DEVELOPMENT MANAGEMENT COMMITTEE 17th March 2025

Case No: **24/02258/FUL**

Proposal: Demolition of 2 outbuildings and erection of two self-build dwellings

Location: Land at 64A Bottels Road, Warboys

Applicant: Messer's TB and OJ Huggins

Grid Ref: 530350 280250

Date of Registration: 12.12.24

Parish: Warboys

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) in accordance with the Council's Scheme of Delegation, as the Officer recommendation of approval, is contrary to that of the Parish Council's recommendation of refusal.

1. DESCRIPTION OF SITE AND APPLICATION

1.1 This application seeks planning approval for the demolition of two existing outbuildings on site and the erection of two self-build dwellings on land at 64A Bottels Road, Warboys. The dwellings would consist of Plot 1 - a 3 bedroomed detached bungalow and Plot 2 - a 4 bedroomed detached 2 storey dwelling house.

1.2 The site is located in the built-up area of Warboys and is adjacent to the Conservation Area on its western boundary. No. 14 Ramsey Road which also lies beyond the western boundary, and is a Grade II Listed Building.

1.3 The site is located adjacent to the existing red brick and tile bungalow No.64A Bottels Road, which has recently received planning permission for extensions (Ref: 24/00850/HHFUL)

1.4 The site currently forms part of the domestic garden of the existing bungalow. The garden contains a number of trees, boundary fencing, shrubs and landscaped planting and 2 domestic outbuildings. The outbuildings have been used in the past as sheds but are currently in a dilapidated state.

1.5 The site is accessed via Bottels Road and is proposed to serve both the existing bungalow and the 2 new proposed dwellings.

1.6 The site, according to the Environment Agency Map for flooding, is located in Flood Zone 1. Land within flood zone 1 has a low probability of flooding from rivers and the sea. Developments that are less than 1 hectare (ha) in flood zone 1 do not need a flood risk assessment (FRA) to be submitted as part of the planning application.

2. NATIONAL GUIDANCE

2.1 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).'

2.2 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.

2.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) 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

3. PLANNING POLICIES

3.1 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

Supplementary Planning Documents (SPD) and Guidance:

Huntingdonshire Design Guide Supplementary Planning Document 2017

Developer Contributions SPD 2011

Huntingdonshire Landscape and Townscape SPD (2022)

Huntingdonshire Strategic Flood Risk Assessment (2024)

Cambridgeshire Flood and Water SPD 2017

LDF Developer Contributions SPD (2011)

Annual Monitoring Review: Housing land supply (2024 Part 1)

Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

The National Design Guide (2021)

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

4. PLANNING HISTORY

4.1 24/00849/FUL - Demolition of out buildings and construction of 2 new dwellings at land at 64 Bottels Road, Warboys – WITHDRAWN – 28.11.2024.

5. CONSULTATIONS

5.1 Warboys Parish Council – Objection on the following grounds:

1. Conservation Area Impact:
The property lies within the conservation area and bounds its entirety, yet no conservation report has been submitted with the application. This omission is significant, given the proposal's impact on the area's character. Specifically, the visual impact of removing the trees along Ramsey Road is unacceptable, as they contribute to the conservation area's distinct appearance.
2. Overdevelopment:
The proposal represents overdevelopment of the site. With existing planning approval for a bungalow already increasing the

property by over one-third, the addition of two further properties is excessive and inconsistent with the area's character.

3. Precedent and Consistency:

A consistent approach must be maintained for properties within the village, particularly in conservation areas. For example, a recent application at 66 High Street for two houses in the garden was refused due to its location in the conservation area and proximity to a listed building. Similar principles apply to this case.

4. Impact on Neighbours:

The development poses potential adverse impacts on neighbouring properties, including loss of privacy and increased density, which are not clearly addressed in the application.

5. Lack of Clarity in Plans:

The submitted plans lack clarity, making it difficult to determine the exact boundaries of the property and the relationship between the proposed dwellings and neighbouring properties. This lack of transparency is concerning and could mislead decision-makers.

6. Public Objections:

The Council has received three letters of objection from local residents, further highlighting community concerns about the development's scale, design, and impact.

5.2 Cambridgeshire County Council's Highway Authority - No objections subject conditions. The Highways Officer has also recommended a number of standard informative be appended to any consent given to the proposals.

5.3 Huntingdonshire District Council's Conservation Officer - the proposed scheme will not impact on the significance of the heritage assets.

5.4 Huntingdonshire District Council's Arboricultural Officer – Note that several of the trees currently on site do have large diameter stems, which would likely make the site uneconomical to develop if they were retained. The trees can be seen from a number of roads, footpaths and residences nearby, so could be seen to provide some amenity value. However, the previous Arboricultural Officer has confirmed that their condition and value would not warrant Tree Preservation Orders, therefore follow previous Arboricultural Officers advice. The advice stated "I have reviewed the submitted plans. It appears they are proposing to removal all trees on site. I have no objection to this, there are no TPOs and the trees are not prominent landscape features. I would advise you consult with Landscaping regarding suitable replacement trees."

5.5 Huntingdonshire District Council's Landscape and Biodiversity Officer – Notes that there would be a loss of trees and wildlife habitat. The proposal is for self-build and thus exempt from Biodiversity Net Gain and I do not support the application in its

current form, as the loss of trees on site cannot be reasonably mitigated for.

5.6 Huntingdonshire District Council's Ecology Officer – Raises objection on the grounds that the development fails to comply with LP30.

6. REPRESENTATIONS

6.1 Three letters of objection were received during the course of the application raising concerns over the following summarised matters:

*The application is now for self-build dwellings
* The proposed scheme fails to meet the duty to 'preserve or enhance' under the planning requirements of Listed buildings and Conservation areas.
* The application bypasses the mandatory Biodiversity Net Gain requirements by applying for self-build properties.
* Negative impact on No 14 Ramsey Road which is a Listed Building.
* A substantial impact by the removal of the trees with loss of habitat and wildlife that share the gardens.
* The loss of the trees would have an adverse impact on the amenities and a protected property in the CA. Plot 2 would impact on the views from my Listed house and a loss of sunlight and day light would be suffered in a large part of our garden.
* The gable end of proposed plot 2 would be an overbearing expanse of bricks that would detrimental. Already have endured development of Garratt Drive and put up with noise or these neighbours and dogs barking during the night – vehicles coming and going. If the application were granted, then would be surrounded by another expanse of bricks.
* Removal of the trees would increase the noise disturbance
* The proximity of the new dwellings does not sustain the character and appearance of the adjacent conservation area or the setting on my Listed House.
* The plans submitted do not meet the National Validation requirements
* The Block plan is insufficient
* The insufficient plans make is difficult to determine the precise relationship between proposed dwellings and neighbouring properties and the impact on private amenity.
* Loss of trees and consequent harm to character and appearance of the area
* The proposal is contrary to LP 31, with no mitigation proposed.
* Due to their amenity value we suggest that the HDC make a Tree Preservation Order to protect the future of the trees.
* The Design and Access Statement fails to consider the impact of the development on the Warboys CA and available views in and out of it. The tree canopy makes an important contribution to the views from within the CA.

Full comments can be viewed on the councils website.

7. ASSESSMENT

7.1 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.

7.2 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".

7.3 In Huntingdonshire the Development Plan relevant to this application consists of:
o Huntingdonshire's Local Plan to 2036 (2019)
o Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)

7.4 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.

7.5 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 and Parking Provision
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

Housing Land Supply

7.6 NPPF paragraph 78 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).

7.7 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 5 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.

7.8 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.

7.9 Policy LP2 of the Huntingdonshire Local Plan to 2036 (the Local Plan) sets out the overarching development strategy for Huntingdonshire through the plan period. The main objectives are:

- Concentrate development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities;
- Direct substantial new development to two strategic expansion locations of sufficient scale to form successful, functioning new communities;
- Provide opportunities for communities to achieve local development aspirations for housing, employment, commercial or community related schemes;
- Support a thriving rural economy;

- Protect the character of existing settlements and recognise the intrinsic character and beauty of the surrounding countryside;
- Conserve and enhance the historic environment; and
- Provide complementary green infrastructure enhancement and provision to balance recreational and biodiversity needs and to support climate change adaptation.

7.10 Policy LP2 directs approximately a quarter of the objectively assessed need for housing (together with a limited amount of employment growth) to sites dispersed across the Key Service Centres and Small Settlements in order to support the vitality of these communities and provide flexibility and diversity in the housing supply. In addition, rural exception, small and windfall sites will be permitted on sites which are in conformity with other policies of the plan, thereby providing further flexibility in the housing supply.

7.11 Policy LP2 is within the Development Strategy chapter of Huntingdonshire's Local Plan to 2036, and is therefore considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications for residential development. Notwithstanding this, weight should still be given to Policy LP2 given that it directs development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities which is consistent with the NPPF.

7.12 Local Plan Policy LP8 identifies Warboys as a Key Service Settlement, one of many settlements across Huntingdonshire which have many available services and facilities.

7.13 Policy LP8 states that:

Each Key Service Centre to which this policy applies is defined as being within Buckden, Fenstanton, Kimbolton, Sawtry, Somersham, Warboys and Yaxley.

