OFFICER REPORT

Case No: 25/00159/FUL Full Planning Application

Proposal: Change of use from C3 to C2 along with rear in fill extension to form bathroom, as well as addition of car parking, decking, soft play area and garden room

Location: Fourwinds Warboys Road Bury

Applicant: Mr Tim Heriot

Grid Ref: 528881 283334

DESCRIPTION OF SITE AND APPLICATION

The application site comprises a 1.5 storey detached dwellinghouse known as 'Fourwinds'. The dwelling is accessed from a private drive off Warboys Road, Bury. Parking is located to the front of the property. With the exception of the access point, the application site is enclosed on all sides by mature vegetation. In regard to the surrounding context of the site, to the east is a residential dwelling and to the north, south and west is open countryside.

The application site is located in the countryside and adjacent to the Ramsey and Bury Conservation Area. Trees adjacent to the application site, within the Conservation Area and a stem diameter of 7.5m, are afforded with protection. While there are no designated heritage assets within or in the vicinity of the site, a non-designated historic mill site is located approximately 140m to the west of the application site. The site is within Flood Zone 1 according to Environment Agency Mapping and the Councils Strategic Flood Risk Assessment and therefore at lowest risk from fluvial flooding. The site is not susceptible to groundwater flooding nor is it at risk from surface water flooding.

This application seeks planning permission for the change of use from a single dwellinghouse (Use Class C3) to residential care home (Use Class C2) comprising of 2 bedrooms, one for the patient the other for the member of staff. The proposal also seeks to erect an infill extension to the rear to form a bathroom. External alterations proposed include the creation of additional car parking, decking, soft play area and installation of a garden room. No alterations to the first floor of the dwelling are sought as part of the application.

The proposed care home would provide a maximum capacity for one patient, supervised by staff 24 hours, 7 days a week. A maximum of 3 carers would be on site at any one time and would rotate in day (08:00am-17:00pm) and night shifts (17:00pm-08:00am). Occasional visits to the property from a Community Multi-Disciplinary Team (MDT) may occur to support the care staff and the patient.

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

NATIONAL GUIDANCE

The National Planning Policy Framework (12th 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 10).'

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.

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
*LP10: The Countryside
*LP11: Design Context
*LP12: Design Implementation
*LP14: Amenity
*LP15: Surface Water
*LP16: Sustainable Travel
*LP17: Parking Provision and Vehicle Movement
*LP26: Specialist Housing
*LP30: Biodiversity and Geodiversity
*LP31: Trees, Woodland, Hedges and Hedgerows

Supplementary Planning Documents (SPD) and Guidance:
*Huntingdonshire Design Guide SPD (2017)
*Huntingdonshire Townscape and Landscape Assessment SPD (2022)
*Developer Contributions SPD (2011)
*Huntingdonshire Strategic Flood Risk Assessment (2024).
*Huntingdonshire Tree Guidance Note 3
*Annual Monitoring Report, regarding housing land supply.

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

PLANNING HISTORY
93/01291/FUL- Loft conversion, alterations and extension to dwelling Four Winds, Warboys Road, Bury - Permitted 08.12.1993

CONSULTATIONS
Cambridgeshire County Council Local Highways Authority- No objection. An updated drawing number 012H1 has been submitted showing widened splays at carriageway edge, and Aco drain and hard bound surface on the driveway entrance along with other changes to the layout for parking and turning. Based on the information submitted, from the perspective of the Local Highway Authority the proposed development is acceptable, subject to the imposition of conditions.

Parish Council- No comment at the time of determination.

Environmental Health Officer- No objection.

Ecology Officer- No comment at the time of determination.

Conservation Officer- No objection. The proposed works will not adversely impact the setting of the conservation area

Arboricultural Officer- No comment at the time of determination.

Cambridgeshire Constabulary- No comment.

REPRESENTATIONS

One third party representation received in objection raising the following:

o The third party has expressed concerns regarding the proposed tall cage at the front of the property, as shown in the plans. They believe it will give the building an industrial appearance that is out of keeping with the rural character of the area. Initially, this impact was expected to be mitigated by retaining the mature trees in front of the structure. However, these trees have now been completely removed, increasing the visual impact. As a result, the third party is also concerned that other aspects of the approved plans may not be followed if permission is granted.

SUMMARY OF ISSUES

The main issues to consider in the determination of this application are:

- Principle of development
- Design, Visual Amenity and Impact on the Character and Appearance of the Area
- Residential Amenity
- Highway Safety, Access and Parking Provision
- Biodiversity
- Trees

*Principle of development

This application is for the change of use of a dwellinghouse (use class C3). The Town and Country Planning (Use Classes) Order 1987 specifies Class C3 (Dwellinghouses) is used as sole or main residences by

(a)a single person or by people to be regarded as forming a single household;

(b)not more than six residents living together as a single household where care is provided for residents; or

(c)not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).

