residential use by virtue of its location outside of the BUA would cause harm to the rural character of the area regardless of the quantum of development proposed and, given its isolated location would not result in a sustainable form of development which provides safe and convenient access to future occupants. Whilst the social, economic and environmental aspects of the proposal with the obvious being contributing to the 5YHLS, as well as minor expansion of a rural village thus supporting local business and contributing to other trades such as builders and suppliers etc have been considered it is not considered that this would outweigh the significant and demonstrable harm identified as set out above. The proposal would be contrary to Policies LP9 (parts b & c), LP10 (parts b & c), LP12 (parts a, b & f) and LP17 (part c) of the Local Plan to 2036, parts C1, I1 and M2 of the National Design Guide (2021) and the provisions of Paras. 117, 129, 135 and 187 of the NPPF (2024) and should therefore be refused.

It should be noted that in reaching this decision regard has been given to the outline permission granted under reference 23/00102/OUT for 30 affordable dwellings to include public open space, landscaping, access and associated works on land north of Lodel Farm. This considered access only with all other matters reserved. This decision was issued on the 30th of June 2025. At the time of writing this report the application for reserved matters (which must be submitted prior to the 30th of June 2028) has not been received. As such, whilst this remains a 'valid permission' it cannot be guaranteed that this will ever be delivered. Furthermore, this site differs in that it has greater connectivity with Overcote Lane (no access or links with the access for this site are intended), the two sites are separated by Lodel Farm and its associated buildings creating further isolation. Crucially, the outline permission was for 100% affordable housing and so was determined as a rural exceptions site and so it is not comparable to this proposal. As such, no weight has been attributed to this decision and it is not considered that (in the event that the development approved under the outline permission is realised) that it would alter the character of the setting of this section of land to such a degree that the development proposed would be acceptable.

2. Land use

The site lies within Flood Zone 1 as per the most recent Environment Agency (EA) Flood Risk Maps and Data. Flood Zone 1 is defined as having the lowest risk of flooding in the Government's National Planning Practice Guidance (PPG). Whilst it has been suggested in the objections that the site is a flood plain, this is not the case (as per the EA data), and development of this nature is acceptable within Flood Zone 1.

There is some surface water flood risk on the margins of the access and to the north of the site. The NPPF at Para. 175 states that "the sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)."

Planning Practice Guidance (Para. 027) (PPG) states that "in applying paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied."

Whilst in this case no FRA has been provided, Offices are satisfied that given the minor extent of the surface water flood risk that the scheme applied for could be designed to lie outside of the surface water flood risk area and as such the sequential test need not be applied. Any future application for FULTDC (in the vent of a successful appeal) should be accompanied by a Site Specific Flood Risk Assessment which demonstrates compliance with the requirements of the NPPF and PPG.

Officers do also acknowledge the concerns raised regarding capacity for foul water at the sewage works. However, the specific foul and surface water drainage strategies is a matter to be dealt with at the technical details stage, and not this first permission in principle stage. Conditions cannot be imposed on a permission in principle application. As this is the case full specific details of how the site will drain would be required to be considered and approved under the subsequent technical details stage. For example, it may be that there is no intended connection to the sewer network. Therefore, there are no justifiable grounds to refuse the application for permission in principle.

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 by objectors regarding potential impacts on residents due to increased vehicle movements, general disturbance as well as the potential impact on future occupants due to the proximity to the chicken farm.

HDC's Environmental Health Team have been consulted and raise no objections in terms of noise or odour impacting neighbours (including due to increased vehicle movements) nor future occupants of the dwellings. Environmental Health would require further details in relation to potential land contamination given the previous use as a plant nursery with potential for chemicals to have been in use. They recommend that (in the event of a successful appeal) a Land Contamination Risk Assessment be submitted as part of any FULTDC application.

In terms of other matters, 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.

As detailed above, permission in principle applications do not provide details of layouts, house types and so on. Therefore, an application for seven to nine dwellings may only result in seven 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 in the event of a successful appeal). 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 significant harm.

Officers note that there is concern within the objections on parking pressures and traffic flows but at this stage there are no details of parking provision, manoeuvring etc and so this cannot be assessed. There are also concerns raised regarding land ownership and right of access, however, the applicant is only required to submit an ownership certificate at the time of applying for FULTDC. In any event, this is not a material planning consideration and no weight can be given to this in the determination of the application. it should be noted that one of the objectors states that they have maintained the track but do not give consent for its use. This does not however state that the objector is the owner of the access.

Cambridgeshire County Council's Highways Team have been consulted as part of this process and raise no objections in principle but do note that they would require further details under a FULTDC application in relation to:

*Access;

*Layout;

*Visibility splays for the highways access;

*Traffic impacts

Overall, whilst the concerns of the Parish Council and neighbours are noted, given the limited detail permitted to be assessed under a permission in principle application, matters which can be addressed under the FULTDC and lack of objection from specialists, it is concluded that this minor intensification of the access along with the suitability of the site (in terms of scale) to provide the dwellings and parking, will not be harmful and that (notwithstanding the access concerns in terms of sustainability) the scheme could be realised in accordance with Policies LP5, LP14, LP15, 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, as assessed in the preceding sections of this report it is considered that permitting residential development on this land would harm the rural character of the area and diminish the attractive countryside buffer between the built form and village boundary as well as failing to prioritise sustainable travel contrary to LP12 (a, b & f).

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.

Concerns have been raised regarding potential impact on habitats and the presence of grassland, trees, hedgerows etc within, surrounding, and immediately adjacent to the site means that a Preliminary Ecological Appraisal and any additional species-specific surveys would be required as part of any FULTDC application (in the event of a successful appeal) to demonstrate that all potential adverse impacts on biodiversity have been investigated and appropriately 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 as the actual impacts are unknown.

*Impact on Trees

There are no trees subject to Preservation Orders within (or adjacent to) the site and it is not within a Conservation Area. As such, the trees are not afforded formal protection and so there is nothing preventing their removal. As referenced in the preceding section of this report some clearance (to stump level) has already been undertaken. That said, Officers do note that there are some trees along the access track which whilst not protected do contribute to the character of the area. Furthermore, the soft landscaping (which includes trees) along the western boundary provides some valuable screening. Whilst it is not considered that these would present with insurmountable

issues to overcome they should be considered as part of any future FULTDC application (in the event of a successful appeal) to ensure compliance with Policy LP31 of the Local Plan.

