OFFICER REPORT

Case No: 25/00219/PIP Permission in Principle

Proposal: Construction of up to 9 dwellings

Location: Land Rear Of The Lion Herne Road

Applicant: Mr Marcel Ellul

Grid Ref: 525561 288628

DESCRIPTION OF SITE AND APPLICATION

This application relates to land to the rear of The Lion, Herne Road, Ramsey St Marys. The site is located to the west of the Highway, set back from the main road behind the public house, which is to be retained. Housing sits to the South of the site on a similar Close development. There is housing to the north and across the road to the east. This is an existing access to the south of the site for the Public house and parking to the front and informal parking to the rear. Mature trees bound the rear of the site.

The site is located within Flood Zone 3a based on the Council's 2024 Strategic Flood Risk Assessment (SFRA) and the Environment Agency's Flood Map for Planning. There is no risk of ground water flooding and some medium and high risk of surface water flooding to the rear of the site.

The current proposal is the first part of permission in principle application; which only assesses the principal issues namely (1) location, (2) use; and (3) 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 Technical Details application covering all other detailed material planning considerations.

NATIONAL GUIDANCE

The National Planning Policy Framework (December 2024) (NPPF 2024) paragraph 8 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 also sets out the Government's planning policies for (amongst other things):
* making effective use of land
* achieving well-designed, beautiful, and safe places;
* conserving and enhancing the natural 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 15th May 2019)

LP1: Amount of Development
LP2: Strategy for Development
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP6: Wastewater Management
LP9: Small Settlements
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and vehicle movement
LP22: Local Services and Community Facilities
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows

Supplementary Planning Documents (SPD) and Guidance:

- Huntingdonshire's Design Guide SPD 2017 - Compatibility Statement (2021)
- Developer Contributions SPD (2011)
- Developer Contributions: Updates Costs 2019/2020
- Huntingdonshire Landscape and Townscape Assessment (2022)
- Cambridgeshire Flood and Water SPD 2017
- Strategic Flood Risk Assessment 2024
- Annual Monitoring Review regarding housing land supply 2024

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

PLANNING HISTORY

8702288OUT for Residential development, 0.49 ha.
rear of White Lion P.H., Herne Road, Ramsey St. Marys,
REFUSED dated 03.03.1988

87/02288/REFUSL for Development Appeal,
DISMISSED dated 11.01.1989

95/00377/FUL for Proposed external staircase,
GRANTED dated 12.05.1995

96/00409/FUL for Extension to public house and change of use of land to bowling green,
GRANTED dated 19.07.1996

20/00528/FUL for Conversion of public house to 5 No. 2 bedroom flats and 1 No. 1 bedroom flat including new bin/cycle store and associated parking.,
WITHDRAWN dated 04.08.2020

23/00200/FUL for Conversion of public house to 5 No. 2 bedroom flats and 1 No 1 bedroom flat to include elevational alterations, new fenestration, bin/cycle store, parking and landscaping,
WITHDRAWN dated 19.04.2023

23/01033/FUL for Conversion of public house to 5 No. 2 bedroom flats and 1 No 1 bedroom flat including new bin store and cycle store, parking and landscaping.,
WITHDRAWN dated 30.11.2023

CONSULTATIONS

Parish Council: No comments received

Landscape: No comments received

CCC Highways: Drawing No. CH24/LBA/680/PiP-1-100 Proposed Block Plan and Location Plan shows an access for the new development and The Lion public house which is in an acceptable location. I would therefore have no objections in principle however the access will need to meet the requirements for a shared access in our General Principles for Development document Highways development - Cambridgeshire County Council. The applicant should note that the current layout does not meet the requirements for adoption by the LHA and would remain private. Further details of the access design including any accommodation works and drainage shall be expected as part of the Technical Details Consent application

Environmental Health (EH): Location wise, with this site being adjacent to a pub which could produce unacceptable noise levels, the officer would have concerns, however, the officer understands the pub has closed and has been up for sale. There have also been many applications for the pub to be converted into flats, although all withdrawn. The land is unlikely to be contaminated. EH therefore have no objection to this development in principle, providing the pub does not re-open. If this cannot be guaranteed, EH would require a noise assessment with mitigation measures.

Middle Level Commissioners IDB: Not statutory consultee, no comments.

Environment Agency: FRA to be submitted with Technical Details.

REPRESENTATIONS

Three representations have been received at the time of determination. These are summarised below:

- Do not feel the site falls within the Built up area as it is a paddock. It is within an area of ribbon development and relates more to the countryside than the public house.
- Development does not maximise the density of the site and does not provide buffers to the countryside.
- Concerns the site has not considered the trees/hedges or biodiversity and the amount of development will not allow for this.
- Construction of the access could undermine the Public House.
- Concerns with the impact of the waste collection, car parking for residents, amenity for 205 Herne Road, car parking for the public house being sufficient and road safety concerns.

