OFFICER REPORT

Case No: 25/00654/FUL Full Planning Application

Proposal: Partially retrospective application for the siting of and change of use of shepherds hut (currently ancillary use) for use as Airbnb/short term holiday accommodation in connection with the main dwelling

Location: Wild Croft Holywell Front Holywell

Applicant: Gemma Swain

Grid Ref: 534208 270622

DESCRIPTION OF SITE AND APPLICATION

The application site is Wild Croft, a two-storey detached dwellinghouse located on Holywell Front. It has a separate detached outbuilding on the frontage which benefits from planning permission for short term let accommodation. A shepherds hut (currently ancillary to the dwellinghouse) is located in the rear garden and this is the subject of this application.

The site lies within the Holywell Conservation Area and there are Grade II Listed Buildings in the immediate vicinity. Whilst the front of the site lies within Flood Zone 3 the hut itself (including the access from Back Lane) is located in Flood Zone 1. The site is also within the Great Ouse Valley Green Infrastructure Priority Area as defined by Policy LP3 of the Local Plan.

This application seeks permission for the change of use of the shepherds hut from ancillary use to use as Airbnb/short term holiday let accommodation in connection with the main house.

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

Throughout the lifetime of the application the description has been revised to better reflect the development and ensure that the siting of the hut is regularised (further details on this are in the proceeding sections of this report). However, on the balance of fairness, given that it was clear to all consultees that the hut was already in place (the application only being to change its use) no further consultation is considered necessary.

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

LP2: Strategy for Development
LP3 Green Infrastructure
LP5: Flood Risk
LP9: Small Settlements
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP17: Parking Provision and Vehicle Movement
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP34: Heritage Assets and their Settings

Huntingdonshire Design Guide Supplementary Planning Document (2017):

* Place Making Principles part 3.5 Parking and Servicing

Supplementary Planning Documents (SPD) and Guidance:

Huntingdonshire Design Guide (2017)
Developer Contributions SPD (2011)
Huntingdonshire Landscape and Townscape SPD (2022)
Huntingdonshire Strategic Flood Risk Assessment (2024)
Cambridgeshire Flood and Water SPD (2024)
Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

Holywell Conservation Area Character Statement (December 1994)

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

RELEVANT PLANNING HISTORY

0702057FUL - Extension to dwelling (Approved)

0703405FUL - Extension to dwelling (Approved)

16/01382/FUL - Creation of one additional family dwelling on land that is currently the rear garden of Wild Croft, Holywell Front, Holywell (Approved)

23/01432/FUL - Change of use of building from ancillary to standalone short term let accommodation (use class Sui Generis) (Approved)

CONSULTATIONS

Holywell-cum-Needingworth Parish Council - No objections, would like parking to be off the highway within the property boundary.

Cambridgeshire County Council's Highways Team - No objections

HDC Environmental Health - No objections.

Environment Agency - No objections.

REPRESENTATIONS

One comment in support of the proposal has been received:

"The village would benefit from an additional Airbnb rental. The existing rental unit has no adverse impact on the village and we are fully supportive of this change of use."

SUMMARY OF ISSUES

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

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

In Huntingdonshire the Development Plan consists of a number of adopted neighbourhood plans, however, as stated above, there is not an adopted neighbourhood plan in place for Holywell-cum-Needingworth. Therefore, in this case no neighbourhood plans are given weight in the determination of this application.

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

The main issues to consider are:

o The principle of development
o Design, visual amenity and impact on designated heritage assets
o Residential amenity
o Flood risk
o Parking provision and highway safety
o Biodiversity
o Impact on Trees

*The Principle of the Development

The application site is located on the edge of but within the built-up area of Holywell which is defined as a small settlement under Policy LP9 of the Local Plan to 2036. LP9 supports development within the built-up area of a small settlement where the amount and location of the development proposed is sustainable in relation to the:

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

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

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

In this case, the proposal relates to the siting of (retrospective) and change of use of a shepherds hut to provide short term let accommodation. The hut is relatively small in scale with one bedroom and a shower room and the submitted Planning Statement confirms that this is intended to provide accommodation for up to two visitors at any one time.