*Water Efficiency

Any future application for technical details consent (in the event of a successful appeal) 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 (in the event of a successful appeal) would need to confirm compliance with this policy.

*Developer Contributions

Any subsequent Technical Details application (in the event of a successful appeal) 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

Section 38(6) TCPA 2004 states that "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".
The proposed development is contrary to the development plan being residential development in the countryside in the rural policy area outside the built-up area of Needingworth which does not meet any development plan policy exceptions.

Whilst reduced weight has been given to the relevant Policies given the situation with the Council's five-year housing land supply and application of tilted balance, the proposal represents unacceptable development outside of the built-up area of Needingworth which would result in encroachment and expansion of a small settlement into the countryside resulting in the loss of land which forms a buffer between the wider countryside and built form of the village as well as introducing alien factors (increased noise, light, vehicle movements and disturbance etc) causing significant and demonstrable harm. Furthermore, the proposed site access does not provide safe and convenient access to the services within the settlement which would result in an isolated development and unsustainable location for housing. The applicant has not demonstrated that the development would fall within a category which would allow for the relaxation of any Policies which permit such development in the countryside.

The proposal would be contrary to Policies LP9 (parts b & c), LP10 (parts b & c), LP12 (parts a, b & f), and LP17 (part c) of the Local Plan to 2036, parts C1, I1 and M2 of the National Design Guide (2021) and the provisions of Paras. 117, 129, 135 and 187 of the NPPF (2024) and should therefore be refused.

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

APPENDIX

Q

Appeal decision APP/H0520/W/23/3334460 (Top Farm)

Inspector K Savage, 2024

The Planning Inspectorate

Appeal Decision

Site visit made on 8 May 2024

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th June 2024

Appeal Ref: APP/H0520/W/23/3334460
Top Farm, Top Lane, Abbotsley, Cambridgeshire PE19 6UH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs J Dell against the decision of Huntingdonshire District Council.
- The application Ref is 23/00130/FUL.
- The development proposed is construction of a detached dwelling with attached garage.

Decision

1. The appeal is allowed and planning permission is granted for construction of a detached dwelling with attached garage at Top Farm, Top Lane, Abbotsley, Cambridgeshire PE19 6UH in accordance with the terms of the application, Ref 23/00130/FUL, and subject to the conditions in the attached schedule.

Application for costs

2. An application for an award of costs has been made by Mr and Mrs J Dell against Huntingdonshire District Council. This is the subject of a separate decision.

Preliminary Matter

3. The appellant has responded to the Council's second reason for refusal with the submission of a completed unilateral undertaking. The Council is satisfied that this overcomes its concerns. Accordingly, I have not treated it as a main issue, but I briefly address it as an other matter below.

Main Issue

4. The main issue is whether the proposal would represent a suitable location for housing, having regard to relevant local and national policies.

Reasons

5. The appeal relates to a residential dwelling set within spacious grounds at the end of Top Lane, a small lane leading south from the main road through the village of Abbotsley. The wider grounds contain a second, recently constructed dwelling in a modern barn style, which replaced a former barn in the same location under planning permission granted in 2022.[1] The area to the east of the main dwelling, where the proposal would be located, was confirmed as residential garden under a lawful development certificate.[2]

[1] Council Ref 21/00412/FUL
[2] Council Ref 20/01803/CLED

6. Abbotsley is identified as a 'small settlement' under the Huntingdonshire Local Plan (June 2019) (the HLP). Policy LP9 supports development within the built-up area, subject to certain conditions, and also development on land well-related to the built-up area where it accords with specific opportunities allowed for through other policies of the plan.

7. There is no doubt that Abbotsley may be regarded as a built-up area, which is defined under the HLP as a distinct group of buildings that includes 30 or more homes. Paragraph 4.84 adds that *'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.'*

8. The HLP goes on to set out a number of specific scenarios to aid interpretation of what is included or excluded from the built-up area. The Council points to the built-up area excluding *'undeveloped land that affords important views from a public vantage point to or from a Listed Building or Conservation Area connecting the building or area to its countryside setting.'* It also adds that *'large curtilages with grounds stretching away from the rest of the built up area are excluded to prevent sub-division of the plot for new development.'*

9. Conversely, the appellant points to the definition including *'elements of large curtilages that relate closely to the buildings, for instance formal gardens, ancillary parking and hard tennis courts.'* I draw from these different examples that certain sites may exhibit elements of more than one definition, due to their particular location, size, layout and characteristics. Therefore, judgement is required having regard to the particular evidence in each case.

10. The site is undoubtedly large and has a rural character owing to the expansive lawns and adjacent agricultural land which extends for some distance beyond the eastern and southern boundaries. However, to the other two sides, the roofs of neighbouring dwellings are glimpsed through the tree cover, with Top Lane Cottage and the new dwelling on site both in close proximity. Top Farm is also well-aligned with development to the west on Blacksmiths Close and Blacksmiths Lane, together forming the southern extent of development in Abbotsley.

11. Moreover, this southern edge of the built form is marked by a dense tree line which extends along the rear boundary of the appeal site and returns along the eastern side. This creates a clear separation between the open countryside to the south and east and the built form and areas of residential curtilage within the village to the north and west of the site. It also screens views of the site and village beyond from public footpaths to the south. Therefore, whilst Top Farm is slightly more detached from its neighbours owing to its larger grounds, it sits within the existing extremities of what is an organic, dispersed built form, and is not physically or visually isolated from the built-up area. The site is also not publicly accessible and does not afford important views towards a listed building or conservation area owing to the surrounding tree cover.

12. The area where the dwelling is proposed is part of a residential garden, being adjacent to the tennis court and maintained as a lawn. From my observations, it forms part of the residential curtilage of the existing dwelling. Notably, it is physically separated from the agricultural land beyond by the mature boundary hedgerow, with a distinct difference in appearance and use to either side of it. Therefore, whilst the proposal would extend the spread of the built form slightly, it would still be contained within these natural boundaries.

13. In light of this, I find that the appeal site most closely reflects '*elements of large curtilages that relate closely to the buildings, for instance formal gardens, ancillary parking and hard tennis courts'* and that it would present a rounding-off opportunity on land which is physically, functionally and visually related to existing buildings. Therefore, it is my judgement that the appeal site should be considered as part of the built-up area.

14. Consequently, the proposal would gain support under Policy LP9 where the amount and location of the development is sustainable in relation to:
    a. the 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. the effect on the character of the immediate locality and the settlement as a whole.

