OFFICER REPORT

Case No: 25/00183/FUL Full Planning Application

Proposal: Proposed conversion of existing barn to create three new dwellings with associated access, parking and garden space.

Location: Barn At North East Side Of Upton Hill Woods Main Street Upton

Applicant: Mr Joshua Parry

Grid Ref: 517304 278268

DESCRIPTION OF SITE AND APPLICATION

This application seeks approval for the conversion of an existing barn into three residential dwellings with associated access, parking and garden at Upton Hill Woods.

The site is located south-west of the settlement of Upton and is bound to the south-west by a gypsy/traveller site, to the south-east by agricultural land, grassland to the north-east and the public highway of Upton Hill to the north-west.

This application has been accompanied by:

- Planning, Design, Access and Heritage Statement;
- Barn Survey;
- Tree Survey Report;
- Preliminary Ecological Appraisal;
- The Statutory Biodiversity Metric Calculation;
- Pre-development and Post-development Habitat Survey Report for Calculation of Biodiversity Net Gain;
- Unilateral Undertaking in relation to wheeled bin contribution.

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

NATIONAL GUIDANCE

The National Planning Policy Framework (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
LP33: Rural Buildings

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

Supplementary Planning Documents (SPD) and Guidance:

Huntingdonshire Strategic Flood Risk Assessment (2024)
Huntingdonshire Design Guide Supplementary Planning Document 2017
Developer Contributions SPD 2011
Huntingdonshire Landscape and Townscape SPD (2022)
Cambridgeshire Flood and Water SPD 2017
Annual Monitoring Review regarding housing land supply (2024)

The National Design Guide (2021)

* C1 - Understand and relate well to the site, its local and wider context
* I1 - Respond to existing local character and identity
* I2 - Well-designed, high quality and attractive
* B2 - Appropriate building types and forms
*M3 - Well-considered parking, servicing and utilities infrastructure for all users
* N3 - Support rich and varied biodiversity
* H1 - Healthy, comfortable and safe internal and external environment
* H2 - Well-related to external amenity and public spaces
* H3 - Attention to detail: storage, waste, servicing and utilities

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

PLANNING HISTORY

17/00019/FUL - change of use from general storage purposes (B8) to a single residential dwelling (C3) - Approved

CONSULTATIONS

Upton and Coppingford Parish Council - The Parish Council remain in principle, supportive of the development of the site for residential use.

Ideally would have preferred to see a scheme that provided 2 single storey units with parking adjacent to each unit. The current proposal compromises good design in order to maximise the number of units with a resultant feel of over development. It would also be a missed opportunity to really make the most out of the development potential. However, query aspects of the proposal and parking arrangements.

In conclusion, while the parish is supportive of the residential development of the site and barn, given the concerns raised, cannot fully support this proposal.

Cambridgeshire County Council Highway Authority - No objections to the proposal, subject to the imposition of conditions on any planning permission granted.

Huntingdonshire District Council Ecology Officer - Expressed objections as it cannot be guaranteed the proposal will ensure the development delivers a 10% BNG. Proposed and enhanced areas of other neutral grassland are incorrect and it cannot be guaranteed that baseline habitats and invasive species have been adequately assessed. Additionally the PEA recommends the District Level Licensing scheme is entered into to compensate for potential impacts to great crested newts but the payment certificate has not been submitted and this is required for the application to be determined.

Officer Note - Following these comments an updated BNG has been submitted which takes on board the comments raised and an Impact Assessment Conservation Payment Certificate has been issued and Countersigned by Natural England as requested. The Ecology Officer has been re-consulted but no further comments have been received to date.

Huntingdonshire District Council Arboricultural Officer - No objections to the proposal, subject to the imposition of a condition requiring a method statement on any planning permission granted.

Huntingdonshire District Council Environmental Health Officer - No objections to the proposal. Records show that the proposed gardens previously held vehicles/parts for repair/scrap. If minded to approve the application recommend conditions requiring a land contamination risk assessment (and if necessary a remediation strategy) prior to the commencement of development.

REPRESENTATIONS

No third party representations were received during the course of the application.