Development Proposals within the Built-up Area

A proposal for development on a site which is additional to those allocated in this plan will be supported where it is located within a built-up area of a Key Service Centre.

Development Proposals on Land well-related to the Built-up Area

A proposal for development on land well-related to the built-up area may be supported where it accords with the specific opportunities allowed for through other policies of this plan.

7.14 Policy LP8 is within the Development Strategy chapter of Huntingdonshire's Local Plan to 2036 and is therefore considered to be out-of-date and can no longer be afforded full weight in the determination of planning applications for

residential development. Notwithstanding this, weight should still be given to Policy LP8 given that the policy sets out that a set of criteria for assessing whether the proposal reflects sustainable development which is consistent with the NPPF. However, the part of Policy LP8 which specifies that only certain types of development on land well-related which accords with specific opportunities allowed for through other policies of this plan is to be given reduced weight in determining a proposal for residential development. This means that any residential development on land well-related may be acceptable in principle subject to other material planning considerations.

7.15 The site is located within the built-up area of Warboys, which the adopted Huntingdonshire Local Plan to 2036 identifies as a Key Service Centre and as such, Policy LP8 is considered relevant.

7.16 Given the proposal seeks approval for the erection of 2 residential dwellings within an existing residential and built-up area of Warboys, the development is therefore considered to be situated in an appropriate location and acceptable in accordance with LP8 of the Local Plan

7.17 NPPF Para 110 states: The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

7.18 It is considered that the development would have access to services and facilities within Warboys, and also the means to access larger settlements such as the market towns of St Ives and Huntingdon through sustainable modes of transport. The development would therefore not result in the development of isolated homes in either the edge of settlement or countryside, nor would the future occupiers have an over-reliance on the private motor vehicle as other options are available in the settlement.

7.19 It is determined therefore that the site is considered to be sustainable for the amount of development hereby proposed.

7.20 It is also noted that this development is specifically for self-build dwellings and the applicant has confirmed that the proposal would meet the legislative requirements as defined in the ‘Self-build and Custom House building Act 2015’ and is happy to accept a planning condition should permission be granted restricting development to this effect.

Design, Visual Amenity and Impact on Heritage Assets

7.21 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.

7.22 The site is surrounded by a varied and diverse type of housing, ranging from the 1960's estate housing consisting of 2 storey terraces and semi-detached red brick dwellings found on Bottels Road to a more traditional vernacular found on Ramsey Road of which there are mainly detached 2 storey dwellings of stone, painted render and yellow brick, with grey slate or tiled roofs.

7.23 64A itself is a red brick detached bungalow, which all adds to the rich fabric of this part of Warboys.

7.24 The scheme has been designed using traditional brick and tiles, with roof pitches that will soften the roofscape. The use of traditional features such as chimneys, corbelled brickwork, quoins and fenestration that pick out design features found in the locality, again add in elements of good design. It is therefore considered that drawing on these features, the scheme has been well thought out, designed to reflect the existing context, produced a visually integrated proposal, that sits well with the surrounding area and results in a pleasing design of two new dwellings.

7.25 As detailed in the preceding sections of this report, the site lies adjacent to the Warboys Conservation Area (boundary to the west). Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

7.26 The Parish Council for Warboys and local residents have objected to this development on the basis that it is located within the Conservation Area – this is not the case, the Conservation Area lies beyond its western boundary and no part of the application site's red line is within the Conservation Area.

7.27 Para. 212 of the NPPF sets out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any

potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

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

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

7.30 In this case, the Design, Access and Heritage Statement has been reviewed and HDC Conservation Team have been consulted. The Conservation Area is evaluated within the Warboys Conservation Area Character Statement (2006). Character statements are a material consideration in the use of Development Management and provides guidance for preserving or enhancing the Conservation Area. The statement comments that Ramsey Road has an “open outlook to the north of the village, with occasional views of agricultural buildings scattered across flat cultivated land”.

7.31 On Page 8 of the Statement, the report discusses trees and green spaces of importance. There are a number of trees and green areas of particular significance identified in the Ramsey Road area but none of these are near to the application site. The application site is also absent and not identified in this chapter. Of most importance the report identifies that Ramsey Road has “interesting and visible outbuildings particularly at 31 - 33 High street and on the edges of the Conservation Area at 90 High street and beyond 25 Ramsey Road”…..again this is not close or related to the application site.

7.32 It is noted that the Parish Council have raised concerns about the removal of the trees along Ramsey Road. To clarify, there are no trees to be removed that bound Ramsey Road or are even in properties along Ramsey Road. The trees in question are located in a domestic garden setting, within the application site. Occasional views of the trees can be seen whilst walking along Ramsey Road.

7.33 Officers do not consider the introduction of this new development on the boundary of the Conservation Area would have a detrimental impact on it. Policy LP34 states that “A development proposal that …….affects the setting of a heritage asset should be of high quality design which enhances the special character of the heritage asset and pays special attention to the surrounding area’s established height, scale, massing, building lines, detailing and materials. New development will not be encouraged to copy existing buildings but rather must be informed by and well-integrated with the established character of the area. There is no embargo on development in conservation areas; carefully

considered, high quality designs that provide a successful contrast with their surroundings can preserve and enhance character, as well as schemes that employ authentic historical forms and features."

7.34 This proposal is of a quality design, it is pays attention to the surrounding area by virtue of its height, scale, materials and massing, it takes design features from the surrounding area whilst not copying it and will be well integrated into the existing built form of Warboys.

7.35 A neighbouring resident has raised concern with regard to the impact of the proposal on the Listed Building and setting of the Listed Building at No.14 Ramsey Road. As discussed already in the report, 14 Ramsey Road would be in excess of 30m away from Plot 2 of the new development. Notwithstanding the acknowledgment that the eastern boundary of 14 Ramsey Road would alter by the introduction of a new dwelling, it is Officers opinion that there would not be significant harm caused to the Listed Building or its immediate setting by way of the introduction of an inappropriate new use, by way of inappropriate design features on the new build nor would there be any over shadowing or direct over looking into the domestic private space currently enjoyed by 14 Ramsey Road.

7.36 Policy LP 34 upholds the stance that "there is no embargo on development…….; carefully considered, high quality designs that provide a successful contrast with their surroundings can preserve and enhance character, as well as schemes that employ authentic historical forms and features."

7.37 Givern that the application site is not identified or mentioned in the Warboys Conservation Area Character Statement, that any harm to the boundary of the Conservation Area is considered limited and that Conservation Areas are a constantly evolving dynamic entity, it is concluded that the development is acceptable and therefore accords with Policy LP11, LP12 and LP 34 of the Local Plan to 2036, the Planning (Listed Buildings and Conservation Areas) Act 1990, and the provisions of the NPPF (2024).

Residential Amenity

7.38 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.

7.39 The neighbouring residential properties surrounding the proposed development are No.14 – 24 Ramsey Road (inc). These are located to the west of the proposed site. There are

dwellings at the entrance to the proposed scheme and those are the existing bungalow on site at 64a Bottles Road and the flats at No.62 – 64 Bottles Road. No 66 - 72 abut the proposed new driveway and garages also abut the site to the east boundary.

7.40 It is noted that the Parish Council and third-party commenters have raised concern regarding detrimental impact of the development and loss of residential amenity, including loss of light, increased noise and disturbance.

7.41 The new dwellings would have the approximate separation distances from existing dwellings (building to building) by the following:
14 Ramsey Road – 30m
16 Ramsey Road – 31m
18 Ramsey Road – 34m
20 Ramsey Road – 32m
64a Bottels Road – 19m
76/78 Bottels Road – 21m

7.42 Having regard to the orientation of windows on the proposed new dwelling at Plot 2 (the closest and 2 storey) and the separation distances indicated above – there would be no significant loss of residential amenity, overlooking loss of privacy or disturbance to any of the surrounding neighbours. The site is currently a domestic property and also surrounded completely by domestic properties, and thus enjoys the use of family life. The 2 new dwellings would have the same use, thus the very limited increase in noise and disturbance from 2 new families, would not be unusual in this location.

Amenity of Future Occupiers

7.43 The Local Planning Authority are satisfied that the proposed development would provide appropriate private amenity spaces for the proposed dwellings, as well as retaining adequate private garden amenity space for the existing dwelling at 64a Bottles Road.

7.44 The proposed dwellings both feature at least 2 double bedrooms and 1 single bedroom each, which accord with the nationally described space standards (NDSS). The proposal exceeds the overall floorspace which is recommended for 3 or 4 bed 4-person, two storey home. The garden areas for both dwellings are considered satisfactory, both having adequate private amenity areas and bin stores. Sufficient parking (2 spaces) and a single garage each. Accordance with the NDSS is not a policy requirement within the Huntingdonshire Local Plan to 2036 but provides some context in terms of living space. In this instance, the proposed internal space is considered appropriately functional and acceptable such that future occupiers would experience a good standard of amenity in this regard.

7.45 Overall, taking the above factors into consideration, 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 in this regard.