15. The Council has not raised concern in respect of the level of service and infrastructure provision in Abbotsley or sustainable travel modes. Whilst it is a small settlement, it benefits from a church, public house and village hall which new residents could support. There are some commuter bus services to and from Cambridge. The level of service is reflective of the small size of the settlement and would not eliminate the need for the private car, but the National Planning Policy Framework (the Framework) recognises that opportunities for sustainable modes of transport will vary between rural and urban areas, and it is to be expected that residents would require a vehicle in a smaller settlement such as Abbotsley. In addition, given the proximity of St Neots, offering a wide range of services and facilities, many journeys by car would be short. Consequently, I find that the proposal would accord with criteria (a) and (b) of Policy LP9.

16. Notwithstanding its objections on locational grounds, the Council does not raise objection in respect of the design of the dwelling or its effect on the character and appearance of the area. It would have a low profile design, with a central, two storey element with a shallow monopitch and single storey, flat-roofed wings extending out in a T-shaped layout. The contemporary design would be reflected in the palette of materials – grey brick, timber cladding, weathered steel, metal roof cladding and green roof.

17. The design is a departure from the generally more traditional, rural style of dwelling which characterises Abbotsley. However, the secluded setting of the site means the dwelling would not be readily visible from other residential properties, with the exception of the two dwellings already on the wider site. The roof of the dwelling may be glimpsed from the public footpath which crosses the agricultural fields to the south, but it would be seen in the context of an established, natural treeline in the foreground and the low profile of the dwelling means it would otherwise not stand out as a conspicuous development within the village, nor would it create an impression of development extending into the open countryside.

18. The Council has also accepted that the proposal would not have an adverse effect on the setting of the Abbotsley Conservation Area (the ACA). Given my considerations above regarding the limited visibility of the dwelling, I agree that the proposal would preserve the heritage significance of the ACA, which from my observations derives from the eclectic mix of dwellings of varying ages

and styles in a spacious and organic village layout that evokes a long history of settlement within a verdant, rural setting.

19. For these reasons, I conclude that the proposal represents a suitable location for housing and would accord with the requirements of Policy LP9, and would in turn accord with the overall strategy for development set out under Policy LP2. As I have found that the proposal falls within the built-up area, Policy LP10 relating to development in the countryside is not applicable. The proposal would further accord with the Framework aim of boosting the supply of housing and promoting sustainable development in rural areas, by locating housing where it will enhance or maintain the vitality of rural communities.

Other Material Considerations

Other Appeal Decision

20. In reaching a view, I have noted the case[3] cited by the appellant as comparable. However, from the available evidence, the site characteristics are not identical. Moreover, the test in Policy LP9 requires a site-specific assessment, having regard to a suite of definitions, to determine whether a site falls within the built-up area. This is inherently a matter of planning judgement. Therefore, whilst the Inspector may have found the site to lie within the built-up area in the cited appeal, this decision has not been determinative to my conclusions, which I have reached on the basis of the specific site circumstances of the case.

Unilateral Undertaking

21. The aforementioned unilateral undertaking commits to making a contribution towards the provision of wheeled refuse bins to serve the development. I am satisfied that this contribution is necessary to ensure proper waste disposal is provided for the development, and so meets the tests for planning obligations under Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and as expressed in the Framework.

Other Issues Raised

22. I note the concerns raised by interested parties regarding light pollution. The plans indicate that the largest window openings would face to the south, away from neighbouring dwellings, and ground floor windows would be well screened by boundary vegetation. The Council has not raised objection in this respect and the evidence before me does not indicate the proposal would have a significant adverse impact in terms of light pollution.

23. Concerns with the access are also raised. This is unchanged from the access approved for the replacement dwelling granted in 2021. Whilst narrow, the lane would continue to serve a limited number of dwellings and I have no firm reasons to disagree with the Council's conclusions, noting also that there is no objection raised from the local highway authority which has suggested several conditions to ensure the access is of a suitable standard.

24. The planning history of the site has been raised, in particular the change of paddock land to residential garden and its subsequent confirmation as lawful under an application made in 2020. However, there is no suggestion of any

[3] Council Ref No: 19/00452/PIP, allowed under Appeal Ref APP/H0520/W/19/3233872

unlawful use now, and my judgement is based on the existing condition and use of the land. My assessment is also made on the planning merits of the case, without prejudice. I am also satisfied that allowing the appeal would not set a precedent as the nature of the assessment is site specific and overall acceptability of any further proposal would also depend on other material considerations. It will be for the Council to determine any such application on its own merits and against the adopted development plan at the time.

25. The Council did not refuse the application in respect of other matters, including neighbours' living conditions, the standard of accommodation to be provided, flood risk, trees and biodiversity. The evidence before me does not indicate additional material harm would arise in these respects. Therefore, there are no further matters identified which are material to the overall planning balance.

Conditions

26. In addition to the statutory time limit for implementation [1], a condition setting out the approved plans is necessary to provide certainty [2]. Conditions are necessary to ensure the site access, visibility splays, parking and turning areas are provided to the requisite standard, including with respect to surfacing and water run-off, in the interest of highway safety [3, 4, 5, 6, 7 and 8].

27. Details of external facing materials to be used on the dwelling are required to secure a satisfactory appearance [9]. Cycle storage is required to be provided in accordance with Policy LP17 [10]. Conditions are also required to ensure the development meets with the optional requirements of the Building Regulations in respect of water efficiency and accessible and adaptable buildings, as required by Policies LP12 and LP25 of the HLP [11, 12].

28. It is also necessary to secure details of surface and foul water drainage schemes to address site drainage and flood risk [13, 14]. A biodiversity management plan [15] is also required to ensure measures set out in the preliminary ecological appraisal are carried out to deliver long term biodiversity gain. Finally, it is required to ensure protection of existing trees [16]. The appellant has agreed to this pre-commencement condition which is necessary as protection is required from the outset of development to avoid harm.

Conclusion

29. For the reasons set out, I conclude that the proposal accords with the development plan, taken as a whole. There are no material considerations which indicate that permission should nevertheless be withheld. Therefore, the appeal should be allowed.

[redacted]
INSPECTOR

Schedule of Conditions

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: LTD191.001 (Location Plan); LTD191.002 (Proposed Site Layout Plan); LTD191.003 (Proposed Ground Floor Plan); LTD191.004 (Proposed First Floor Plan); LTD191.005 (Proposed Roof Plan); LTD191.006 (Proposed Front Elevation); LTD191.007 (Proposed Right Side Elevation); LTD191.008 (Proposed Rear Elevation); LTD191.009 (Proposed Left Side Elevation); LTD191.010 (North South Building Section); LTD191.011 (Materials Schedule); LTD191.012 (Site Section North South); LTD191.013 (Site Section East West); ST-2730-03-C (Means of Access Plan); Arbtech TPP 01 (Tree Protection Plan); 3/0000 (Topographical Survey); 4/0002 (Sections).