Concerns with the BNG and planting that would be required.

- Concerns have been raised that there is standing water and what measures are in place for mitigating flooding and surface water.
- Concerns over the loss of amenity and privacy. Including overlooking.
- Concerns over the impact on trees and wildlife.
- The neighbours raise the 6.49 years housing land sup[ply.
- Impact of noise on amenity.
- There are concerns over the impact on views, however the right to a view is not a material planning consideration.
- There is a paddock to the North with grazing animals. Welfare and security of these animals has been raised as a concern during construction. However, this is not a material planning consideration.

The officer notes that although residents raise material concerns, many of these can only be considered at Technical Details stage.

Officers also note that one of the objections raise a 6.49 housing land supply. However, this is not the current situation for housing land supply, this will be discussed below.

ASSESSMENT

This application is made pursuant to the Town and Country Planning (Permission in Principle) Order 2017 (as amended) (PIP regulations) that provides opportunity for an applicant to apply as to whether permission in principle is acceptable for a site, having regard to specific legislative requirements and, in accordance with ref. 58-012-20180615 of the NPPG, as to whether the location, land use and amount of development proposed is acceptable. The permission in principle (PIP) consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development.

The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. PIP establishes that a particular scale of housing-led development on a defined site is acceptable. The aim is for a PIP to minimise the upfront and at-risk work of applicants.

The report addresses the principal, important and controversial issues which are in this case:
1. Location,
2. Land Use
3. Amount of Development
4. Other Matters

1. LOCATION

NPPF paragraph 78 requires the Council to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against our housing requirement. A substantially revised methodology for calculating local housing need and the reimposition of this as a mandatory approach for establishing housing requirements was introduced on 12th December 2024 in the revised NPPF and associated NPPG (the standard method).

As Huntingdonshire's Local Plan to 2036 is now over 5 years old it is necessary to demonstrate a five year housing land supply (5YHLS) based on the housing requirement set using the standard method. NPPF paragraph 78 also requires provision of a buffer to ensure choice and competition in the market for land. As Huntingdonshire has successfully exceeded the requirements of the Housing Delivery Test a 5% buffer is required here. The 5 year housing land requirement including a 5% buffer is 5,501 homes. The current 5YHLS is 4,430 homes equivalent to 4.03 years' supply.

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

LP2 defines 'all other settlements with a single built up area of 30 dwellings or more are defined as Small Settlements as set out in 'Definition of Small Settlements' .'
Ramsay St Marys has more than 30 dwellings and so would fall within this definition.

Under the definition of Built up area in para 4.85 community uses and their land are defined as within the Built up area. This site is therefore felt to be built up area.

Policy LP9 is within the Development Strategy chapter of Huntingdonshire's Local Plan to 2036, and is therefore considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications for residential development.LP9 states 'Development Proposals within the Built-up Area: A proposal that is located within a built-up area of a Small Settlement will be supported where the amount and location of development proposed is sustainable in relation to the:
a) Level of service and infrastructure provision within the settlement.

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

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

The policy goes onto state that proposals on land well related to the built-up area may be supported where it accords with the specific opportunities allowed for through other policies of this plan.

The site forms a parcel of land that is mainly land for the public house (community use) and therefore within the built up area. Furthermore, if the site could be described as a paddock as neighbours raised, it is not felt to relate more to the countryside as it has built development on two sides, with the public house to one side and the residential dwellings to the South. If it is described as a paddock, it is well related to the built up area and would meet the requirements of the policy in this regard.

To the north of the site are fields, and to the South is residential housing. This housing is laid out in a close design similar to what is proposed here, albeit the layout is subject to technical details stage. These existing features provide a clear difference when compared to the open spacious character of the countryside. This site is not isolated and neither is it within Ribbon or fragmented development. The site is therefore considered to be within the built-up area and relates primarily to the existing built form of Ramsay St Marys.

It is considered that an additional 9 dwellings within the built-up area of Ramsay St Marys would have minimal impact on demand for services and future occupiers would have access to a wide range of services, facilities and amenities through a combination of the existing infrastructure in place including a school, post office, convenience store the application seeks to retain the Public House and car parking to support it. The site also is not far to the town of Ramsay with many more facilities with buses Monday - Saturday at multiple times taking users to Peterborough as well as Ramsay, meeting parts a. and b. of Policy LP9

In terms of part c. of Policy LP9, the immediate area is characterised by a mixture of existing uses including paddocks and residential uses with views out through to the open countryside. However, given the existing development to the South, its effect on the rural character and appearance of the area would be constrained to the immediate area. The development of 9 dwellings would not have a significantly harmful impact on the character and appearance of the area being similar in amount to the surrounding developments. Further details such as materials, scale, design and landscaping would be submitted and determined at Technical Details Consent stage.