Highway Safety and Parking Provision

7.46 The proposed dwellings would be accessed via Bottels Road, a residential unclassified estate road subject to a 30mph speed limit. The proposal would utilise existing dropped kerbs that serve the existing dwelling. The proposed dwellings would have three to four bedrooms each and the development proposes two off-street car parking spaces and a single garage each. Cambridge County Highways have noted that the access is acceptable and the driveway would be 5.5m wide and sufficient to serve 2 new dwellings. Internal manoeuvring space is also satisfactory.

7.47 The proposal would involve the provision of cycle storage for at least three bicycles, to be submitted by planning condition if Members were minded to approve the application and is therefore in accordance with Policy LP16 of the adopted Huntingdonshire Local Plan to 2036 in this regard.

7.48 Overall, subject to conditions and informative recommended by the Cambridgeshire County Council's Highways Officer, the proposal is considered acceptable in terms of its impact on highway safety and therefore accords with Policies LP16 and LP17 of Huntingdonshire's Local Plan to 2036, and Section 9 of the National Planning Policy Framework in this regard.

Flood Risk

7.49 The site is at the lowest risk of flooding according to the Huntingdonshire Strategic Flood Risk Assessment 2017 and Environment Agency Flood Map for Planning (Flood Zone 1) and the proposal is for minor development. Accordingly, the sequential and exceptions tests for flooding nor the submission of a flood risk assessment are considered necessary in this instance in accordance with the NPPF and NPPG.

7.50 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.

7.51 Overall, 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 in this regard.

Biodiversity

7.52 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.

7.53 The proposal is for self-build dwellings and is therefore exempt from Biodiversity Net Gain in accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024. It is noted that some Officers and third parties have objected to the removal of trees as they provide biodiversity opportunities.

7.54 The development being self-build (a matter which shall be secured by condition) means that it will be exempt from Biodiversity Net Gain legislation, in terms of providing a mandatory 10% increase.

7.55 Matters relating to LP30 do still need to be addressed. In this case, the application is accompanied by a Preliminary Ecological Appraisal. This appraisal concludes that, subject to mitigation measures, the development could proceed with no harm to protected, important and assessed species. It goes on to state proposed measures for some enhancements would be provided, to include Bat and Bird boxes, Hedgehog houses and replacement planting. These can be found at Para. 7 under ‘recommendations’.

7.56 Therefore, subject to a condition to secure a Biodiversity Method Statement detailing how these will be implemented, the development broadly accords with Policy LP30 of the Local Plan and Section 15 of the National Planning Policy Framework (2024) in this regard.

Impact on Trees

7.57 Policy LP31 of the adopted Huntingdonshire Local Plan to 2036 states that a proposal will be required to demonstrate that the potential for adverse impacts on trees, woodland, hedges and hedgerows has been investigated. Furthermore, 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. Paragraph 136 of the 2024 National Planning Policy Framework states that trees make

an important contribution to the character and quality of urban environments and decisions should ensure that existing trees are retained, wherever possible.

7.58 It is noted that third parties and Officers have raised concerns that the removal of the trees would be in conflict with Policy LP31 of the adopted Huntingdonshire Local Plan to 2036 as it seeks to conserve and enhance trees of value.

7.59 The application has been accompanied by an Arboricultural Impact Assessment (Bob Widd Associates, dated September 2023), which identifies all the trees onsite. There are 13 individual and 2 groups in total, and all are self-set and graded as 6 B grade and 9 grade C. The proposal involves the removal all but 2 trees on the site, those trees are assessed as grade B. The trees to be removed are a mixture and include a Pear, Holly, Ash, Sycamore and Elm.

7.60 The Councils Tree Officer has reviewed the application, noting that none of the trees on site provide significant amenity or biodiversity value, and would not be worthy of a Tree Preservation Order, group or individually.

7.61 Overall, the Council's Tree Officer raises no objection to the proposal and considers that the applicant has demonstrated that the proposal would not have a significant detrimental impact on nearby trees that are to be retained. Therefore, whilst it is acknowledged that the proposal would not fully comply with Policy LP31 as it does not seek to conserve and enhance or mitigate any existing or loss of tree, woodland, hedge or hedgerow of value that would be affected by the proposed development, given the nature, size and location of the application site in an urban area setting within existing garden land, the proposed landscaping plan, tree constraints plan and recommended tree protection measures would be considered acceptable (subject to condition) and would ensure minimal impact on the Arboricultural interest of the site.

7.62 The site is currently a domestic garden, accordingly the applicant could remodel their garden and remove the trees, outbuildings and shrubs without the need for agreement with HDC. The trees are not protected by a TPO nor are the trees within the Conservation Area. The applicant therefore could remove these trees and shrubs at any given time, without penalty. Therefore the requirement to replace all the trees to be lost could not, in Officers view, be justified. Officers would however seek to secure some landscaping on site by way of a condition should Members be minded to grant planning permission.

7.63 Landscape and Ecology Officers have raised concern that the development would harm the locality by way of the loss of the trees on site and their current amenity and habitat value. Given

the assessment above, it would be difficult to substantiate a reason for refusal on those grounds. The habitats within the domestic garden are not statutorily protected nor does the site contain any protected wildlife species. It is acknowledged that the current tree and shrub cover in the garden does have a local nature conservation benefit, but this is only based on the current unmanaged domestic garden setting. This setting could not be guaranteed in the future, as there is no jurisdiction over its protection.

7.64 Accordingly, in the balance, and given the planning benefits of the scheme and the marginal harm caused by the loss of the unprotected trees, the proposal would not warrant a refusal on the grounds of loss of trees. It is acknowledged to not broadly accord with, but considered to be balanced against Policy LP31 of the adopted Huntingdonshire Local Plan to 2036 and Sections 12 and 15 of the National Planning Policy Framework in this regard.

Developer Contributions

7.65 Part H of the Developer Contributions SPD (2011) requires a payment towards refuse bins for new residential development, which is this instance would be secured by the Unilateral Undertaking already submitted with the application.

7.66 On this basis, the proposal is considered to provide a satisfactory contribution to meet the tests within the CIL Regulations. The proposal therefore accords with Policy LP4 of the Huntingdonshire Local Plan to 2036 and the Developer Contributions Supplementary Planning Document (2011).

Accessible and Adaptable Dwellings

7.67 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).

7.68 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

7.69 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 is recommended to be imposed on any permission to ensure compliance with the above, in accordance with Policy LP12 (j) of Huntingdonshire's Local Plan to 2036.

Conclusion and Planning Balance

7.70 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

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.

7.71 A revised NPPF was published in December 2024, introducing a substantially revised methodology for calculating local housing need and the reimposition of this as a mandatory approach for establishing housing requirements. This has resulted in the Council being unable to demonstrate a five year housing land supply (5YHLS).

7.72 As stated earlier, 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'.

7.73 NPPF para 11 states:

'Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance (7*) provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

7* Foot note 7 states: The policies referred to are those in this Framework (rather than those in development plans) relating to:

"habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change."

7.74 As outlined in the report, in light of the considerations, there are no strong reasons for refusal in relation to any habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest, Local Green Space, irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75) and areas at risk of flooding. Therefore, there is no reason to not move forward to test d (ii) as per above and thus the 'titled balance' is engaged.

7.75 As stated above, a tilted balance approach should be applied in the assessment of the proposed development, and a balancing exercise should be carried out to determine the potential any adverse impacts of doing so, would significantly and demonstrably outweigh the benefits.

7.76 The application seeks full planning permission for the erection of 2 new self – build dwellings in Warboys.

7.77 It has been determined that the site is on land within the built-up area. Policy LP 2 and LP8 are therefore relevant. These Local Plan policies concerned with the supply and location of housing as set out in the Development Strategy chapter 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. The aspects of these policies that restrict development on land well-related to the built up or in the countryside is to be given reduced weight.

7.78 It has been established that the proposed development would have access to services and facilities, and that it would not result

in an over-reliance on the private motor vehicle. As such, the proposed development would comply with Framework Paragraph 109.

7.79 It is considered that the application site could satisfactorily accommodate the 2 new dwellings and the general layout is acceptable and would not result in any unacceptable adverse impacts on surrounding residential amenity.

7.80 The proposed access is considered to be safe and acceptable in highway terms. The level of traffic generated by the development would not result in adverse traffic impacts.

7.81 The site would operate as Flood Zone 1, and the site is therefore acceptable in principle in terms of flood risk and drainage.

7.82 The proposal will result in the delivery of 2 new homes towards the housing supply. Weight is afforded to this.

7.83 The proposed development would not be detrimental to the setting of the Warboys Conservation Area or any local heritage assets.

7.84 In terms of the economic dimension of sustainable development, the proposal would contribute towards economic growth, including job creation - during the construction phase and in the longer term through the additional population assisting the local economy through spending on local services/facilities.

7.85 In terms of the environmental dimension of sustainable development, notwithstanding the loss of the on-site trees, the proposal offers the incorporation of some energy efficiency measures, as well as the delivery of new landscaping and some biodiversity enhancements. The application site constitutes a sustainable location for the scale of development proposed in respect of access to local employment opportunities, services and facilities within wider Huntingdon Spatial Planning Area; and is accessible by sustainable transport modes.