3) Prior to the first occupation of the development, the access shall be constructed to a minimum width of 5 metres, for a minimum distance of 10 metres measured from the near edge of the highway carriageway.

4) Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

5) Prior to the first occupation of the development the proposed on-site parking and turning area shall be laid out in accordance with the approved plan and thereafter retained for that specific use.

6) Prior to the first occupation of the development visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan No ST-2730-03-C The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

7) The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

8) A metalled surface shall be provided for a minimum distance of 10m along the access road from its junction with the public highway.

9) No development shall take place above slab level, other than demolition, until details of the proposed materials and elevation treatment should be provided including the treatment and colour, reveal depth and means of opening of windows, the junctions between materials and the treatment and colour of the parapet coping to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

10) Notwithstanding the details shown on the plans hereby approved, no development above slab level shall commence, until details of the facilities for the provision of secure covered cycle parking for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the

siting, means of enclosure, cycle rack systems where appropriate, appearance and materials. The facilities shall be provided in accordance with the approved details before the development to which it relates is occupied and shall be retained as such.

11) The dwelling hereby permitted shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement for water efficiency, as set out in Approved Document G (or replacement standards) prior to first occupation. Such provision shall be maintained for the lifetime of the development.

12) The dwelling hereby permitted, shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(2) 'accessible and adaptable' (or replacement standard), prior to occupation. Such provision shall be maintained for the lifetime of the development.

13) No development above ground level, other than demolition, shall commence until a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

14) No development above ground level shall commence until a scheme for the provision and implementation of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

15) No development above slab level shall take place until a Biodiversity Method Statement which provides details of how the recommendations contained in Chapter 4 of the Preliminary Ecological Appraisal (dated 24/10/2022) and received by the LPA 23/01/2023 will be carried out has been submitted to and approved in writing by the Local Planning Authority. The details shall include but not be limited to; specification, location, timing, an implementation program, maintenance, and monitoring. The development shall be carried out in accordance with the approved details.

16) The development hereby permitted shall be carried out in accordance with the submitted tree protection measures referenced in the Arboricultural Method Statement (dated 24/11/2022) and tree protection plan (drawing Arbtech TTP 01) received by the Local Planning Authority 23rd January 2023. The measures shall be implemented prior to the commencement of any development, demolition, clearance or other preparatory operations including excavations and shall be retained intact for the duration of the construction works.

Any trees, shrubs or hedges covered by the agreed protection measures, which die or become severely damaged either from natural causes or as a result of the construction works; during the construction works or within five years from the completion of the construction works, shall be replaced with trees, shrubs or hedge plants of similar size and species,

unless otherwise agreed in writing with the Local Planning Authority. Replacement planting to be undertaken by the end of the next available planting season.

APPENDIX

R

Appeal decision APP/H0520/W/19/3233872 (Great Staughton), with the officer report

Inspector, 18 November 2019, with the officer report on 19/00452/PIP

The Planning Inspectorate

Appeal Decision

Site visit made on 1 November 2019

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th November 2019

Appeal Ref: APP/H0520/W/19/3233872
Land to the south and west of 69 The Highway, Great Staughton, Cambridgeshire PE19 5DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
- The appeal is made by Mr Gerald Day against the decision of Huntingdonshire District Council.
- The application Ref 19/00452/PIP, dated 4 March 2019, was refused by notice dated 25 June 2019.
- The development proposed is described as "Permission in Principle application for the demolition of storage buildings and the erection of 4 no dwellinghouses".

Decision

1. The appeal is allowed and planning permission in principle is granted for the demolition of storage buildings and the erection of 4 no dwelling houses at land to the south and west of 69 The Highway, Great Staughton, Cambridgeshire in accordance with the terms of the application, Ref 19/00452/PIP, dated 4 March 2019.

Preliminary Matters

2. This is an application for permission in principle. As such, no definitive details have been provided regarding the layout or appearance of the proposed dwellings. The Planning Practice Guidance (PPG) states that the scope of permission in principle is limited to location, land use and amount of development[1]. Accordingly, I have considered only the issues relevant to those 'in principle' matters in my determination of the appeal.

3. The description of the development as stated in the fourth bullet point in the banner above is as agreed with the Council following its amendment from seven dwellings to four dwellings. Furthermore, the parties also agree that the development of two dwellings as referred to in the Council's decision notice is also an error and should refer to four dwellings. I have therefore considered this appeal on that basis.

Main Issue

4. The main issue is whether the appeal site is a suitable location for housing having regard to the character and appearance of the appeal site and its surroundings.

[1] Paragraph Reference ID: 58-012-20180615 Revision date 15 06 2018

Reasons

5. The Council state that as the site lies beyond the Small Settlement of Great Staughton, it is classified as being within the countryside. Policy LP9 of the Huntingdonshire District Council Local Plan to 2036 adopted May 2019 (the Local Plan) states that development on land that is well related to the built-up area of a Small Settlement may be supported where it accords with the specific opportunities allowed for through other policies of the Local Plan. Policy LP10 of the Local Plan states that development within the countryside will be restricted and development must, amongst other things, recognise the intrinsic character and beauty of the countryside. This is consistent with paragraph 170 b) of the National Planning Policy Framework which seeks similar aims.

6. Paragraphs 4.80 - 4.84 of the Local Plan define a 'built-up area' as one that is a distinct group of buildings that includes 30 or more dwellings. The village of Great Staughton clearly sits within that definition. The Local Plan's definition of a 'built-up area' continues by stating that land that relates more to the group of buildings than to the surrounding countryside is also considered to form part of the built-up area. The Local Plan also provides a table[2] (the table) that sets out those areas that will be excluded from the definition of a built-up area which includes areas of meadow.

7. The appeal site forms a parcel of land that is mainly laid to grass and contains a prefabricated garage along with two existing single storey buildings that have a lawful B8 (storage or distribution) use. To the north of the site are existing dwellings arranged in a linear manner that face onto The Highway. To the east and west of the appeal site are additional dwellings that have been developed behind the frontage linear development to the north which has created an area of in-depth development that the site sits between. The site is bound to the east, south and west by existing landscaping, although it is weaker on its southern boundary. The site also contains a bund and piles of rubble. These features lend the character of the site a clear and distinct difference when compared to the more open and spacious character of the countryside which exists to the south of the site.