It is considered that the development of the 9 dwellings on the site is acceptable in this location and the proposed land use and amount of development are acceptable in principle. The proposals would constitute a sustainable form of development in accordance with Policy LP9 of the Huntingdonshire Local Plan to 2036 and the NPPF (2024) in this regard.

2. LAND USE

The site lies within Flood Zone 3 as per the most recent Environment Agency Flood Risk Maps and Data. However, it should be noted that The Council produced an updated Strategic Flood Risk Assessment (SFRA) in 2024, which defines Ramsey St Marys as being within Flood Zone 3. The Environment Agency (EA) flood zone mapping also shows Ramsey St Marys, including the site, as being located within Flood Zone 3.

Flood Zone 3 is defined as having the highest risk of flooding in the Government's National Planning Practice Guidance (PPG). The National Planning Policy Framework 2024 (NPPF) seeks to direct inappropriate development away from areas at the highest risk of flooding (whether existing or future). Where development is proposed in areas that are at the highest risk of flooding, the Framework requires a sequential, risk-based approach to the location of development, so as to avoid where possible, flood risk to people and property.

Existing raised defences, which the 2024 SFRA specifically does not take account of, provide some protection to existing properties in this area. In September 2017 the Huntingdonshire District Council Development Management Planning Committee agreed the following: Some villages, including some of the Ramsey villages, are entirely within Zone 3 in the 2024 SFRA. New development within settlements, can in some cases help enhance or maintain the vitality of a rural community and this is a key objective of the Council's Planning Strategies and the NPPF. Therefore, for those villages which are entirely within Flood Zone 3 as defined in the 2024 SFRA only, the 2010 SFRA which took account of flood defences will be used as the basis for decision making, and general market housing will only be permitted in areas shown as being in Flood Zone 1 as defined in that document. This approach follows discussions with the Environment Agency and the Middle Level Commissioners and will ensure that regard is still given to flood risk but will also allow some development to be approved in these villages to maintain their vitality.

The Huntingdonshire Strategic Flood Risk Assessment 2010 shows the site to be within Flood Zone 1 and the site is at low risk of surface water flooding and groundwater flooding as per the relevant 2024 SFRA maps. Accordingly, as the site is considered to be in Flood Zone 1.

The applicant's Planning Statement refers to the flood risk and refers that the site is within flood zone 3 but with flood defences as described above in more detail.

Further to the above, the Environment Agency (EA) have been consulted and raise no objections to the proposals. Although they raise no objections at this stage they require a more detailed Flood Risk Assessment at Technical details stage considering the EA maps and The SFRA 2025 maps to manage flood risk, ensure mitigation measures and escape routes are planned in and surface water is fully considered.

Overall, the development is considered acceptable with regard to flood risk and broadly accords withs Policies LP5 and LP15 of the Local Plan to 2036.

Policy LP14 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of a proposed development and maintained for users and occupiers of neighbouring land and buildings.

The Huntingdonshire Design Guide 2017 states when considering residential development there are three key issues that need to be addressed which are loss of privacy, reducing the level of daylight and being overbearing in size and layout.

Officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed without having a detrimental impact on neighbour's amenity and the amenity of the proposed occupiers.

The Environmental Health officer raises concerns in regard to the possible noise form the Public House. At this stage it is felt that housing could be achieved here subject to a noise report at

technical details stage, planning the siting of the houses and planning mitigation into the designs.

Although the proposed access would be close to 205 Herne Road, measures could be planned into the design at technical details stage to address this and the current site for the Public House could use this land for car parking and access having a similar effect.

There are neighbours close to boundaries at this site, however the scale and design of the dwellings could significantly lower their impact on these neighbours and there are felt to be solutions to protect amenity (location of windows, layout etc).

Officers are satisfied at this stage that the dwellings could be achieved subject to their scale and siting, without causing significant harm, the final details of the dwellings will be assessed at the technical details stage where impacts of any additional overshadowing, overbearing, overlooking, noise impacts and land contamination will be fully assessed. Therefore the proposal is in accordance with policy LP14 of the Local Plan to 2036 at this stage.

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.

These details will be considered at Technical Details Stage and will need to be sympathetic to the local character and neighbouring properties, taking consideration of any land level changes and softened boundaries towards the countryside. The design should be informed by the Huntingdonshire Design Guide 2017.