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:

o Huntingdonshire's Local Plan to 2036 (2019)
o Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
o St Neots Neighbourhood Plan 2014-2029
o Godmanchester Neighbourhood Plan (2017)
o Houghton and Wyton Neighbourhood Plan (2018)
o Huntingdon Neighbourhood Plan (2019)
o Bury Village Neighbourhood Plan (2021)
o Buckden Neighbourhood Plan (2021)
o Grafham and Ellington Neighbourhood Plan 2020-2036 (2022)
o Great Gransden Neighbourhood Plan 2021 to 2036 (2023)
o The Stukeleys Neighbourhood Plan 2022 to 2036 (2023)
o Sawtry Village Neighbourhood Plan 2022 to 2036 (2023)

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 and Visual Amenity
o Residential Amenity
o Highway Safety
o Flood Risk and Surface Water
o Biodiversity
o Trees
o Developer Contributions
o Accessible and Adaptable Homes
o Water Efficiency

*The Principle of the Development

The site is located south-west of the built-up area of the settlement of Upton and is therefore classified as countryside land in accordance with the adopted Huntingdonshire Local Plan to 2036. As such, Policy LP10 (The Countryside) is considered relevant in this instance.

Initially, it is worth noting that Paragraph 78 of the National Planning Policy Framework (NPPF) 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 five-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.

Policy LP10 of the adopted Local Plan states that development in the countryside will be restricted to the limited and specific opportunities as provided for in other policies of this plan. Given the application seeks approval for the conversion of an existing barn into three residential dwellings and associated works, Policy LP33 (Rural Buildings) is considered to provide an opportunity for development.
Policy LP33 of the adopted Local Plan states that a proposal for the conversion of a building in the countryside will be supported where it can be demonstrated that the building is
(i) redundant or disused;
(ii) of permanent and substantial construction;
(iii) not in such a state of dereliction or disrepair that significant reconstruction would be required; and
(iv) structurally capable of being converted for the proposed use.

The submitted Planning Statement indicates that the application building has historically been used for a mixture of general storage uses across the wider site. However, following approval of recent planning applications on land to the south of the application site to a gypsy/traveller site (21/00078/FUL) and an adjacent barn which has been converted into a residential dwelling (17/00019/FUL), the building in question is now considered to be superfluous and unlikely to be required for storage purposes in the foreseeable future. As such, the Local Planning Authority are satisfied that the application building is redundant or disused.

Furthermore, based on the information submitted and the site visit carried out by the case officer, the Local Planning Authority are satisfied that the building in question satisfies criteria (ii) to (iv) of Policy LP33 of the adopted Local Plan.

Policy LP33 goes on to state that the conversion would be supported where the proposal
(i) would lead to an enhancement of the immediate setting; and
(ii) any extension or alteration would not adversely affect the form, scale, massing or proportion of the building. Furthermore, Policy LP33 requires that the proposal would lead to a clear and substantial enhancement of the immediate setting.

As discussed in following sections of this report, the Local Planning Authority are satisfied that the proposal would lead to an enhancement of the immediate setting, the alterations proposed would not adversely affect the building.

Policy LP10 goes on to state that all development in the countryside must:
(a) seek to use land of lower agricultural value in preference to land of higher agricultural value;
(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.

The existing land that is the subject of this application is classified as Grade 3 agricultural land (Good to Moderate). Some 98% of the district comprises land within Grades 1 to 3, with 15% being Grade 1 and an estimated 77% of land falling within the definition of best and most versatile land. The proposal, if granted, would result in the loss of this land.

However, the proposal site comprises predominantly scrub land and hardstanding and accordingly it is considered that the proposed development does not represent an unacceptable loss of agricultural land in this instance and any harm that results are limited.
As discussed in following sections of this report, the Local Planning Authority are satisfied that criterion (b) and (c) are met.

In this instance the proposal for the conversion of a barn to residential dwellings is not considered to cause significant and demonstrable harm to outweigh the economic, social and environmental benefits of the proposal. Therefore, given the current policy position, the principle of development is established and acceptable subject to compliance with other material planning considerations and conditions.

*Design, Visual Amenity and Impact Upon the Character of the Area

Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context. Policy LP12 states that new development will be expected to be well designed and that a proposal will be supported where it can be demonstrated that it contributes positively to the area's character and identity and successfully integrates with adjoining buildings and landscape. This is also reflected in Policies LP10 and LP33 of the Huntingdonshire Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024).

This application seeks approval for the conversion of an existing barn to create three dwellings with associated works at Upton Hill Woods, Main Street, Upton. The proposal involves alterations to the fenestration of the building, including the insertion of rooflights. It is worth noting that no extensions are proposed as a result of the barn conversion and therefore the footprint would not increase.

The existing barn is of a gable-end design and would be split into three three-bedroom residential dwellings with habitable rooms in the roof space. The proposed windows and doors to be installed would be factory clear decorated timber, double glazed joinery with velux rooflights.