Whilst Holywell is relatively limited in services and facilities there is a pub/restaurant immediately adjacent to the site and Needingworth centre (which contains a number of different services such as retail and options for recreational activities) is approx. 1.4km to the north and so easily accessible. Bus services operate from Needingworth to the larger towns and so more services. Further, in this case, as the proposed is short term let accommodation Officers consider that users of the site would be aware of the constraints related to services and, given the short-term nature (which will be secured by condition), this would not be significantly detrimental to users of the site. Also, given the location it naturally has an appeal to visitors who would wish to explore the area on foot or by use of the river.

The scale, design and location is discussed in further detail below but given its siting (in the rear garden) and its limited scale there is a limited impact on the visual appearance of the area, and, given the existing commercial use adjacent (The Ferryboat) the change of use would not significantly alter the character of the area. It therefore accords with Policy LP9 of the Local Plan to 2036.

As well as the above consideration, the application site lies within the Great Ouse Valley Green Infrastructure Area as defined by Policy LP3 of the Local Plan. LP3, making direct reference to the Great Ouse Valley states (amongst other matters) that:

"A proposal within the Ouse Valley Landscape Character Area will be supported where it contributes to the landscape, wildlife, cultural and historical value of the area."

In this case, as above, the visual impact is minimal and it is considered that the use proposed will encourage visitors to the district who are likely to engage in leisure and tourism activities, thus using local businesses and services and therefore contributing to the longevity of these services and the cultural value and historical value of the area. Therefore, whilst given the nature of the development it is limited in the contribution it can make, it does make some contribution which is considered valuable and does not result in any harmful impacts. It therefore broadly accords with the requirements of Policy LP3 of the Local Plan to 2036.

Overall, having regard to the above, the development is considered to be acceptable in principle subject to compliance with other relevant policies and considerations.

*Design, Visual Amenity and Impact on Designated Heritage Assets

Holywell Front is an attractive area of Holywell with views towards open countryside and the river to the south. Built development is located to the north of Holywell Front and consists mainly of residential development with a large number of historic thatched and rendered cottages. Wild Croft is located to the east of the junction with Back Lane and is a two-storey detached double fronted dwellinghouse. To its west there is a single storey multi-coloured brick outbuilding with red pantiled roof.

The shepherds hut is located in the rear garden, it appears typical of an ancillary structure and has a very limited visual impact on the surroundings. It is not visible at all from Holywell Front and there are only glimpses available through the established boundary leylandii type hedgerow to Back Lane. It is not considered to have a detrimental impact on the character or appearance of the area. Furthermore, were it located approx. 30cm from the boundary or (in its current location) be 20cm reduced in height it would fall within the remit of permitted development under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development (England) Order 2015 (as amended).

As detailed in the preceding sections of this report the site is within the Holywell Conservation Area and there are a number of Listed Buildings of varying grades (the closest being Grade II) in the vicinity of the application site. Subsequently a Heritage Statement accompanies the application.

Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

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

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

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

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

Whilst the heritage statement does not assess the heritage assets in detail Officers are satisfied that it is sufficient to determine the application. As such, for the reasons detailed in the preceding sections of this report, Officers are satisfied that the development will have a neutral impact on the Conservation Area and Listed Buildings as Designated Heritage Assets.

Overall, having regard to the above assessment the development is considered to accord with policies LP11, LP12 and LP34 of the Local Plan to 2036 and the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

*Residential Amenity

The hut given its scale and location does not have any detrimental impact to adjacent dwellings and land in terms of overbearing impact, overshadowing or loss of light. Nor, given the location of the doors or windows offer increased views of private land or property.