8. Thus, the character of the appeal site is largely consistent with that identified within the table which states that pockets of undeveloped land that is well contained by existing hedgerows or tree belts and whose character is influenced by the buildings such that it is not perceived to be part of the surrounding countryside but relates primarily to the built form of the settlement. In such circumstances, small parcels of land are considered to offer opportunities for organic growth of settlements.

9. In this particular instance, given the use of part of the site for commercial purposes, the Council's acceptance of a single dwelling to the north of the site and its overall character as described above, leads me to conclude that the site is better related to the built-up area of Great Staughton than the countryside to the south. Moreover, given that the development would be of a limited scale, its effect on the rural character and appearance of the area would also be constrained to the immediate area. I am not persuaded the development of four dwellings into the site, that utilises an existing access, would have a material and harmful impact on the character and appearance of the area.

[2] Table at pages 53-55 of the Local Plan

10. Furthermore, given the site specific constraints that I have identified at the appeal site, I am also not persuaded that the development would place pressure on every piece of land to be developed as stated by the Council. Moreover, it must be accepted that every planning application must be considered on its own merits which is one of the fundamental principles that underpins the planning system. In addition, although the Council refers to the land as a meadow, these areas are only excluded from development where the character of the land primarily relates to the countryside. For the reasons already rehearsed, I have found that the land relates better to the built-up area of Great Staughton.

Other Matters

11. Concerns have been raised regarding the access and highway safety, along with the presence of bats in the area and the effect of the development on hedges and trees. However, I am mindful that these are not matters which would fall within the scope of consideration for the first stage of the permission in principle consent route. These are all matters which will need to be addressed as part of the technical details consent, the second stage of the process where the detailed development proposals are assessed.

12. I also acknowledge that the inspector that determined the development at 63 The Highway[3] considered the site to be infill with surrounding land, which includes the appeal site, to be agricultural land. The Council's delegated report also considers the loss of Grade 3 agricultural land. However, there is no evidence before me to suggest that the land is in active agricultural use and did not appear to be at the time of my visit.

13. I have also had regard to the contention that the boundaries of the appeal site have been shown inaccurately on the submitted plans and include land not within the ownership or control of the appellant. However, whilst there is no detailed or definitive evidence presented to demonstrate this to be the case, in any event for the purposes of the assessment of an application for permission in principle, matters related to the ownership of the land would be separate to and would not ultimately influence the assessment of the planning merits of the proposal.

Conclusion

14. The Council accepts that the PPG makes it clear that it is not possible for conditions to be attached to a grant of permission in principle[4], whose terms may only include the site location, the type and amount of development. Nevertheless, it has suggested a number of informative. However, I do not consider these possible for the same reasons as presented within the PPG

15. Thus, for the reasons given above, and having regard to the development plan when read as a whole, the appeal should be allowed.

[redacted]

INSPECTOR

[3] APP/H0520/A/06/1197307 dated 29 December 2006
[4] Paragraph 020 Reference ID: 58-020-20180615 Revision date 15 06 2018

OFFICER REPORT

Case No: 19/00452/PIP **Permission in Principle**

Proposal: **Permission in Principle application for the demolition of storage buildings and the erection of 4no. dwellinghouses**

Location: **Land West Of 69 The Highway Great Staughton**

Applicant: **Mr Gerald Day**

Grid Ref: **513056 264526**

DESCRIPTION OF SITE AND APPLICATION

The application site is located to the south west of No. 69 The Highway and is considered to be outside of the built up area of Great Staughton, within the countryside. Access to the site is via an existing driveway between numbers 71 and 73 the highway. To the south of the site is agricultural land. The site contains some dilapidated buildings however the majority of land is grassland with trees to part of the south and eastern boundaries. Public views of the site are afforded from the public footpath which runs between numbers 61 and 69 The Highway down along the southern most edge of the site and through to Rushey Farm.

The application originally sought permission in principle for a residential development of 7no dwellinghouses, this was amended to 4no dwellinghouses during the consultation stage.

This application is made pursuant to the Town and Country Planning (Permission in Principle) Order 2017 (as amended) (PIP regulations) that provides the 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. Other material planning considerations are considered at a technical matters stage.

NATIONAL GUIDANCE

The National Planning Policy Framework (19th February 2019) (NPPF 2019) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2019 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 2019 sets out the Government's planning policies for (amongst other things):

* delivering a sufficient supply of homes;
* achieving well-designed places;
* conserving and enhancing the natural environment;
* conserving and enhancing the historic environment.

Planning Practice Guidance is also relevant and a material consideration.

For full details visit the government website: https://www.gov.uk

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 (adopted 15 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
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerow

Supplementary Planning Documents (SPD) and Guidance:
- Huntingdonshire Design Guide SPD (2017)
- Huntingdonshire Townscape and Landscape Assessment SPD 2007
- Developer Contributions SPD 2011
- Cambridgeshire Flood and Water SPD 2017
- Huntingdonshire Tree Guidance Note 3
- December 2018 Annual Monitoring Review regarding housing land supply.

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

RELEVANT PLANNING HISTORY

Adjacent to the site:
0503243OUT - Erection of dwelling - Refused, appeal allowed.

Onsite:
1000295OUT - proposed development for dwellings (6no detached and 2 no semi-detached) - Refused.
14/02010/PMBPA - Prior approval of proposed change of use of agricultural buildings to dwelling house - refused.
16/02213/CLED - Use of former agricultural buildings and land for B8 Storage for a period in excess of 10 years - Refused.
17/00527/CLED - Use of former agricultural buildings for B8 storage for a period in excess of 10 years - Approved.
17/02417/FUL - Demolition of B8 storage building (Pursuant to Application 17/00528/CLED) and construction of 1no Dwelling and Detached Garage - Approved.

CONSULTATIONS

Great Staughton Parish Council: Comments on amended scheme: Would like more detail before committing to a recommendation and commented -

The Parish Council's view as previously stated was that the original development was too dense and for that reason it objected. The reduction to 4 dwellings seems to address this but with the caveat that we do not yet have full details on the proposed 4 dwellings. They may not be 4 of those originally outlined so the Parish Council would like to see more detail on size, position etc. and would like to see this information before committing to a position.

The Parish Council wish to reiterate that they do believe most firmly that the conditions imposed on the development, should the application be granted, as stated in our previous comments relating to access, should be imposed.