7.86 It is concluded that the identified harm would not significantly and demonstrably outweigh the benefits when considering all the positives and negatives of the proposal into account.

7.87 Taking national and local planning policies into account, having paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

8. RECOMMENDATION - APPROVAL subject to conditions to include the following

- Time limit
- Approved plans
- Materials/ Architectural features
- Boundary Treatments
- Biodiversity enhancements
- Tree Protection
- Hard Landscaping Plan
- Soft Landscaping Plans
- Cycle Store details
- No gates at the access
- A minimum access width of 5m to be provided
- Visibility Splays of 2m x 2m to be provided and no planting above 0.6m in splays
- 5m long metalled surface to be provided at the junction with the public highway.
- Self-Build restriction
- Building Regulations M4(2)
- Document G 'Water efficiency' compliance

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:

Enquiries about this report to Hannah Guy, Senior Development Management Officer – Hannah.guy@huntingdonshire.gov.uk

[redacted]

From: Clerk <Clerk@warboysparishcouncil.co.uk>
Sent: 16 January 2025 11:10
To: DMAdmin
Subject: Re: Planning Permission Consultation - Land At 64A Bottels Road Warboys (ref 24/02258/FUL)
Attachments: We sent you safe versions of your files; Land at 64A Bottels Road 24-02258-FUL.pdf

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Good morning Hannah,

Apologies for the delay getting back to you, please find attached the results of Warboys Parish Council's determination for the above application. You will find below more detail on the reasons for refusal;

After careful consideration, the Council has decided to **refuse the planning application** for the following reasons:

1. **Conservation Area Impact**:

The property lies within the conservation area and bounds its entirety, yet no conservation report has been submitted with the application. This omission is significant, given the proposal's impact on the area's character. Specifically, the visual impact of removing the trees along Ramsey Road is unacceptable, as they contribute to the conservation area's distinct appearance.

2. **Overdevelopment**:

The proposal represents overdevelopment of the site. With existing planning approval for a bungalow already increasing the property by over one-third, the addition of two further properties is excessive and inconsistent with the area's character.

3. **Precedent and Consistency**:

A consistent approach must be maintained for properties within the village, particularly in conservation areas. For example, a recent application at 66 High Street for two houses in the garden was refused due to its location in the conservation area and proximity to a listed building. Similar principles apply to this case.

4. **Impact on Neighbours**:

The development poses potential adverse impacts on neighbouring properties, including loss of privacy and increased density, which are not clearly addressed in the application.

5. **Lack of Clarity in Plans**:

The submitted plans lack clarity, making it difficult to determine the exact boundaries of the property and the relationship between the proposed dwellings and neighbouring properties. This lack of transparency is concerning and could mislead decision-makers.

6. **Public Objections**:

The Council has received three letters of objection from local residents, further highlighting community concerns about the development's scale, design, and impact.

Many thanks,

[redacted]

From: DMAdmin <Development.ManagementAdmin@huntingdonshire.gov.uk>
Sent: 12 December 2024 14:34
To: Clerk <Clerk@warboysparishcouncil.co.uk>
Subject: RE: Planning Permission Consultation - Land At 64A Bottels Road Warboys (ref 24/02258/FUL)

Good Afternoon

The Planning Officer has confirmed that this is all fine and agreed to an extension to allow you to comment.

With thanks
Hannah

Development Management Admin
Development Services
Corporate Delivery

Huntingdonshire District Council
Pathfinder House, St Marys Street
Huntingdon
PE29 3TN

Email dmadmin@huntingdonshire.gov.uk

From: Clerk <Clerk@warboysparishcouncil.co.uk>
Sent: 12 December 2024 14:05
To: DMAdmin <Development.ManagementAdmin@huntingdonshire.gov.uk>
Subject: Re: Planning Permission Consultation - Land At 64A Bottels Road Warboys (ref 24/02258/FUL)

Good afternoon,

Would it be possible to have an extension for the response from Warboys Planning Committee as they don't meet again until Jan 14th.

Many thanks,

[redacted]

[redacted]

Parish Clerk
On behalf of Warboys Parish Council
[redacted]
Normal working hours: 9.30-12.30pm, Mon-Fri

Did you know Warboys Parish Council is on Facebook? Follow us here.

Share your thoughts on Climate & Environment in Warboys

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From: Dmadmin@huntingdonshire.gov.uk <Dmadmin@huntingdonshire.gov.uk>
Sent: 12 December 2024 13:49
To: Clerk <Clerk@warboysparishcouncil.co.uk>
Subject: RE: Planning Permission Consultation - Land At 64A Bottels Road Warboys (ref 24/02258/FUL)

Dear Parish Clerk,

Please find correspondence from Development Management at Huntingdonshire District Council attached to this email in relation to the following application for planning permission.

Proposal: Demolition of two outbuildings and erection of two self-build dwellings

Site Address: Land At 64A Bottels Road Warboys

Reference: 24/02258/FUL

Opting out of email correspondence

We are continually striving to improve the service we deliver to our customers. As part of this we are now contacting our customers by email where possible in an effort to provide a faster, more efficient service.

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We will only contact you via email when you have already contacted us in relation to this specific application (or one directly related to it) and provided your email address as a contact - we will not transfer your contact details between unrelated applications.

If you have any doubts or concerns relating to this email please contact us directly, our contact details are provided below.

Development Management
Huntingdonshire District Council

T: 01480 388388
E: dmadmin@huntingdonshire.gov.uk

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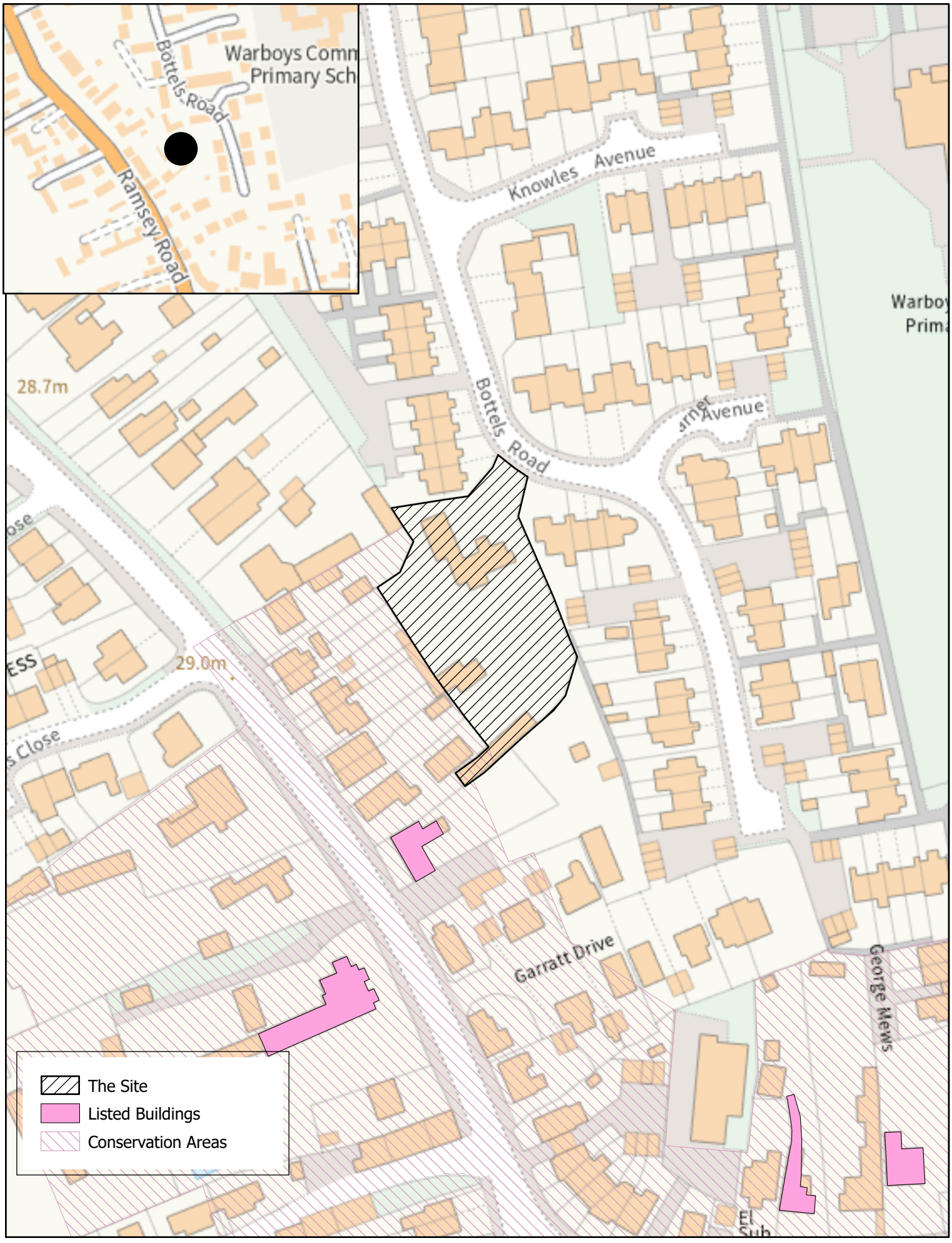
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Development Management Committee
Application Ref: 24/02258/FUL

