OFFICER REPORT

Case No: 25/00583/OUT Outline Application

Proposal: Erection of self-build dwelling (all matters reserved except access)

Location: Land Rear Of Warboys Methodist Church High Street Warboys

Applicant: Mr M England

Grid Ref: 530675 280180

DESCRIPTION OF SITE AND APPLICATION

This application seeks outline approval for the erection of one dwelling on land to the rear of Warboys Methodist Church, High Street, Warboys, with all matters reserved except access.

The submitted Design and Access Statement notes the site is presently a lawned garden to No. 39 High Street, Warboys. The site is bound to the north and east by residential dwellings, to the south by the Methodist Church and to the west by a public house's garden area.

The site is located north of High Street and is within the Warboys Conservation Area and is in close proximity to the Grade II Listed Building of No. 35 High Street, Warboys.

This application has been accompanied by:

- Design and Access Statement;
- Heritage Statement;
- Facade Noise Exposure Assessment;
- Preliminary Ecological Appraisal;
- Unilateral Undertaking in relation to wheeled bins.

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.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, 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
LP8: Key Service Centres
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
LP34: Heritage Assets and their Settings

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)
Warboys Conservation Area Character Statement (2006)

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

24/01705/OUT - Proposed residential dwelling (all matters reserved except access) - Withdrawn.

0501299REM - Approval of siting, design, external appearance, means of access and landscaping for the erection of a dwelling - Approved.

0102778OUT - Erection of 3 dwellings - Approved.

CONSULTATIONS

Warboys Parish Council - Recommend approval.

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

Huntingdonshire District Council Environmental Health - No objections to the proposed development, subject to the imposition of conditions ensuring the noise abatement recommendations within the Noise report are implemented.

Huntingdonshire District Council Conservation Officer - No comments to make.

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, Visual Amenity and Impact on Heritage Assets
o Residential Amenity
o Highway Safety
o Flood Risk and Surface Water
o Biodiversity
o Developer Contributions
o Accessible and Adaptable Homes
o Water Efficiency

*The Principle of the Development

The site is located within the settlement of Warboys, which the adopted Huntingdonshire Local Plan to 2036 identifies as a Key Service Centre and as such, Policy LP8 is considered relevant in this instance.

Initially however, it is necessary to establish whether the site is located within a built-up area. The adopted Local Plan defines the built-up area as "a distinct group of buildings that includes 30 or more homes. Land which relates more to the group of buildings rather than to the surrounding countryside is also considered to form part of the built-up area".

Given the site is located centrally within the settlement of Warboys with a group of at least 30 buildings, the Local Planning Authority are satisfied that the application site is within a built-up area.

Policy LP8 states that a proposal for development on a site which is additional to those allocated within the Local Plan will be supported where it is located within a built-up area of a Key Service Centre.

It is also noted that Application 0102778OUT granted outline approval for the erection of three residential dwellings on land which included the current application site. As such, although this property was never implemented, the principle of a residential dwelling in this location has previously been considered to be acceptable.

As the application site is located within the built-up area of the Key Service Centre of Warboys, the principle of residential development is considered to be acceptable in this instance, subject to all other planning matters being addressed.

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

The Local Planning Authority is required to ensure that special regard is given to preserving the listed buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Local Planning Authority is also required to ensure that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72. This is also reflected in Policy LP34 of the Huntingdonshire Local Plan to 2036 and Section 16 of the National Planning Policy Framework.

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 the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024).

This application seeks outline approval for the erection of one dwelling on land to the rear of The Methodist Church, High Street, Warboys. The site is within the Warboys Conservation Area and is in close proximity to the Grade II Listed Building of No. 35 High Street, Warboys.

Initially it is worth noting that while this is an outline application with details of access for approval only, the Local Planning Authority must be able to satisfy themselves that a detailed proposal could be brought forward at a later stage that would be acceptable in relation to appearance, layout, scale and landscaping. No indicative site layout, elevation or floor plans have been provided as part of this application and as such, the Local Planning Authority are only able to make a limited assessment.

The dominant character of properties in the immediate locality is that of detached dwellings fronting the public highway of High Street. However, there are instances of backland development along High Street - most notably directly north-east to the application site. Application 0102778OUT granted outline approval for the erection of three residential dwellings on land which included the current application site. As such, the principle of a residential dwelling in this location is considered to be acceptable.

The previous application for three dwellings was also approved in the context of the White Hart's listed status. There have been no material changes in designation since that time, and there is no reason to find that an appropriately-designed new dwelling could not be located in this location in a manner that would fail to preserve the listed building's setting when applying the Section 66 special regard duty.

The Council's 2006 Conservation Area Character Statement notes that development in the High Street is quite dense compared to the more loosely developed Church Road and Ramsey Road, with particular groups of buildings (such as the White Hart pub and the Methodist Chapel) contrasting with the general pattern. Whilst the bowling green is identified as a green area of particular importance, the application site is not.