The alterations to the fenestration of the building, including the removal of the roller shutter, are considered to be acceptable and typical for a development of this nature. While there are a large number of rooflights in the south-west elevation roofslope in an irregular pattern, given the building is set back from the public highway at an angle where it is not be visually prominent, it is considered to be acceptable in this instance.

The proposed boundary treatment for the dwellings would consist of paddock/estate post and rail fencing, which is considered to be acceptable given the countryside location and its limited visual impact. A condition would be imposed on any planning permission granted to secure specific details.

With regard to a hard and soft landscaping scheme, it is proposed to replace existing concrete hardstanding with paving, the formation of grassed amenity areas as well as small areas of enhanced grassland and tree planting. The proposed landscaping schemes are considered to be acceptable, subject to specific details that would be secured via suitably worded conditions on any planning permission.

The proposal would include the erection of refuse and cycle storage structures for each property, which are considered to be acceptable in principle. However, a condition would be imposed on any planning permission granted to secure specific details of scale, design and appearance.

Overall, the proposed development is considered to be acceptable in terms of its design and appearance and would not result in any visual harm to the site, the streetscene of Main Street or the wider countryside. As such, the proposal is deemed to be in accordance with Policies LP10,

LP11, LP12 and LP33 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024) in this regard.

*Residential Amenity

Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

Given the scale of the proposal and the distance to the closest neighbouring residential properties (approximately 75m north on Upton Park), the Local Planning Authority are satisfied that the proposal would not result in any detrimental impacts on any neighbouring properties amenities.

Furthermore, the proposal is considered to provide an acceptable standard of amenity for future owners/occupiers of the proposed dwellings with adequate space standards, amenity spaces and natural light.

As such, the proposal is considered to be acceptable with regard to its impact on residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024) in this regard.

*Highway Safety

Policies LP16 and LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.

The proposed dwellings would be accessed via an existing vehicular access off Main Street, Upton which the Local Highway Authority have concluded is considered to be acceptable, subject to a condition on any planning permission granted ensuring it is laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

While the proposed site plan indicates that the existing access road material would be replaced with permeable gravel, a condition would be imposed on any planning permission granted to ensure that a metalled surface would be provided for a minimum of 5m along the access road from its junction with the public highway to prevent mud and extraneous materials entering the highway.

The proposed three-bedroom dwellings would include two off-street car parking spaces per dwelling (with two additional spaces for visitors), secure cycle storage and adequate space for turning to ensure that vehicles can enter the highway in a forward gear.

Therefore, subject to appropriate conditions, the proposal is considered acceptable in terms of its impact on highway safety and therefore accords with Policy LP17 of Huntingdonshire's Local Plan to 2036 and Section 9 of the National Planning Policy Framework (2024) in this regard.

*Flood Risk

The application site lies within Flood Zone 1 in accordance with Environment Agency mapping and the Huntingdonshire Strategic Flood Risk Assessment (2024).

The flood risk vulnerability of the proposed development is 'more vulnerable' in accordance with the Planning Practice Guidance, which is compatible with land within Flood Zone 1. Furthermore, as stated in paragraph 176 of the National Planning Policy Framework (2024), as the application seeks approval for the change of use and minor development, sequential and exception tests are not required.

Given the low flood risk and minor scale of development, officers are satisfied that full details of the surface and foul water drainage can be secured as part of building regulations and other relevant legislative requirements in this instance.

As such, the proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore accords with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework (2024) in this regard.

*Biodiversity

Paragraph 187 of the NPPF (2024) states planning policies and decisions should contribute to and enhance the natural and local environment. Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and 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.

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

This application has been accompanied by a Preliminary Ecological Appraisal which concludes that no further surveys or investigations are required. However, it is recommended that the District Level Licensing Scheme led by Natural England is entered into to mitigate for potential impacts to great crested newts. Further mitigation and enhancement are also proposed. A District License certificate countersigned by Natural England has subsequently been submitted. The Local Planning Authority are therefore satisfied with the findings of the PEA and conditions would be imposed on any planning permission granted to ensure the development is carried out in accordance with the mitigation and enhancements measures proposed.

The application is also accompanied by a Biodiversity Net Gain Assessment which details that the existing site value was calculated at 0.39 Habitat Units and 0.05 Watercourse Units from the ditch within 5m of the site boundary. The report states that post development value is 0.20 Habitat Units and 0.09 Watercourse Units. This represents a net loss of 0.19 Habitat Units and a net gain of 0.04 Watercourse Units and therefore as a result the development proposals provide an on-site net loss of -49.39% for habitats and a net gain of 71.58% for watercourses. Accordingly the trading rules have not been met for habitats and the purchase of medium distinctiveness off-site units will be required in order for the proposal to achieve a 10% net gain in habitat units as set out in the Environment Act (2021).