Scale = 1:1,250
Date Created: 05/03/2025

Huntingdonshire DISTRICT COUNCIL

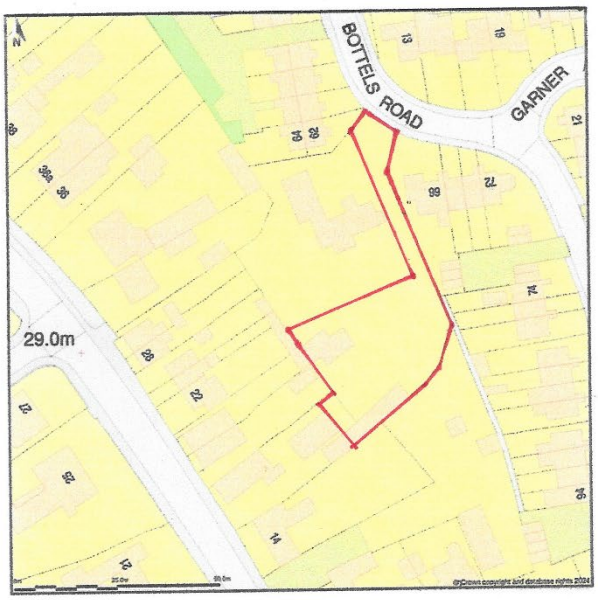
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Ordnance Survey HDC AC0000849958



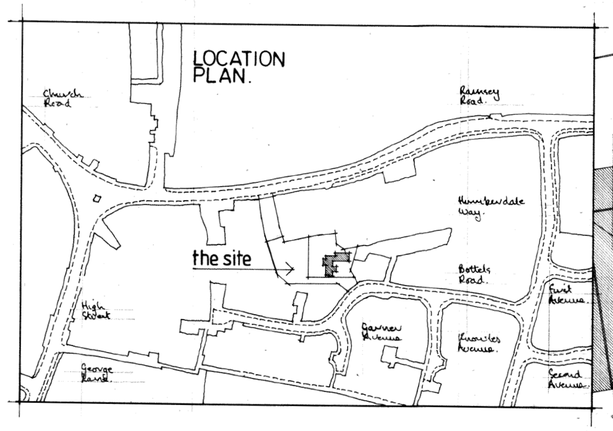
DEMOLITION OF TWO OUTBUILDINGS AND ERECTION OF TWO SELF-BUILD DWELLINGS AT BOTTELS ROAD, WARBOYS, HUNTINGDON, CAMBRIDGESHIRE FOR MESSRS. T.B. & O.J. HUGGINS

LOCATION PLAN

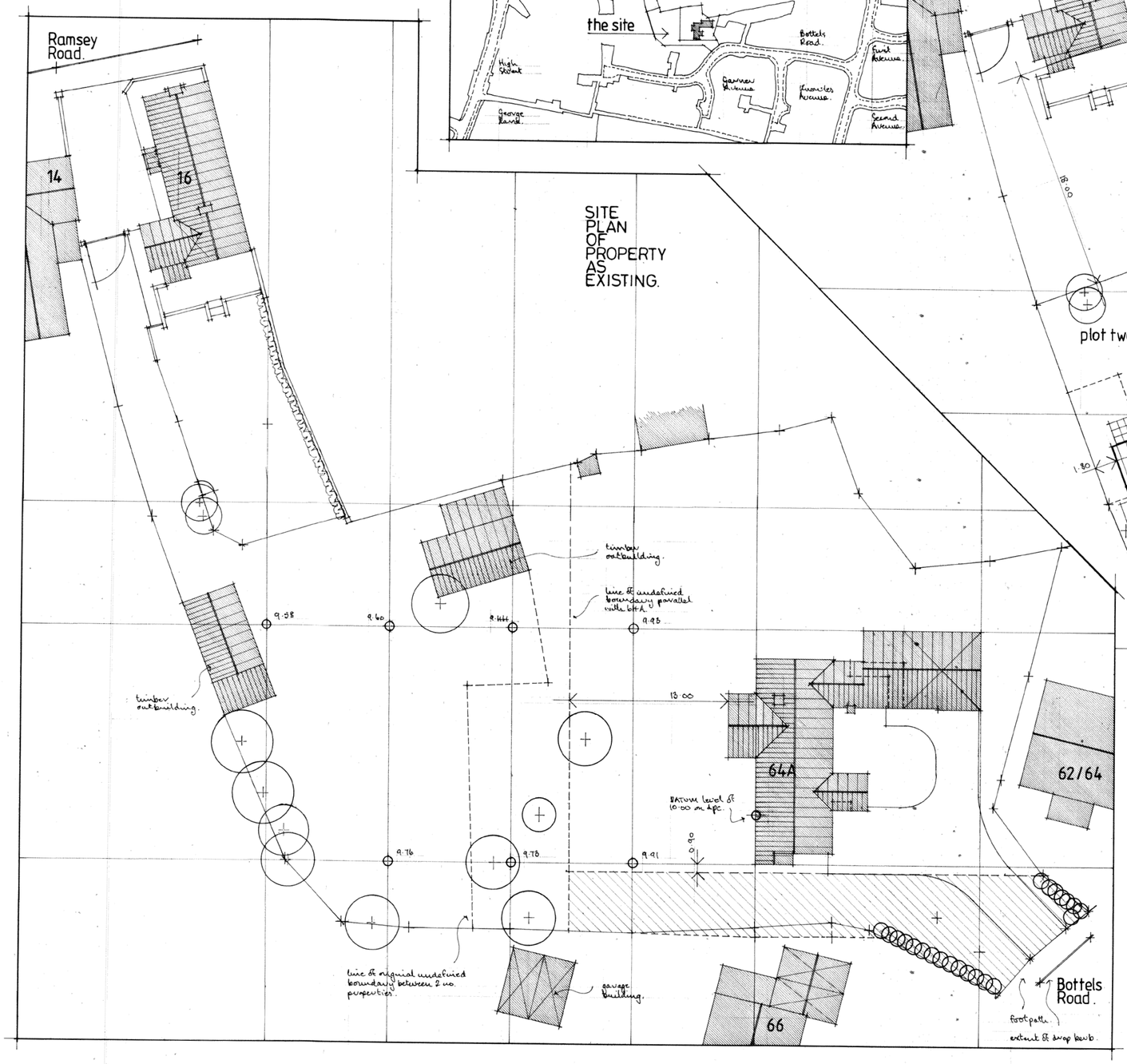
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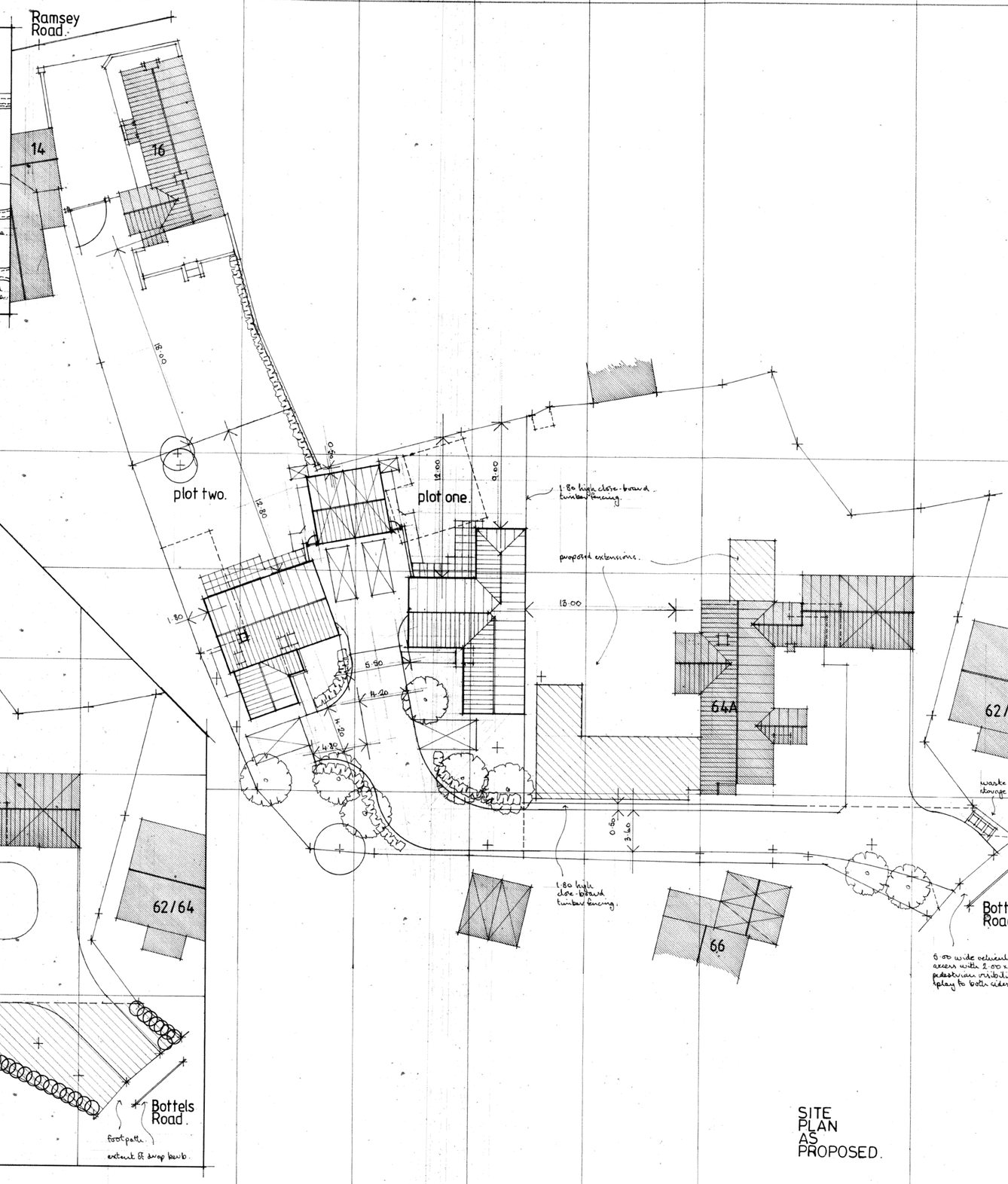


LOCATION PLAN.