They would also state that it is imperative the road is adopted to avoid further concerns over safe access to The Highway.

Previous recommendation prior to amendment: Recommends refusal and commented -
The new application is permission in principle for seemingly the same number of houses on the same area of land. The Council is unsure why it may be accepted if the original application failed. The Parish Council believes there is less information on the second submission, but as it seems to be broadly similar the Parish Council repeats its objections in full, which are set out below. This effectively was that it was overdeveloped, the neighbours were negatively impacted and the access to The Highway was vitally important and any development should have conditions imposed relating to this access.

The Council considers that there is overdevelopment and number of dwellings for the size of the plot is excessive and not suitable for the village. The number of properties on the site will result in privacy and light issues for the neighbouring properties as they are too close in proximity to those neighbouring properties.

The properties neighbouring the development will have privacy and light issues with one of the new properties being positioned close to 73 The Highway. This will block sunlight and the property will be severely overlooked by the first floor windows to the rear, leading to a loss of privacy, which will cause demonstrable harm to the owner. The plans are of an overbearing nature to the existing properties.

There is also an issue with the access from the development onto The Highway. There is already a problem on this stretch of road with residents having difficulties pulling out of their properties onto The Highway due to cars parked along that road.

If any development does take place then the Parish Council request that a condition is placed upon the application so that the access is formalised with a drop kerb and an extended lay-by in place either side of the access onto The Highway. They also request that all the current road markings and signage in the vicinity are reviewed and a condition is placed on any acceptance that any necessary changes are a pre-requisite of the planning condition.

Cambridgeshire County Council Local Highway Authority (LHA): Updated comments - The applicant has reduced the number of plots on the site to no more than 4.

The access will serve 5 properties. The LHA won't consider adopting the access road as it doesn't serve a scale of development that meets out adoption requirements. The access should therefore be formed as a dropped kerb crossover sealed and drained away from the public highway 5m wide for the first 10m. No gates should be proposed and the site should come forward with a workable parking and turning arrangement such that any vehicle entering and leaving the site can do so in a forward gear. Any development coming forward should do so with suitable vehicle to vehicle visibility splays in accordance with the posted speed limit. I have no objections subject to the previously recommended condition.

Previous comments - The proposal is a planning in principle application for the erection of 5 - 9 dwellings.
The applicant should note that the LHA would normally look to adopt an access road that leads to 5 or more dwellings. With the above in mind the access should be constructed to an adoptable standard unless HDC are happy for this scale of development to remain private.

If the access is remaining private it will need to be detailed as a dropped kerb crossover sealed and drained away from the carriageway 5m wide for the first 10m. If the applicant is looking for the road to be adopted by the LHA then it should be constructed as a bell mouth access with 6m kerb radii. The access road should then be constructed as either a 5m wide carriageway with 1.8m footways or a 5.5m wide block paved shared surface with 0.5m wide margins.

Any development coming forward should include suitable vehicle to vehicle visibility splays in accordance with the posted speed limit with no obstruction over 0.6m. I have no highways objections subject to the following condition:

1) Prior to the commencement of the development full details (in the form of scaled plans and/or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:

a) The layout of the site, including roads, footways, cycleways, buildings, visibility splays and surface water drainage.
b) The siting of the buildings and means of access thereto.
c) Visibility splays
d) Parking provision
e) Turning Areas

HDC landscape: Recommends refusal and commented - I consider that 7 dwellings would represent over-development of the site.
I comment below on the information submitted with this application. If the application is consented then the issues raised below should be picked up at the technical details stage.

Tree Issues
1. The site is backland to the south of 69, The Highway. It appears to have once been an orchard but the few fruit trees that are left have been have all been cut back to roughly 3' high stumps in the last couple of years.
2. I have no objection to the trees proposed for felling in the AIA [Skilled Ecology 10.9.18].
3. The Tree Protection measures [including plan 435-03 rev B] proposed in the AIA are acceptable and should be carried out in full. Should the proposal be consented this should be achieved via a suitably worded condition.
4. The scale of the tree loss certainly warrants a generous programme of compensatory tree planting - and I support the recommendations in the PEA [Skilled Ecology 13.8.18, section 5] that this take the form of replacement fruit trees, effectively re-creating an orchard habitat in time. This should be located in a public realm area rather than private gardens. The latter are vulnerable to removal by private owners - and this would be very difficult for the LPA to enforce against.

Biodiversity
5. I support the views of the Wildlife Trust but am not qualified to know how these sit with planning legislation.

Potential Layout [NB none submitted]
6. Development south of The Highway generally consists of detached houses in large gardens, the recent dwellings to the east being prime examples of this. There should be a reduction in the number of units proposed, and indeed this may also be necessary in order to achieve biodiversity net gain and the orchard tree planting recommended by the PEA and the Wildlife Trust.

Wildlife Trust: The proposed development would not directly impact on designated nature conservation sites or known areas of priority habitat. Based on the location, scale and nature of the proposed development, I do not consider there are likely to be ecological issues which would make it inappropriate to determine this application as permission in principle application. However,

should permission in principle be granted, potential ecological impacts must be addressed at the technical details stage.

Updated comments - I can see no additional information that might change my original comments (above).

Natural England: No comments.

Cambridgeshire County Council Archaeology: We have reviewed the application and this does not affect our previous advice (below) -
Our records indicate that this site lies in an area of archaeological potential, within the core of Great Staughton and occupying a 'backyard' location for domestic plots south of the Highway, which has retained its importance as the main route through the historic linear settlement and is lined with numerous statutorily designated properties of late-medieval and post-medieval date (for example, National Heritage List for England references 1214427, 1288542, 1288541). No below-ground archaeological investigations have yet taken place within the village core, however absence of evidence cannot be taken as evidence of absence and it is thought that due to its prominent location, archaeological deposits relating to domestic occupation during the medieval and post-medieval periods are likely to be found on the site, and that these would be severely damaged or destroyed by the proposed development. This is supported by the evidence of medieval agricultural activity in open land immediately south of the village, in the form of large areas of well-preserved extant ridge and furrow earthworks following the original medieval field pattern, visible on aerial imagery (Cambridgeshire Historic Environment record references 08732, MCB18703, MCB18732), as well as cropmarks of earlier enclosures (MCB18733, MCB18702).

We have commented on this site previously. Should Huntingdonshire District Council see fit to grant this application for Permission in Principle, we would recommend that the same archaeological standard condition is placed on any future application for Technical Details consent as was recommended for prior (refused) applications 1000295OUT and 18/02095/FUL within the same bounds.