The proposed density of the site for up to 9 dwellings is similar to the site to the South. This is therefore felt to support the grain and character of the area, with a similar courtyard style and density. It is not felt that this is a lower density than surrounding housing that would be harmful to the character of the area as suggested by neighbours or that the site could not accommodate buffers to the countryside to soften the impact if required at technical details stage as this is a maximum of 9 and a lower density would not appear out of keeping with the housing in the village that often have large plots.

It is noted that there are mature trees to boundary. Given the proximity to the development, these trees have the potential to dominate any rear garden and impact future daylighting, the final internal layout should take this into account - as such there may be an increased pressure to prune or fell this tree by future occupants. There are also trees to the frontage that would need to be considered at technical details stage when designing in the access. The LPA consider these trees may have a value to the countryside along with the hedges around the site and should be considered in the technical details stage by producing a tree survey, aboricultural impact assessment, mitigation plan and tree protection plan, as well as landscaping details for hard and soft landscaping. Again, there is the opportunity to address this and reduce the number of houses or re-orientate the site layout to take account of this without harm to the character of the area in accordance with policy LP31. Mitigation and replacement planting would be considered at technical details stage.

In regard to ecology, no ecology information was submitted as part of the application. It is not considered there are likely to be ecological issues which would make it inappropriate to determine this application as a permission in principle application. Any ecological impacts would need to be

addressed at Technical Details stage and any application should be accompanied by a preliminary ecological appraisal.

Any future technical details application would also need to demonstrate Biodiversity Net Gain and provide the metric and full assessment to be considered. This may require a legal agreement at the technical details stage. Again the site has opportunities to reduce the number of dwellings if on site land is required for improvements in accordance with policy LP30.

This could be amended at technical details stage to satisfy the requirements of the site and could be reduced, however from the indicative layout officers are confident that a residential development of this amount of development would site comfortably in this location and not result in overdevelopment.

In regard to highways, the Local Highway Authority has not objected but access and visibility will need to be considered at technical details stage.

The PIP regulations prohibit any form of conditions being imposed to this development and as such any information requested would need to be submitted as part of any subsequent Technical Details Consent. As well as consideration of onsite parking, bin storage, turning for the dwelling and secure cycle storage.

Neighbours have raised concerns in regard to the access undermining the Public House foundations. However, at technical details stage this could be addressed by construction details access layout and size and construction methods being considered. A full assessment of parking need for the Public House would need to be provided by the applicants at technical details stage to ensure there is adequate parking, but again the site could be redesigned to take account of this and waste collection and car parking requirements of the dwellings planned into the design. This is not felt to be an issue to harm the principle of development and amending the indicative plan is part of the technical details stage and a reduction in density/ amount of development would not significantly harm the character of the area to account for this.

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. Following 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 protected species or listed buildings. The following other matters will be considered at Technical details stage.

Water Efficiency

Any future application for Technical Details Consent for a dwelling at the site 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.

Infrastructure Requirements and Planning Obligations

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 UU for Wheeled Bins.

CONCLUSION

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

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. 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'. There are no strong reasons for refusal in relation to any habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest, Local Green Space, irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75) and areas at risk of flooding. Therefore, the the 'titled balance' is engaged.

There is no harm to heritage assets therefore, NPPF para's 214/215 are not relevant in this case. A tilted balance approach should be applied in the assessment of the proposed development, and a balancing exercise should be carried out to determine the potential any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The site is felt to be within the built up area and if it was not determined to be it would also be well related to the built up area. It has been established that the proposed development would have access to services and facilities. It is considered that the application site could satisfactorily accommodate up to 9 dwellings and the general layout and scale could be made acceptable for technical details stage.

The site would operate as Flood Zone 1, and the site is therefore acceptable in principle in terms of flood risk and drainage.

The proposal will result in the delivery of up to 9 homes towards the housing supply. Substantial weight is afforded to this.

In terms of the economic dimension of sustainable development, the proposal would contribute towards economic growth, including job creation - during the construction phase and in the longer term through the additional population assisting the local economy through spending on local services/facilities.

In terms of the environmental dimension of sustainable development, the proposal offers potential for the incorporation of energy efficiency measures (to be considered in detail at technical details stage). The application site constitutes a sustainable location for the scale of development proposed in respect of access to local employment opportunities, services and facilities within wider area; and is accessible by sustainable transport modes.

It is concluded that there is no identified harm that would significantly and demonstrably outweigh the benefits when considering all the positives and negatives of the proposal into account.

Taking national and local planning policies into account and material considerations, the principle of the proposed development, is, on balance, considered acceptable and therefore recommended that Permission in Principle be granted subject to approval of outstanding details at Technical Details stage.

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CONTACT OFFICER:
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