# OFFICER REPORT

**Case No:** 25/00242/FUL Full Planning Application

**Proposal:** Erection of 1.8m security gate and fence

**Location:** The Stables Long Drove Somersham

**Applicant:** Mr & Mrs Edward Howard

**Grid Ref:** 537729 279238

## DESCRIPTION OF SITE AND APPLICATION

The application site at The Stables is occupied by a mixed-use agricultural site consisting of storage units and stables used for horticulture and forestry. The application site is considered to be in the countryside and not within or well related to the built-up area of any settlement listed in Huntingdonshire's Local Plan to 2036, and whilst parts of the site are within Flood Zone 3 on the Environment Agency's Flood Map for Planning, the proposed application is not affected by this.

This application seeks permission for the erection of a 1.8m security gate and fence.

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 15th May 2019)

LP2: Strategy for Development
LP10: The Countryside
LP11: Design Context

LP12: Design Implementation
LP14: Amenity
LP17: Parking Provision and Vehicle Movement
LP19: Rural Economy
LP30: Biodiversity and Geodiversity

Neighbourhood Plan and relevant policies where applicable

Huntingdonshire Design Guide Supplementary Planning Document (2017)

Huntingdonshire Townscape and Landscape Assessment Supplementary Planning Document (2022)

The National Design Guide (2021)

Huntingdonshire Strategic Flood Risk Assessment (2024)

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

**RELEVANT PLANNING HISTORY**

0201304FUL - Erection of stables and hay barn (Permission)

0302386FUL - Siting of mobile home for temporary period, breeding of horses, production of worms and distribution of carrots (Refused)

1302001FUL - Change of use of barn to carrot packing shed (retrospective) and erection of extension for the storage and repair of irrigation pipes (Permission)

**CONSULTATIONS**

Somersham Parish Council - Support the application.

Cambridgeshire County Council Highways - No objections, no significant adverse impacts noting the new fence and gates are to replace existing.

**REPRESENTATIONS**

None received at the time of determination.

**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 47 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, there is not an adopted neighbourhood plan in place for Somersham. 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 in the determination of this application are:

- The Principle of Development
- Design, Visual Amenity and Impact on the Countryside
- Residential Amenity
- Vehicle Movement and Highway Safety
- Biodiversity

*The Principle of Development

This application relates to the erection of a 1.8 metre gate and fence for additional security. Given the location of the application site within the countryside and outside of the built-up area of Somersham, Policy LP10 of Huntingdonshire's Local Plan is considered relevant. Policy LP10 states that development in the countryside will be restricted to the limited and specific opportunities as provided for in other policies of this plan. 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.

It is considered that part a. is not wholly relevant in this case, as per the submitted plans alongside officers undertaking a site visit, it is noted that the proposed security gate and fence are to replace that which already exists. This means the development would result in no loss of land with higher agricultural value due to the current status of the location for development having no agricultural value itself. Parts b. and c. of Policy LP10 are discussed in more detail in the subsequent sections of this report but for this purpose it is not considered that the proposal would give rise to any factors referenced to render the proposal unacceptable.

Policy LP10 restricts development in the countryside to limited and specific opportunities. Opportunities in the countryside are limited under a number of policies which are not considered relevant to this application. However, Policy LP19 (Rural Economy) must be considered as this provides specific opportunity for development within the countryside. Policy LP19 also considers a rural business is one which has a legitimate reason to be in the countryside. This is applicable to the application site, as its use is for horticulture and forestry.

As this is the case, Policy LP19 states that a proposal for the expansion of an established rural business on land outside of its existing operational site in the open countryside will be supported where it demonstrates that:

e. opportunities to reuse existing buildings have been fully explored; and replacement or new build are only proposed where it can be demonstrated that no suitable reuse opportunities are available;
f. any opportunities to make more efficient use of land within the existing site boundary are not suitable for the proposed use;
g. it avoids the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) particularly Grade 1 where possible and should use land of lower agricultural value in preference to land of higher agricultural value; and
h. the scale, character and siting of the proposal will not have a detrimental impact on its immediate surroundings and the wider landscape.

Part e., f. and g. of Policy LP19 are not considered wholly relevant in this case, as preceding sections of this report have established that the development would not result in the loss of the best and most versatile agricultural land as the current use of the proposed site is that which is proposed. Taking into account part h., it is considered that the proposal would not have a detrimental effect on its immediate surroundings and wider landscape and will be discussed in greater detail in subsequent sections of this report.