HDC Environmental Health - I visited this site on 19 March 2010 and noticed that there were barns with asbestos roves and some broken asbestos sheeting on the ground. There were also stockpiles of soil containing ash.

If minded to approve this application, then a land contamination site investigation is recommended, the results of which will be used to derive a land contamination risk-assessment, and where necessary, a remediation strategy for approval by the LPA before the commencement of development.

I recommend the following condition:

CONDITION

A. Site Investigation Information
No development (except demolition of above ground structures) shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
(i) details of previous land uses;
(ii) a site investigation survey of the extent, scale and nature of contamination;
(iii) an assessment of the potential risks to:
o human health,
o property*,
o adjoining land,

o groundwaters and surface waters,
o ecological systems and
o archaeological sites and ancient monuments.

* Property (existing or proposed) includes buildings, crops, livestock, pets, woodland and service lines and pipes

B. Submission of Remediation Scheme

Where contaminated is found which poses unacceptable risks, as determined by the local planning authority in its response to (A), no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

(i) an options appraisal and remediation strategy;
(ii) remediation objectives and remediation criteria;
(iii) remediation works to be undertaken;
(iv) a verification scheme providing details of the data that will be collected in order to demonstrate that the works set out in (iii) have been completed and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme should be designed to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use.

C. Implementation of Approved Remediation Scheme

Where a detailed remediation scheme has been required and approved under (B), no occupation of any part of the permitted development which has been identified in the scheme as being subject to contamination shall take place until the approved scheme has been implemented and the verification report, including the results of sampling and monitoring carried out in accordance with the approved verification scheme to demonstrate that the site remediation criteria have been met, has been submitted to and approved in writing by the local planning authority. The report shall, if required by the local planning authority, also include a reassessment of the long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The long-term monitoring and maintenance proposals shall be implemented as finally approved.

D. Reporting of Unexpected Contamination

If, during development, contamination not previously identified is found to be present at the site:

(i) it shall be reported to the local planning authority within 1 working day;
(ii) no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until site investigations have been carried out and a remediation strategy has been submitted to and approved in writing by the local planning authority detailing how this unsuspected contamination will be dealt with;
(iii) the remediation strategy shall be implemented as approved
(iv) no occupation of any part of the permitted development identified in the remediation strategy as being affected by the previously unidentified contamination shall take place until:
a. the approved scheme has been implemented in full and any verification report required by the scheme has been submitted to and approved in writing by the local planning authority;
b. if required by the local planning authority, any proposals for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action have been submitted to and approved in writing by the local planning authority.
(v) the long-term monitoring and maintenance plan shall be implemented as approved.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, ecological systems and heritage assets, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and others offsite receptors, in accordance with the National Planning Policy Framework (2018) (paragraphs 118c and 178).

No updated comments were received after the scheme was amended.

REPRESENTATIONS

Representations were received from 5 Blacksmiths Close on behalf of 73 The Highway, 63, 67, 73 and 81 The Highway raising objections regarding -
Impact on trees and hedges
The transport statement refers to application 18/2095/FUL which was refused and should not be part of this application.
Inaccuracies with the site location plan and boundary (now amended and overcome)
Highway safety concerns and lack of adequate visibility splays
Planning permission was refused for 7 houses the PIP should therefore not be approved in principle.
Ecology impacts and assessment inaccurate, no inspection of the inside of the buildings (bats)
Overshadowing, overlooking (loss of privacy), loss of sunlight and daylight to the neighbouring properties.
Excessive traffic movements on the village would result
If approved further development will be difficult to resist.
Impact on archaeology

SUMMARY OF ISSUES

The report addresses the principal, important and controversial issues which are in this case:

* Principle of development
* Other Matters

Principle of the Development:

The site is considered to be located outside of the Small Settlement of Great Staughton, and therefore within the open countryside as classified by Policy LP10 of the Local Plan to 2036 (2019). This policy states that development within the countryside will be restricted to the limited and sporadic opportunities as provided for in other policies of the plan. Amongst other requirements, development must protect the intrinsic character and beauty of the countryside and not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others.

The extent of the settlements' built-up areas are not defined on maps, but are to be judged on a site-by-site basis. A definition of the 'Built up Area' is contained within the adopted Local Plan, alongside implementation guidance. This guidance states that the built-up area includes "individual plots and minor scale development opportunities which would provide infill and rounding off opportunities on land which is physically, functionally and visually related to existing buildings, taking account of any environmental development constraints subject to the exclusions below". One of these exclusions (sites which are excluded from the built-up area) states "Agricultural land, woodland, meadow, areas of water and natural habitats that penetrate the built form or sections of large residential curtilages where the character of the land primarily relates to the countryside".

The application site is adjacent to existing dwellings, but is considered to be outside the built up area. However it is considered that the development would not be 'isolated' (referred to in para 79 of the NPPF) given its location in relation to adjacent dwellings along The Highway.

The proposed dwellings do not meet any of the exception criteria set out in the local policies regarding development in the countryside, such as an agricultural need or exceptional design quality.

The application site is considered to fall within the definition of being outside the built up area and a meadow that 'penetrates the built form where the character of the land primarily relates to the countryside'. The site is not considered to comprise an individual plot / minor scale development opportunity that would provide infill and rounding off, given the character and form of development in the locality along this part of The Highway.

Sustainable Development

The presumption in favour of sustainable development requires proposals to achieve economic, social and environmental gains to satisfy the NPPF; as such a balancing exercise has to be undertaken to weigh the benefits of the scheme against its disadvantages.

Environmental Sustainability

The environmental issues are assessed in the following sections of this report.

It is considered that the proposals will result in significant visual harm to the character and appearance of the area. The development of this site would result in development outside the built up area of Great Staughton which would constitute a significant encroachment of built development in the countryside, which would cause adverse harm to the intrinsic rural character and appearance of the surrounding area.

Agricultural Land Classification provides a framework for classifying land according to the extent to which its physical or chemical characteristics impose long term limitations on agricultural use. The classification is well established and provides an appropriate framework for determining the physical quality of land at national, regional and local levels. Grade 1 is excellent quality agricultural land and Grade 5 is land of very poor quality. Grade 3 constitutes about half of the agricultural land in England and Wales, is subdivided into two subgrades - 3a and 3b.