SITE PLAN OF PROPERTY AS EXISTING.





SITE PLAN AS PROPOSED.

JOHN HUGGINS

"CHERIASH", RAVELEY ROAD, WOODWALTON, HUNTINGDON, CAMBS

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REVISIONS

DATE 10 February 2028.

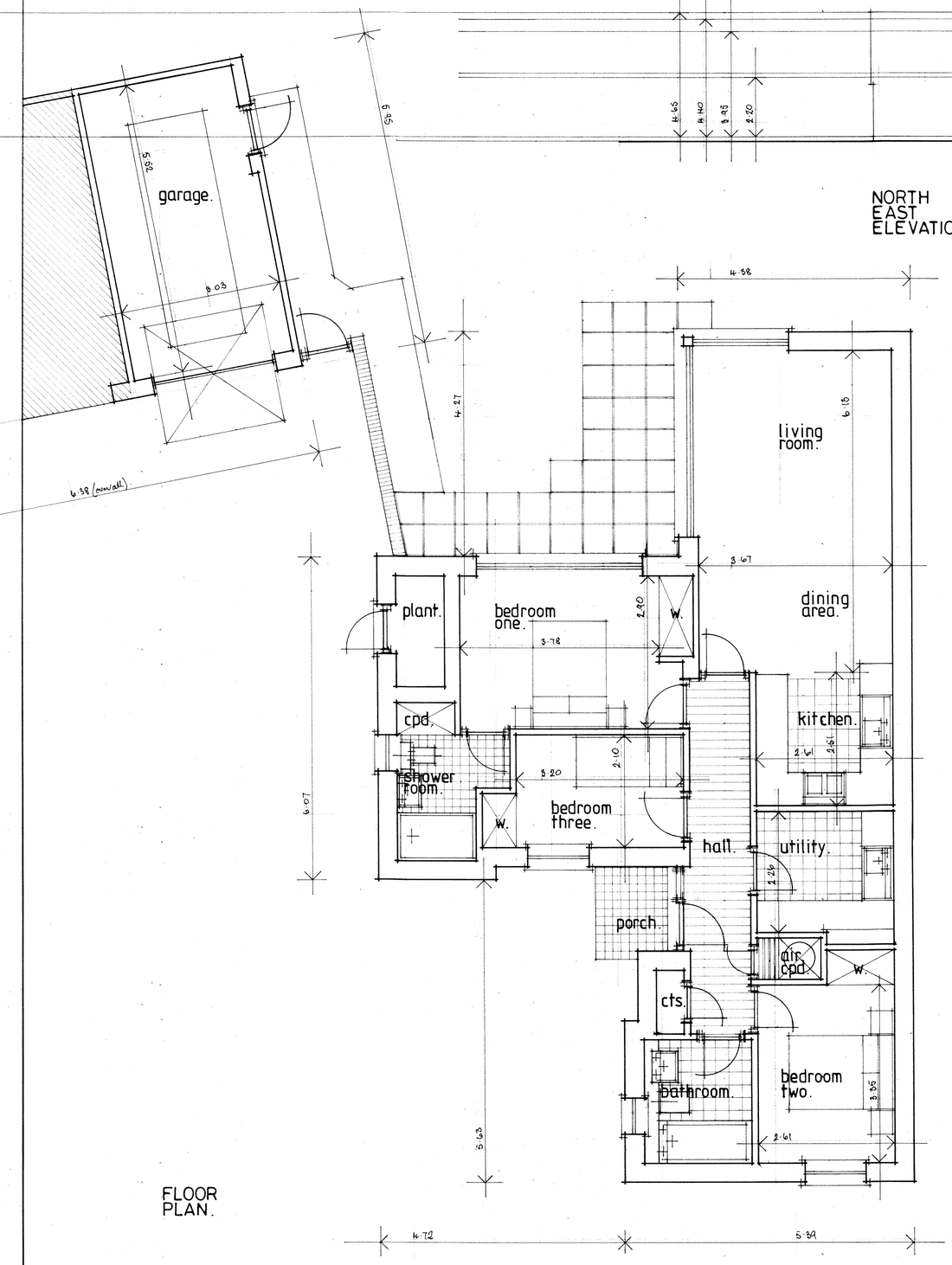
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DRAWN

DEMOLITION OF TWO OUTBUILDINGS AND ERECTION OF TWO DWELLINGS AT BOTTELS ROAD. WARBOYS. HUNTINGDON. CAMBRIDGESHIRE FOR MESSRS. T. B. & O. J. HUGGINS.

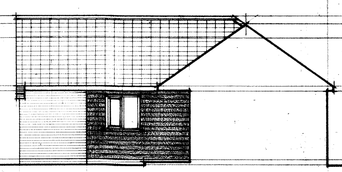
DRAWING NO. 104/3.

E.B.W.

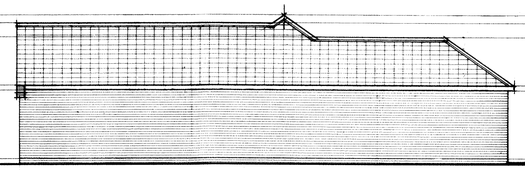


FLOOR PLAN.

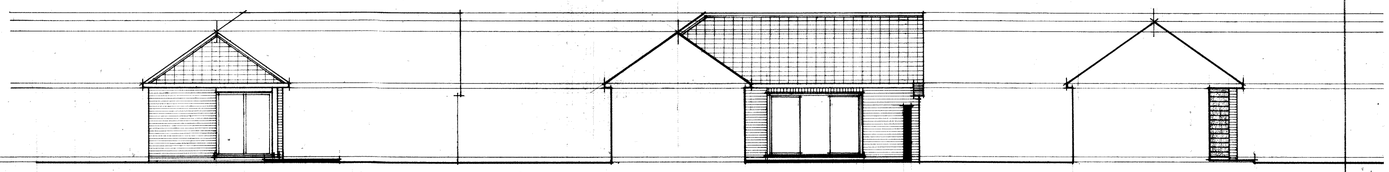
NORTH EAST ELEVATION.



NORTH EAST SECTIONAL ELEVATION.



NORTH WEST ELEVATION.



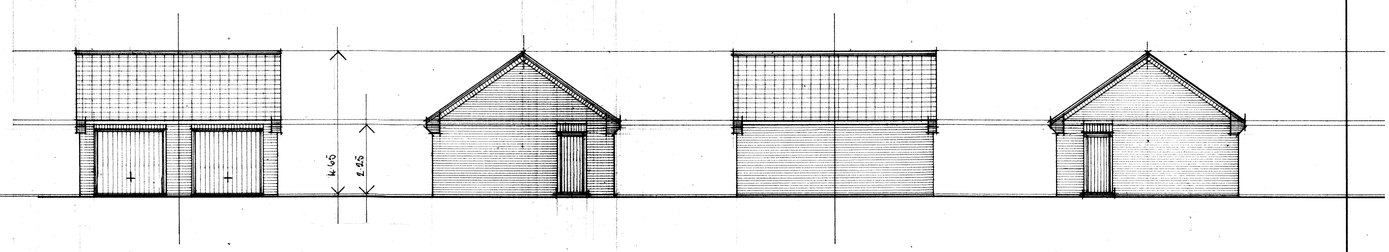
SOUTH WEST ELEVATION.

SOUTH WEST SECTIONAL ELEVATION.

SOUTH WEST SECTIONAL ELEVATION.

SOUTH EAST ELEVATION.

SOUTH EAST SECTIONAL ELEVATION.



NORTH EAST ELEVATION.

NORTH WEST ELEVATION.

SOUTH WEST ELEVATION.

SOUTH EAST ELEVATION.