It should also be noted that paragraph 89 of the NPPF (2024) states that:

"Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist."

As previously noted, the development is found to not have a detrimental impact on its surroundings, thus is acceptable in this regard. It is also considered that the proposals as a security gate and fence will not have any unacceptable impact on roads and is discussed in greater detail in further sections of this report.

Overall therefore, having regard to the above assessment, the proposed development is considered to be acceptable in principle and is compliant with Huntingdonshire's Local Plan to 2036 and the NPPF (2024) subject to compliance with other relevant policies and considerations.

*Design, Visual Amenity and Impact on the Countryside

The application site at The Stables comprises of storage units and stables, alongside the existing gated access and supporting parking facilities. The proposal consists of the erection of a 1.8 metre security gate and fencing. The proposed fencing is to run along the length of the western boundary of the application site parallel to Long Drove, and the proposed materials are to be vertical railed palisade fencing. The application site and its surroundings are rural in character, and the lack of built development means that there are open views of the countryside. These views are punctuated by some agricultural and residential development but there are large degrees of separation between these developments.

Given the scale of the proposed fence and gate alongside its location within the countryside, it is not considered that there would be a significantly detrimental impact on the visual amenity of the surrounding area. Whilst the proposed materials differ from that of existing and the adjacent Dressage Centre, it is considered there is a variation of boundary treatment along Long Drove itself, and the application site consists of conifers standing 2.3 metres high across the frontage of the site, which reduces the visual harm of the fencing and helps to promote the integration of a more natural boundary treatment. Additionally, the conifers by virtue of their scale and location already punctuate the open views of the countryside, and as the proposals do not increase this

punctuation, they are considered acceptable with regards to its impact on the character and appearance of the area.

Overall, taking the above factors into consideration the proposed development is considered to be acceptable with regard to design and visual amenity and would not have a significantly detrimental impact upon the character or appearance of the area. It therefore accords with Policies LP10, LP11 and LP12 of Huntingdonshire's Local Plan to 2036 in this regard.

*Residential Amenity

Given the location in the countryside and away from the built-up area of Somersham, it is not considered that there would be any unacceptable material impacts in terms of overbearing, loss of light or privacy. The proposal is therefore considered acceptable with regards to Policy LP14 of Huntingdonshire's Local Plan.

As mentioned in previous sections of this report, part c. of Policy LP10 of the Local Plan states that development in the countryside should not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others. Considering the nature of the development as a replacement fence and gate and having no impact on the use of the application site, it is not considered that the proposal would result in any noise, odour or obtrusive light that would adversely affect the use of the countryside by others.

As such, having regard to the above, the development is considered acceptable in terms of residential amenity impacts and accords with Policy LP14 and LP10 of the Local Plan to 2036 in this regard.

* Vehicle Movement and Highway Safety

The access to the site is via the existing entrance from Long Drove, which includes acceptable visibility splays and provides sufficient room for the manoeuvring of vehicles in and out of the site. Cambridgeshire County Council Highways Team have been consulted and raise no objections to the proposal, with the gate being 'in the same location as existing', which is set back 6 metres from the highway edge, allowing for 'vehicles to stop off the carriageway before entering the premises.'

Therefore, the development is considered to be acceptable with regard to vehicle movement and highway safety and in accordance with LP17 of the Local Pan to 2036 in this regard.

*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. The application form details that the proposal would be exempt from Biodiversity Net Gain legislation as it would fall within the de minimis category and the LPA view aligns with this. In addition, given the existing use of the site as well as the nature and scale of the works proposed, it is considered that achieving a net gain would be challenging. Having taken this into account, with the proposal resulting in no net loss of biodiversity it therefore broadly accords with Policy LP30 of the Local Plan to 2036 in this regard.

*Conclusion

The proposed development is considered to be compliant with the relevant national and local policy as it:
* Is of an appropriate scale and design;
* Would not have a harmful impact upon the character and appearance of the area;
* Would not have a significantly detrimental impact upon the amenity of neighbours;
* Is acceptable with regards to vehicle movement and highway safety;
* Is acceptable with regards to the impact on biodiversity;

* 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.

**CONTACT OFFICER:**
Enquiries about this report to **Josh France**