Given that High Street's more densely-developed character is identified as one of the Conservation Area's defining characteristics, and in light of the previous reserved matters approval on this plot (which was approved in the same context of designated historic assets), it is considered that, subject to careful consideration of the appearance, layout and scale of the proposed dwelling to ensure that it reflects and respects the character of properties in the immediate locality and wider Warboys Conservation Area, a single dwelling could be accommodated here in a manner that accords with the Section 72 special attention duty.

Overall, the Local Planning Authority are satisfied that a detailed proposal could be brought forward that would be in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11, LP12 and LP34 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Sections 12 and 16 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.

The closest neighbouring residential properties that are likely to be impacted upon as a result of the proposed development are Mulberry House, 37 High Street and No. 41 High Street, Warboys.

As part of this outline application, details on the scale and layout of the proposed dwelling have not been provided and therefore a limited assessment can be made.

Should the proposed dwelling be two-storey in scale, careful consideration should be given to the height and siting to ensure no unacceptable overbearing, overshadowing or loss of light impacts occur on any neighbouring property. Furthermore, any first-floor windows serving habitable rooms in the eastern or northern elevation should be an adequate distance to neighbouring properties in accordance with the Huntingdonshire Design Guide SPD to ensure no overlooking impacts.

Due to the proximity to the White Hart Public House and Beer Garden the Council's Environmental Health Officer requested the submission of a Noise Assessment to assess whether the activities in the beer garden would result in unacceptable levels of noise and disturbance. This application has therefore been accompanied by a Facade Noise Exposure Assessment, which concludes that the internal noise levels within the proposed development are predicted to meet the guideline noise criteria contained in BS8233:2014, subject to noise abatement measures. The Council's Environmental Health Team have raised no objections to the assessment and a condition would be imposed on any outline planning permission granted to ensure the implementation and retention of the noise abatement recommendations within the report.

Overall, subject to the imposition of conditions, the Local Planning Authority are satisfied that a proposal could be brought forward at the reserved matters stage that would be acceptable with regard to its impact on residential amenity and therefore be in accordance 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 dwelling would be accessed via an existing vehicular access off High Street, currently serving two residential dwellings. The access is 5m in width for a length of 10m, which is considered to be acceptable to serve three residential dwellings. While vehicle and pedestrian visibility splays have not been shown on the submitted plans, the Local Highway Authority have confirmed that their GIS system shows them to be achievable.

Specific details of the number of bedrooms and the off-street car parking arrangement have not been provided as part of this application. However, the Local Planning Authority are satisfied that a configuration could be achieved that would be acceptable. Furthermore, any detailed planning application would need to include suitable cycle parking for the proposed dwelling.

As such, subject to the imposition of conditions and details submitted as part of any further planning application, the proposal is considered to be acceptable in terms of highway safety and therefore would be in accordance 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. The proposal involves the erection of a dwelling - which is classified as 'More Vulnerable' development. This type of development is considered to be acceptable in Flood Zone 1 and accordingly Exception or Sequential Tests are not required.

It is proposed to dispose of surface water via a soakaway and foul sewage drainage via the mains sewer. 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.

Overall, subject to appropriate conditions 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.

This application has been accompanied by a Preliminary Ecological Appraisal (PEA), which concluded that there were no records of any protected species, no waterbodies on site or in the surrounding area and no records, signs or tracks of birds, mammals, reptiles or amphibians. The PEA concludes with a set of recommendations that are considered to be acceptable and would be secured by condition on any outline planning permission granted.

In regard to mandatory Biodiversity Net Gain (BNG), as of the 2nd April 2024 a mandatory 10% Biodiversity Net Gain (BNG) was imposed on small sites. A statement has been submitted with the application which states the application falls within the self-build exemption. As the application consists exclusively of a single self-build dwelling on a site which has an area no larger than 0.5 hectares, Officers are satisfied that it is exempt from providing biodiversity net gain under The Biodiversity Gain Requirements (Exemptions) Regulations 2024. A condition to ensure the property would be a self-build property shall be imposed on any permission granted.

Overall, given the site comprises an existing rear garden area mainly consisting of grassed lawn, the Local Planning Authority are satisfied with the findings of the submitted Appraisal and as such the proposal accords with Local Plan Policy LP30, subject to the imposition of conditions.

*Development 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 28th March 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.

*Conclusion

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

*The principle of residential development within the built-up area of a sustainable settlement is acceptable.
*The quantum of development could be accommodated and would not have a significantly adverse impact on the overall character of the area.
*The quantum of development could be accommodated and could be designed to satisfactorily safeguard the amenities of neighbouring dwellings.
*There are no overriding highway safety issues.
*The proposal will not impact on existing ecology and would be able to enhance biodiversity.
*Is acceptable in regard to flood risk and surface/foul water drainage.

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

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CONTACT OFFICER:
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