The application seeks to change the use of the dwellinghouse (use class C3) to a residential care home (Use Class C2) for one patient, cared for by up to three on site carers 24/7. The Town and Country Planning (Use Classes) Order 1987 specifies Use Class C2 as a Residential Institution for the provision of residential accommodation and care to people in need of care (other than a use within [Class C3. Dwellinghouses, used as sole or main residences]).

The National Planning Policy Framework (NPPF, 2024) states planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Huntingdonshire's strategy for development is set out in Policy LP2 of the Local Plan and looks to concentrate development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities and the settlement of Ramsey including Bury, is considered to be a Spatial Planning Area for the district. Policy LP7 of the Local Plan states a proposal for housing development (class 'C3') or for a residential institution use (class 'C2') will be supported where it is appropriately located within a built-up area of an identified Spatial Planning Area settlement.

Paragraph 4.85 of the Local Plan includes a table of inclusionary and exclusionary criteria for assessing whether a site is within the built-up area. In this case, the surrounding context of the site comprises a singular residential dwelling to the east and to the north, south and west is open countryside. The table states isolated properties which are physically and visually detached from the main built form are excluded from the built-up area. Accordingly, Officers consider the site to be detached from the built-up area of Bury and within the open countryside.

Policy LP10 of the Local Plan to 2036 limits development in the countryside to those limited to specific opportunities provided for in policies of the local plan. Specific opportunities allowed for by the local plan include Policies LP19 Rural Economy, LP22 Local Services and Community Facilities, LP23 Tourism and Recreation, LP28 Rural Exceptions Housing, LP33 Rural Buildings and LP38 Water Related Development for which these are not applicable to this application.

Notwithstanding this, Local Plan Policy LP26 seeks to ensure that specialist housing development contributes to a range of attractive housing options for older people and those with specific needs, including self-contained housing (Class C3) and residential institutions (Class C2).

Local Plan Policy LP 26 states a proposal for a new residential institution or replacement or extension of an existing one (class 'C2') will be supported where:
e. it is easily accessible to shops, services, community facilities, public transport and social networks appropriate to the needs of the intended occupiers, staff and visitors;
f. the design meets or exceeds the standards set by the Care Quality Commission (or successors) regarding the safety and suitability of premises; and
g. in the case of existing care homes the proposal will lead to an improvement in the quality of care facilities provided.

In regard to criterion e of Policy LP26, the application site is approximately 0.5 miles from Bury's village centre where there is a convenience store, public house, primary school and village hall. The market town of Ramsey, offering a wider provision of facilities and services is 1.5m from the application site.

Whilst the site is not directly serviced with a pedestrian footpath, a footpath is located on the east side of Warboys Road. Whilst occupants would have to cross Warboys Road, there is a safe pedestrian route through the centre of Bury and Ramsey. In addition, approximately 300m north of the application site is a bus stop with live time tracking, which can be accessed by foot from the application site and offers frequent services to Chatteris, Ramsey, Huntingdon and St Ives.

Whilst it is acknowledged that the site is visually separated from the main built-up area of Bury, it remains relatively close to the village and does not represent new development in the open countryside. Rather, it involves the reuse of an existing building that is well connected by sustainable transport options and facilities/services. Officers therefore consider the proposal to be in accordance with criterion (e) of Policy LP26.

An email received by the agent on 15/08/2025 confirms the proposed development would adhere to the standards set out by the Care Quality Commission. The proposed living accommodation would provide 24-hour residential care for one patient. The proposal is considered to accord with part f of Local Plan Policy LP 26.

This application is not applicable to criterion g as this application does not relate to an existing care home.

It is also noted that article 3(1) of the Town and Country Planning (Use Classes) Order 1987 states that, subject to the provisions of the Order, where land or a building is used for a purpose within a specified use class, a change to another use within the same class does not constitute development and therefore does not require planning permission. This includes transitions within Class C3, which covers use as a dwellinghouse. Specifically, Class C3(b) allows for use as a dwellinghouse by up to six residents living together as a single household where care is provided, regardless of whether it is their sole or main residence.

Although the application does not seek permission for Class C3(b) use, it is noted that the existing dwelling could operate with a care element under Class C3(b) without requiring planning permission.

This is subject to the condition that the level and nature of care, such as carers working shift patterns, does not materially alter the character of the use as a single dwellinghouse.

In this case, however, the application proposes a change of use from a dwellinghouse to a residential institution (Use Class C2) to accommodate one resident receiving 24-hour care, delivered through morning and evening shift patterns. Officers do not consider the level of care proposed to materially differentiate the use from that of a Class C3 dwellinghouse, and therefore the change of use to Class C2 is considered acceptable.