In this case, the proposed use will result in additional visitors to the area but it cannot be considered that (given its scale) this would result in significant adverse impact on the occupiers of adjacent dwellings when it is considered that there is currently no control over the number of visitors or activities taking place within the dwellings or associated curtilages in the locality. There is one parking space (accessed from Back Lane) which any visitors can utilise but regardless of this, again, the limited scale limits the impact from on-street parking pressures (which again is not controlled at present).

Overall, having regard to the above, the development is considered acceptable in terms of residential amenity impacts and therefore accords with policy LP14 of the Local Plan to 2036 in this regard.

*Flood Risk

As detailed in the preceding sections of this report, the hut is located in Flood Zone 1 (including the access from Back Lane) but some sections of the site are within Flood Zone 3. The hut is considered to be householder development and so would not be subject to the sequential or exception tests as per the NPPF (2024). A Flood Risk Assessment has been provided and the Environment Agency have been consulted. Having reviewed the submitted documents they raise no objections. They note that access to the front of the site (onto Holywell Front) is within Flood Zone 3 and recommend that the occupants of the dwelling sign up for flood warnings and have a plan in place in the event of a flood emergency. An informative note shall be added to the permission in this regard. It should however be noted that the EA have suggested that an evacuation plan be agreed but they have not noted that there is a separate access onto Back Lane which is within Flood Zone 1. As such this has not been pursued.

Overall, the development accords with Policy LP5 of the Local Plan to 2036.

*Parking Provision and Highway Safety

Officers have noted the comments from the Parish Council that parking within the site is preferable. It is detailed that there is provision for one car within the site but this is not demonstrated on any of the plans. Parish Council comments are noted but, in practice it would be challenge to condition (or enforce) on plot parking, and, when considering harm it cannot reasonably be considered that any on-street parking (which is currently uncontrolled) generated by such a small-scale development would be significantly detrimental in terms of highway safety. Furthermore, Cambridgeshire County Council as the Local Highways Authority have been consulted and raise no objections. They do point out that the LPA should consider amenity issues as a result of increased parking and this has been assessed in the preceding sections of this report.

Overall, the development is considered to be acceptable in terms of highway safety matters and accords with Policy LP17 of the Local Plan to 2036.

*Biodiversity

Policy LP30 of Huntingdonshire's Local Plan to 2036 states that a development should ensure no net loss in biodiversity and achieve a net gain where possible. Further to this, pursuant to the Environment Act 2021, 10% statutory Biodiversity Net Gain (BNG) following the hierarchy of onsite provision; mixture of on-site and off-site provision; and the last resort of statutory biodiversity credits is required unless the development falls within an exempt category.

In this case, biodiversity net gain does not apply, as this is a partially retrospective proposal made under section 73A, so the opportunities for identifying the pre-commencement baseline value and gain, impose controls or evaluation of habitats have been lost. In any event, given the minor scale of the hut and elevated design it would not impact more than 25m² of priority habitat and would therefore fall within an exemption.

In general terms (to accord with LP30) it is considered that options for achieving a net gain are challenging. Therefore, on balance, given the neutral impact of the development in biodiversity terms and the value of the surroundings it is not considered necessary to pursue this on this occasion and the development is considered to broadly accord with Policy LP30 of the Local Plan.

*Impact on Trees

There are some established Leylandii type trees forming the boundary with Back Lane to the west. There is some separation between these and the hut and, given the absence of groundworks (the hut is on wheels) and the limited value of the trees (in terms of their species) there are no concerns with regard to impacts on trees and the development accords with Policy LP31 of the Local Plan.

*Conclusion

The proposed development is considered to be compliant with the relevant national and local policy as it is:

*Acceptable in principle

And it:

* Would not be harmful to the character or appearance of the area or the designated heritage assets;
* Would not have a significantly detrimental impact upon the amenity of neighbours;
*Would not result in an increased risk of flooding in the locality;
*Would not be detrimental to highway safety in the locality;
*Is acceptable with regards to the impact on biodiversity;
*Is acceptable with regard to its impact on trees.
*There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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CONTACT OFFICER:
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