The NPPF (2019) advises in paragraph 170 that the economic and other benefits of best and most versatile agricultural land (BMV land) should be taken into account and footnote 53 advises that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. Annex 2 of the NPPF defines BMV land to be land in Grades 1, 2 and 3a of the Agricultural Land Classification.

The Council's mapping system classifies the application site as Grade 3 agricultural land. 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. In this regard, it is accepted that the proposal would lead to loss of BMV land, however due to the size of the site (approximately 0.39ha); it is not considered that the proposed development is 'significant' in the context of the para. 170 of the NPPF (2019) when taking into account the threshold for consultation with Natural England is 20ha of BMV land proposed for development.

Economic sustainability

The provision of 4 dwellings would give rise to employment during the construction phase of the development, and has the potential to result in a modest increase in the use of local services and facilities nearby, both of which will bring about some benefits to the local economy. There will also be Council Tax receipts arising from the development.

Social sustainability

It is acknowledged that due to the rural nature of this part of the district, there would be a modest increase in the use of the private motor car related to this development. Great Staughton has a few services, although there is limited access to public transport (buses).

As there are limited opportunities for sustainable travel, any future residents would rely on private vehicles to access basic amenities.

The site appears to have no significant constraints to preclude development and is deliverable. It would also increase the supply of market housing. There is a district identified need for private housing and whilst the weight this need can be given is lessened given the NPPF compliant supply of housing, there would be a net benefit in social terms. Whilst the Council can demonstrate a 5 year supply of deliverable housing land, the provision of market housing on the application site would amount to a benefit in terms of providing a greater flexibility to the supply of housing. As the Local Plan meets the District's identified housing need, very limited weight is given to delivery of additional market housing.

Other Matters

Design

The scale, layout and appearance, landscaping and full impact of the proposals on the character and appearance of the area are not under consideration at this stage. This will be determined at the technical details stage.

Residential Amenity

Officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed without having a detrimental impact on neighbour's amenity. Officers are satisfied that, given the size of the site, a suitably designed scheme could be accommodated and this would be assessed at the technical details stage.

Highway Safety, Parking, Ecology and Archaeology

It is noted that a number of conditions and informatives have been requested by consultees including CCC as Local Highway Authority, the Wildlife Trust and CCC Archaeology. None of these consultees have an objection to the scheme in principle.

The PIP regulations prohibit any form of conditions being imposed to this development and as such any information requested would either need to be submitted as part of any subsequent Technical Details Consent, or a new full planning application.

Infrastructure Requirements and Planning Obligations:

The Infrastructure Business Plan 2013/2014 (2013) was developed by the Growth and Infrastructure Group of the Huntingdonshire Local Strategic Partnership. It helps to identify the infrastructure needs arising from the development proposed to 2036 through the Local Plan.

Statutory tests set out in the Community Infrastructure Regulations 2010 (Regulation 122) require that S106 planning obligations must be:
* Necessary to make the development acceptable in planning terms;
* Directly related to the development; and
* Fairly and reasonably related in scale and kind to the development

Bins - Unilateral Undertaking (UU):

Following a grant of permission in principle, the site must receive a grant of technical details consent before 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 the submission of a bin UU.

Community Infrastructure Levy (CIL):

As this permission in principle application is for a minor development, 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.

Conclusion and Planning Balance

The presumption in favour of development supports development which is sustainable, striking a satisfactory balance between economic, environmental and social considerations.

The three components of sustainability have been assessed above.

The proposal would result in environmental harm as the proposal would not accord with development plan policies that seek to restrict development in the countryside. The proposals result in development outside the built-up area of the settlement, in conflict with policies LP9 and LP10 (criterion b) of the Local Plan to 2036 (2019).

It is acknowledged that the proposal would make some contribution to the economic and social dimensions of sustainability through economic benefits through job creation in the construction industry (short term) and additional expenditure of future households in the local economy.

However, it is considered that the significant adverse impact of the development caused by the harm to the open, rural character and appearance of the area and the encroachment of the development into this countryside location would outweigh the modest social and economic benefits that the market dwellings would bring to this location.

The Fall Back Position

It is acknowledged that part of the site has the benefit of an extant planning permission for a single dwelling and that this is a material consideration in the assessment of this application. The extant permission is for a dwelling located to the north of the site, on a much reduced site which falls within the existing built up area. However, in the consideration of this application the majority of the site is considered to be in the countryside. The Authority accepts that the area of the site that relates to the extant permission could be developed for residential use however the application site as a whole does not benefit from the fall-back position and has therefore been assessed on its own merits.

RECOMMENDATION - REFUSE

Reason for refusal:

The proposed residential development of 5 - 9 dwellings would represent a significant encroachment of built development in the countryside, which would cause adverse harm to the intrinsic rural character and appearance of the surrounding area.

The development would therefore be contrary to the NPPF 2019 paragraph 170b and policies LP9 and LP10 (criteria b) of Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019).

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to **Debra Bell 01480 388139**

APPENDIX

S

Topographical survey, 45 Wood End

July 2016, revision 03. Levels to Ordnance Datum; datum Manhole 4001 at 28.53 m AOD

Towards the end of Paddock

N

28.94
Rope Fence
28.83
Rope Fence
28.59
Gate
29.12
Grass
28.92
28.71
2m rough hedges
29.30
29.08
28.82
Fruit Tree
29.32
29.14
Grass
29.63
29.47
Chestnut pailing fence within hedge
Cabin
7m high leylandii
29.39
Gate
Grass
Covered Swimming Pool
3
OLD FARM COURT
Ridge Level 36.76
29.16
Post & Wire Fence leylandii screen
1.8 Close Boarded Fence
2.0m Close Boarded Fence
Stable/Studio
7m high leylandii
2
BLACKSMITHS END
4
OLD FARM COURT
Right of the way
1.8 Close Boarded fence
1.8 Close Boarded fence
Dense Tree Screen
Garag
51
49
Ridge Level 36.39
Eaves level 31.93
47
Ridge level 36.07
Eaves level 34.03
45
Main House
43
41
37A
Ridge level 35.50
39
Ridge Level 35.50
Eaves level 33.30
SITE LEVEL DATUM
To Ordnanace Survey datum
Manhole No 4001 with a cover level of 28.53m AOD
(Above Ordnance Datum) has been used as Site Level Datum
0.9 high wall
tarmac footway
0.9 high wall
29.03
29.00
28.69
28.66
28.50
28.38
WOOD END
Manhole 4001
CL 28.53

SITE PLAN

0 5 10 20 30

Scale 1:500 @ A3 Size