Whilst this proposed change of use would form a new residential institution in the countryside but in proximity to shops and services, which is supported by Local Plan Policy LP26, consideration should be made to the loss of a residential dwellinghouse (Class C3). Notwithstanding this, it is considered that the loss of one residential dwelling (Use Class C3) in proximity to a sustainable settlement would be outweighed as the proposed use would contribute to additional care provision within the district.

Given the above, the proposed change of use of the dwellinghouse (Use Class C3) to a residential care home (Use Class C2) is acceptable in principle and accords with Policies LP2, LP7 and LP26 of the Huntingdonshire Local Plan to 2036.

*Design, Visual Amenity and Impact on the Character and Appearance of the Area
Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036 state that developments should respond positively to their context, draw inspiration from the key characteristics of its surroundings and contribute positively to the area's character and identity.

In addition, and as detailed above the application site is adjacent to the Ramsey and Bury Conservation Area, whereby special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area as per Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Consideration should be paid to the visual impact of the development with views into and out of the conservation area, as per Local Plan Policy LP 34.

In relation to alterations to the existing dwelling, the proposal includes a modest single-storey flat-roof rear extension and the removal of the garage door and rear wall to create a drive-through bay. The site is well screened from Warboys Road by mature vegetation, which is to be retained. Given that the changes to the front elevation are minimal, the extension is located to the rear, and the design is consistent with the existing single-storey flat roof form, Officers are satisfied that the proposal would be in keeping with the character of the area, the immediate context of the site and would not harm views into the Conservation Area.

External alterations to the site include the installation of a flat roof garden room 2.4m in hight, 5.2m in length, and 3.7m in width in the rear garden, formation of grasscrete parking spaces to the rear, installation of a soft play area to the rear and formation of a secure compound to the front of the dwelling house.

The proposed garden room would be located to the rear of the dwelling and screened from the public highway. Although positioned along the southern boundary of the site by existing vegetation outside the applicant's control, it would provide a natural buffer between the building and the open countryside. The use of composite timber cladding is considered appropriate for this edge-of-countryside setting, contributing to a design that is sympathetic to its surroundings.

A secure compound is proposed to the front of the building, comprising a 3.5m wide sliding gate at a height of 2m. It is acknowledged that third parties have expressed concerns that the structure would appear industrial and visually incongruous within the rural setting. While the building and application site are set back from the public highway and screened by vegetation as indicated on the site plan, it is noted that mature trees previously located in front of the structure have since been removed, increasing its visual prominence.

Although the fencing may not be the most visually appealing feature along the approach into the village of Bury, its setback from the highway edge is considered to reduce its overall impact. Officers therefore recommend the inclusion of a soft landscaping condition requiring details of replacement planting, which would help mitigate the visual impact. Subject to this condition, the compound is not considered to result in significant harm to the character of the area.

The use of grasscrete is considered an appropriate material choice, as it provides a permeable surface that supports sustainable surface water drainage while maintaining an element of soft landscaping. It is also worth noting that the existing Class C3 dwelling benefits from permitted development rights for the installation of hard surfaces. While the proposal introduces additional hard surfacing beyond what currently exists, Officers consider that, given the fallback position, the extent of hard surfacing proposed would not result in a significant impact on the character of the area.

In addition to the above the Conservation Officer was consulted as part of the application and raised no objection to the development proposal. The Officer stated the proposed works will not adversely impact the setting of the conservation area.

On the basis of the above, it is considered that the proposal complies with Policies LP11, LP12 and LP34 of the Local Plan.

*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.

Due regard shall be paid to the residential amenity impacts on the closest residential dwellings Shire Lodge and Holmefield, Warboys Road.

Overlooking
Apart from the installation of a window to serve the proposed single-storey bathroom extension and the removal of the garage door, all existing fenestration would remain unchanged. The front elevation of the dwelling is set approximately 42 metres from the front elevation of Shire Lodge. Given this separation distance and the limited nature of the proposed changes, the development is not considered to result in any additional overlooking impacts beyond the existing situation.

Noise
The proposal is not considered to result in an increased level of activity or disturbance in the area, including noise or light from vehicles. Shift changes are expected to occur only around 08:00 and 17:00 each day, with a maximum of three adults and one patient present within the property at any one time. These movements and associated activity are considered comparable to those typically experienced in a residential dwelling (Use Class C3).

Furthermore, while the application seeks permission for the care of one patient, the building could accommodate a maximum of two patients based on its layout. However, even at full capacity, with two patients and up to three carers, the level of noise and activity is expected to remain consistent with that of a single household.

Given the above, the scale of the residential care home poses no significant concern of unacceptable amenity impacts given the use of the building would be indifferent to the existing use of the dwelling. The proposal therefore is considered to accord with Local Plan Policies LP 12, LP14 and LP26(f).