JOHN HUGGINS

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REVISIONS

DATE 10 February 2023

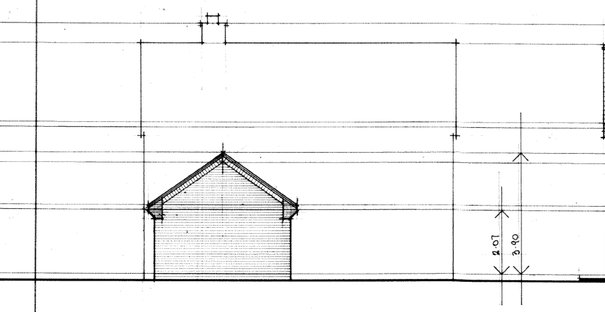
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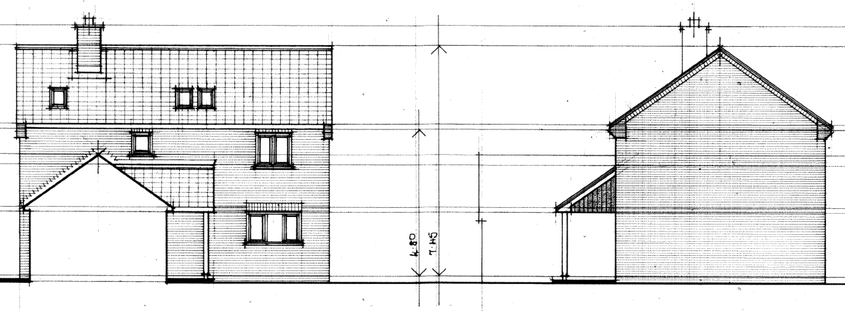
DEMOLITION OF TWO OUTBUILDINGS AND ERECTION OF TWO DWELLINGS AT BOTTELS ROAD, WARBOYS, HUNTINGDON, CAMBRIDGESHIRE FOR MESSRS. T. B. & O. J. HUGGINS.

DRAWING NO. 104/4

E.B.W.

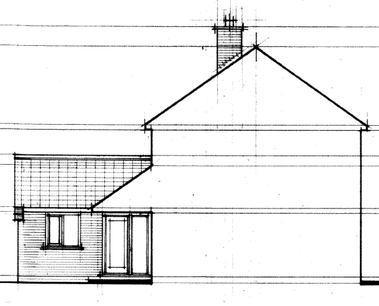


NORTH EAST ELEVATION.

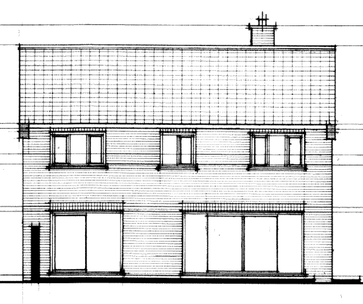


NORTH EAST SECTIONAL ELEVATION.

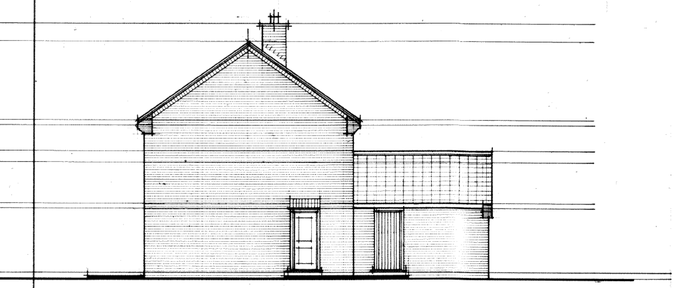
NORTH WEST ELEVATION.



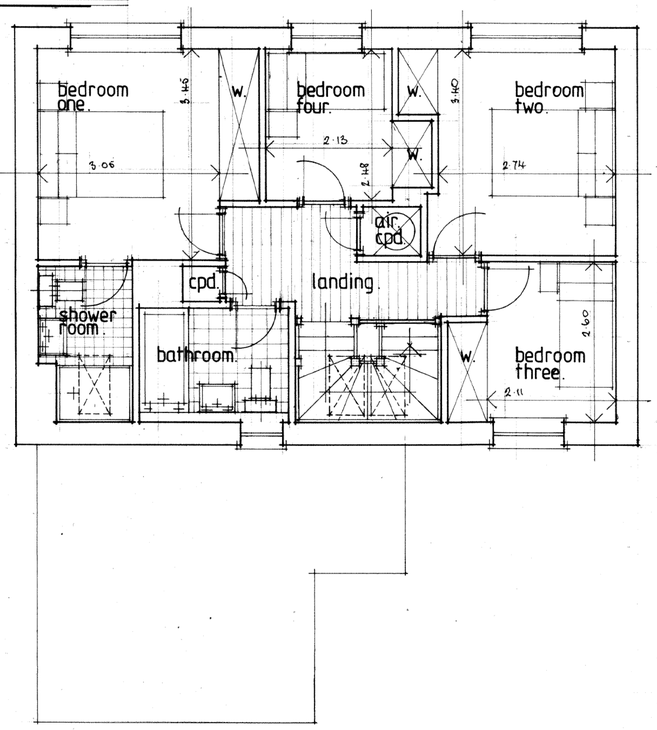
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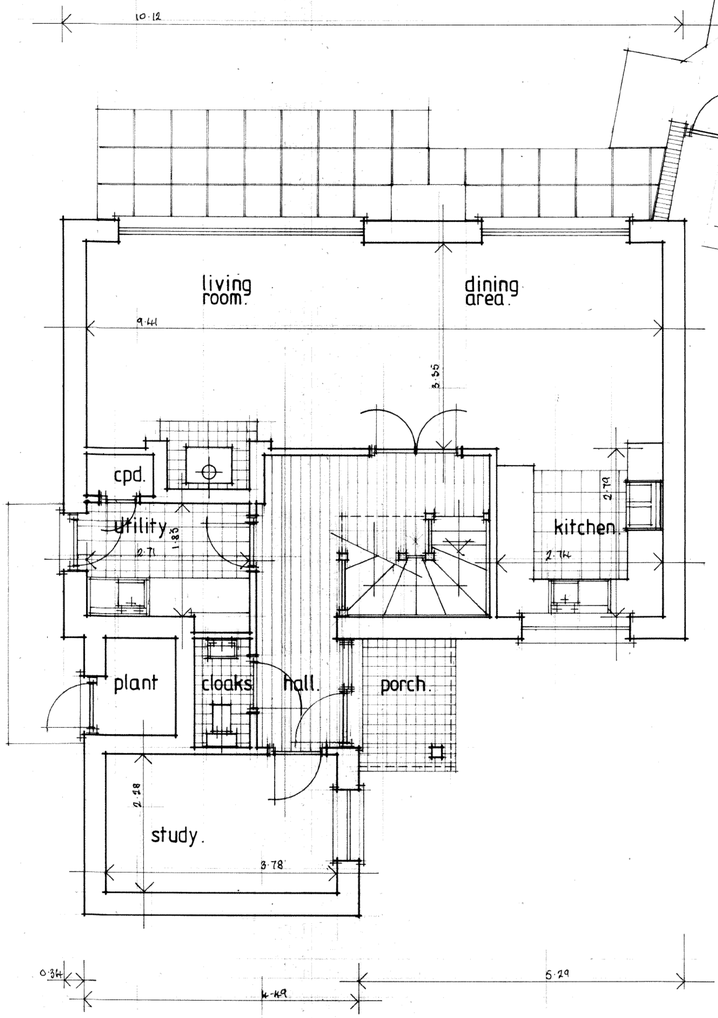
SOUTH WEST ELEVATION.



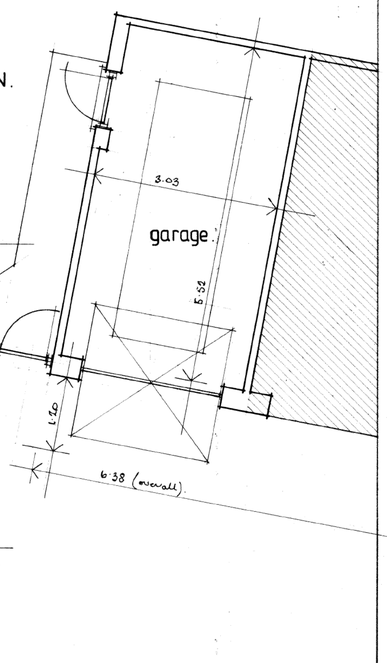
SOUTH EAST ELEVATION.



FIRST FLOOR PLAN.



GROUND FLOOR PLAN.