A Biodiversity Net Gain Management Plan including recommendations for the implementation, management and monitoring of the site for at least 30 years is also required. Therefore it is considered that off-site area habitat units to meet the deficit should be conditioned for purchase prior to development commencing along with the submission of the required management plan. Such a condition has been agreed by the Agent.

Overall, it is considered that the proposal has satisfactorily investigated all potential adverse impacts on biodiversity and identifies suitable mitigation and enhancement measures to minimise the impacts of the development on wildlife and achieve a net gain in biodiversity. Therefore, subject to conditions, the proposal is considered to be in accordance with Policy LP30 of the Local Plan and the NPPF 2023 in this regard.

*Trees

Policy LP31 of the Huntingdonshire Local Plan to 2036 requires proposals to demonstrate that the potential for adverse impacts on trees, woodland, hedges and hedgerows has been investigated and that a proposal will only be supported where it seeks to conserve and enhance any existing tree, woodland, hedge or hedgerow of value that would be affected by the proposed development.

The application has been accompanied by a Tree Survey Report. This states that to facilitate the proposed development, it will be necessary to remove one tree from group G1, up to four trees from Group G11 and the whole of the Hedgerow H2. However, the net loss of trees and hedgerows, all of which are low quality, will not have a significant impact upon amenity. The proposed access road will pass through the root protection area of both T1 and T2 (moderate quality trees). Much of this area is already surfaced with compacted aggregate.

The HDC Arboricultural Officer has been consulted and initially requested further information in order to ensure no damage to Trees T1 and T2. The applicants submitted additional information which was discussed with the Arboricultural Officer, and a further consultation was undertaken.

The Arboricultural Officer has confirmed that following the additional information he has no objections subject to a condition requiring a Method Statement confirming compliance with the suggested measures during construction. It was agreed that a new permeable surface could be laid over the top of the existing driveway to limit the impact on the roots of T1 and T2. This will also need to comply with the Highway Authority requirements.

The site is not in a Conservation Area and the trees on site/adjacent to the site are not afforded protection of a Tree Preservation Order. The proposals involve the loss of a small number of trees and the removal of a hedge. This is not considered to impact on the visual amenity of the local area.

Therefore, notwithstanding the required condition, the proposals are considered to accord with Policy LP31 of Huntingdonshire's Local Plan to 2036.

*Developer Contributions

Part H of the Developer Contributions SPD (2011) requires a payment towards refuse bins for new residential development. A Unilateral Undertaking Form in respect of wheeled bins has been received by the Local Planning Authority dated 14 February 2025. The proposed development is therefore considered to accord with Policy LP4 of Huntingdonshire's Local Plan to 2036 and the Developers Contributions SPD (2011).

*Accessible and Adaptable Dwellings

Policy LP25 of the Huntingdonshire's Local Plan to 2036 seeks to ensure that all housing developments in the district offers a genuine choice of Accessible and adaptable dwellings that meet the requirements of residents:

f. ensuring 100% of new dwellings, across all tenures provided, meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' (or replacement standards).

To ensure that the development can meet these standards a condition would be imposed on any permission that may be granted in this regard in accordance with Policy LP25 of Huntingdonshire's Local Plan to 2036.

*Water Efficiency

Policy LP12 (j) of the Local Plan to 2036 states that new dwellings must comply with the optional Building Regulation requirement for water efficiency set out in Approved Document G of the Building Regulations. A condition will be attached to any consent to ensure compliance with the above, in accordance with Policy LP12 (j) of Huntingdonshire's Local Plan to 2036.

*Other

*Community Infrastructure Levy (CIL)

The development will be CIL liable in accordance with the Council's adopted charging schedule; CIL payments will cover footpaths and access, health, community facilities, libraries and lifelong learning and education.

*Contamination

Records show that the proposed gardens previously held vehicles/parts for repair/scrap. Accordingly, Huntingdonshire's Environmental Health Officer has been consulted and has advised that if minded to approve the application, conditions should be imposed requiring a land contamination assessment, and if necessary a remediation strategy, prior to the commencement of development. Such conditions are considered reasonable and necessary should planning permission be granted and have been agreed by the Agent.

*Conclusion

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

* Acceptable in principle
* Would not be harmful to the character or appearance of the area;
* Would not have a significantly detrimental impact upon the amenity of neighbours;
* Would not be detrimental to highway safety in the locality;
* 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.

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