*Highway Safety, Access and Parking Provision
Policy 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.

Minor alterations to the existing access are sought as part of the development proposal, including the widening of visibility splays at carriageway edge, the addition of an Aco drain and hard bound surface on the driveway entrance.

It is considered the proposed change of use would not intensify the use of the access from the existing C3 use. Notwithstanding this, the Local Highways Authority have been consulted on the application and raise no objection to the proposal subject to the imposition of condition to ensure the access and parking is laid out prior to the use commencing.

While it is acknowledged that shift changeovers may result in a brief overlap of vehicles, the proposal includes the provision of eight parking spaces to the rear of the building, which is considered sufficient to accommodate such instances. Huntingdonshire's Local Plan does not provide specific guidance or policy regarding parking requirements based on care home room numbers or staff levels. The anticipated parking demand associated with the proposed change of use is comparable to that of a single-family dwelling with occasional visitors. As such, the expected trip generation and impact on parking are considered negligible.

The proposal can safely be accessed, provides sufficient parking for the future occupants and would not cause significant safety issues to the surrounding highway network and therefore, the proposal complies with Local Plan Policy LP17.

*Biodiversity
Policy LP30 of the Local Plan 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. Furthermore, Mandatory Biodiversity Net Gain (BNG) requirement came into place on the 2nd April 2024 for non-major Town and Country Planning Act development.

The application is accompanied with a Preliminary Ecological Appraisal dated May 2025. The report concludes the site holds low ecological value, with habitats typical of a private garden. No statutory or non-statutory designations are nearby, and no significant impacts on protected species are expected. However, building B1 has high bat roost potential, requiring further dusk emergence surveys. With recommended mitigation and safeguarding measures in place, the development is unlikely to cause ecological harm and offers opportunities for biodiversity enhancement.

Two dusk emergence surveys were carried out by Allied Ecology to assess the presence of roosting bats at the site and the surveys accompany the application. No bats were observed emerging from or re-entering the building during either survey, and only low levels of bat activity were recorded, mainly involving individual Common and Soprano Pipistrelles. Although the building was initially assessed as having high roosting potential due to limited access to the loft void, this was downgraded to moderate following the surveys. No active roosts were identified, and with precautionary mitigation measures in place, the proposed development is not expected to adversely affect bats or require a European Protected Species licence.

As of 2 April 2024, a mandatory 10% Biodiversity Net Gain (BNG) requirement applies to small sites, in accordance with the Environment Act 2021. The application is supported by a completed Small Sites Metric and accompanying report, which identifies a baseline biodiversity value of 0.27 units. Post-development, the site is projected to deliver only 0.05 units, representing an overall habitat reduction of approximately 83.18%.

While this falls short of the statutory net gain requirement, the minimum information required to validate the application has been provided, specifically the baseline biodiversity value of the site. Given that the proposed development cannot accommodate sufficient habitat units on-site post-completion, officers consider that the shortfall can be addressed through the purchase of off-site biodiversity credits. This approach is consistent with national guidance and will be secured via a

suitably worded planning condition, ensuring compliance with BNG policy, should the development be permitted.

Given the above, the application has demonstrated that potential adverse impacts on biodiversity and geodiversity have been appropriately considered. Subject to the imposition of relevant conditions, the proposal is considered to accord with Local Plan Policy LP30.

*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. As the application site is adjacent to Ramsey and Bury Conservation Area, the trees within the designated area are afforded with protection.

Several trees to the rear of the building would be removed to facilitate the proposed development. Due to this the application is accompanied with a Tree Protection Statement. The document concludes that although the site itself is outside the protected zone, all trees within it are proposed for removal due to previous neglect and invasive vegetation. Temporary fencing and ground protection would be installed in accordance with BS5837:2012 standards to protect retained trees during construction.

While the proposal includes the removal of trees to the rear of the building, it is important to note the fallback position, trees within the residential curtilage of the existing dwellinghouse that are not protected by a Tree Preservation Order and are outside a conservation area can be lawfully removed without the need for planning permission. Although the proposal involves the removal of trees within the application site, mature vegetation located around the site boundaries, albeit outside the applicant's control, would be retained. This existing boundary planting will continue to provide effective visual screening from the open countryside.

Given the above, Officers consider the removal of the trees acceptable and in accordance with Local Plan Policy LP31.

*Other Matters
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
Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is therefore recommended that planning permission should be granted for the following reasons, subject to the imposition of relevant conditions:
*acceptable in terms of principle of development
*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 regard to parking provision and would not be detrimental to highway safety;
*would not have an adverse impact on biodiversity, geodiversity and trees.

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CONTACT OFFICER:
Enquiries about this report to **Charlotte Dew**