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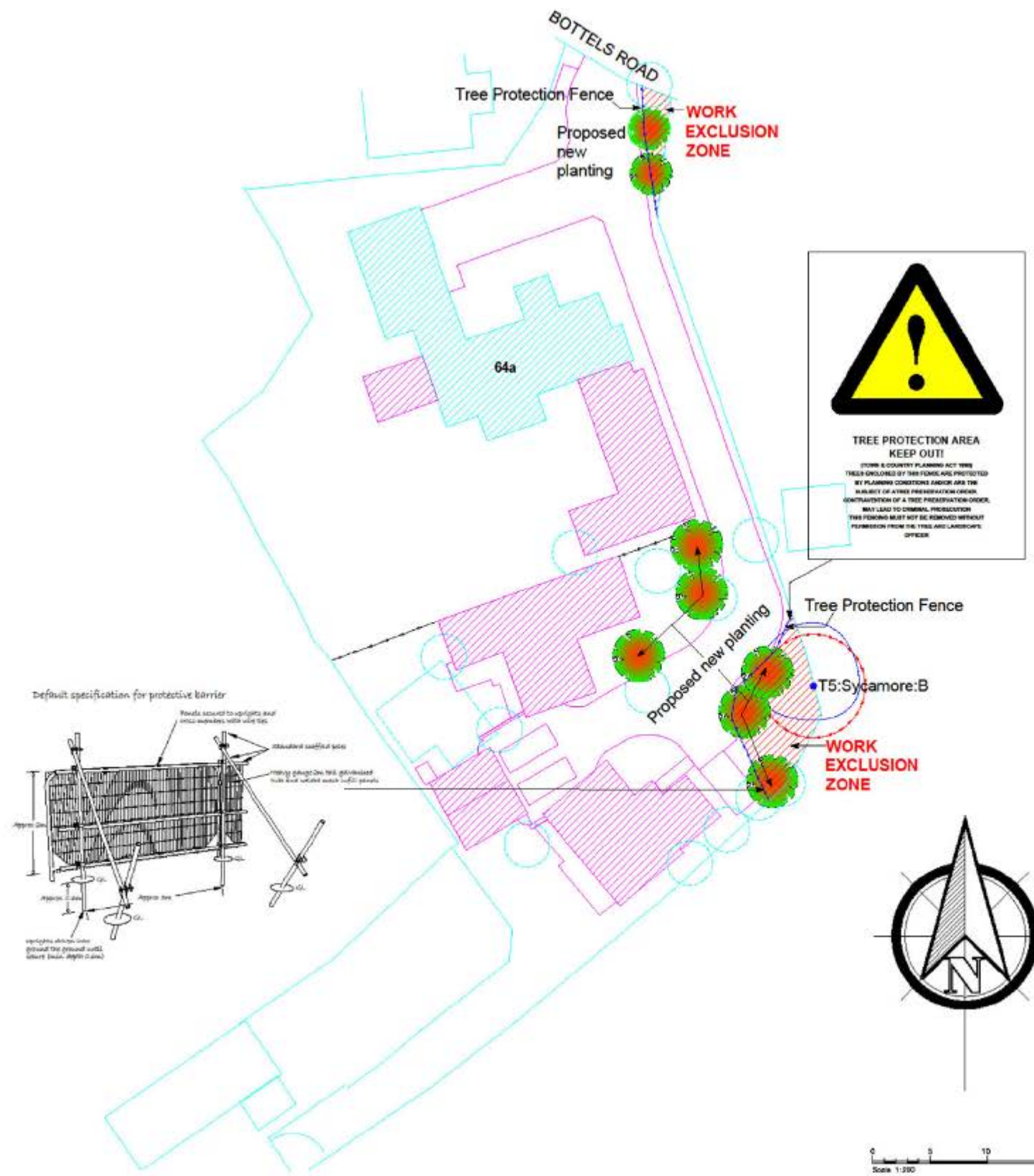
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DEMOLITION OF TWO OUTBUILDINGS AND ERECTION OF TWO DWELLINGS AT BOTTELS ROAD, WARBOYS, HUNTINGDON, CAMBRIDGESHIRE FOR MESSRS. T. B. & O. J. HUGGINS.

DRAWING NO. 104/5.

E.B.W.



TREE LEGEND

A Grade

B Grade

C Grade

U Grade

RPA-Retained Trees

Protective Fence

WEZ

Tree Protection Plan Notes:

To facilitate the development the following trees are to be removed: T1 to T15, with the exception of T5.

Upon completion of the tree removal a Tree Protection Fence, to conform to BS5837, is to be erected in the location shown in blue.

No Unauthorisd Access signs to be attached to every second fence panel.

No plant or machinery is to access the work exclusion zone (WEZ)

Bob Widd Associates
6 High Haden Road
Glatton, Huntingdon
Cambs. PE28 5RU
[redacted]

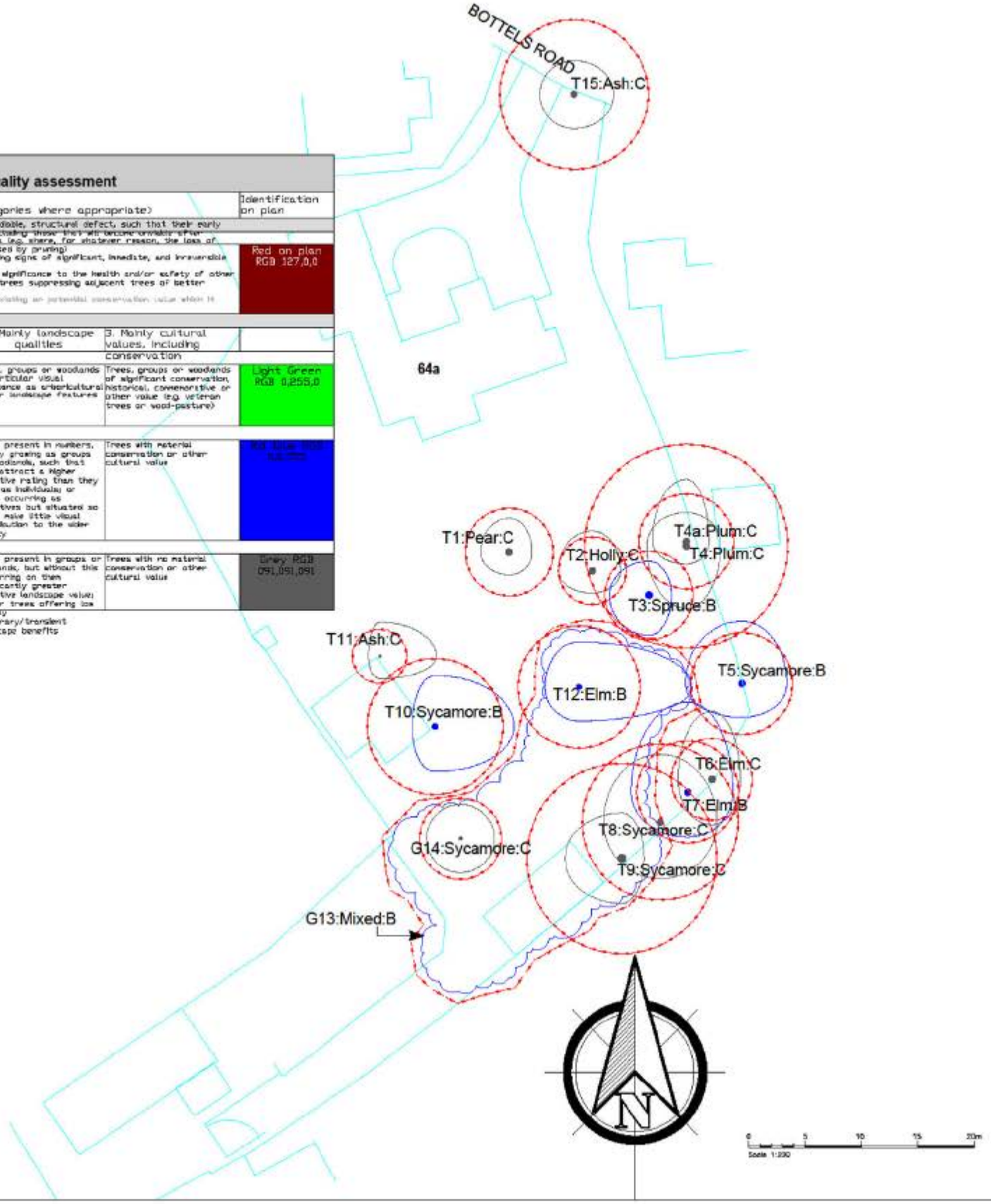
TREE PROTECTION PLAN
64a BOTTELS ROAD
WARBOYS PE28 2RZ

1:200@A2

J HUGGINS

BS5837:2012 Cascade chart for tree quality assessment

Category & Definition	Criteria (including subcategories where appropriate)			Identification on plan
Trees unsuitable for retention				
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	•Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning) •Trees that are dead or are showing signs of significant, immediate, and irremediable overall decline •Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve			Red on plan RGB 127,0,0
Trees to be considered for retention				
	1. Mainly arboricultural qualities	2. Mainly landscape qualities	3. Mainly cultural values, including conservation	
Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)	Light Green RGB 0,255,0
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to be included in category A, but of very good arboricultural merit or such impaired condition that they do not qualify in higher categories	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to have little visual contribution to the wider locality	Trees with material conservation or other cultural value	Blue RGB 0,0,255
Category C Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no material conservation or other cultural value	Grey RGB 091,091,091



TREE LEGEND

A Grade

B Grade

C Grade

U Grade

RPA

TREE CONSTRAINTS NOTES:

·Only trees within the proposed site have been surveyed.
·Trees located outside the site but whose roots/canopies maybe compromised are also included.
·The trees are not protected by a Tree Preservation Order
·Part of the site to the south west corner falls within a Conservation Area (the exact boundary to be confirmed with HDC).
·Tree reference numbers relate to the data in Appendix D of the Arboricultural report.
·Tree canopies are colour coded in accordance with BS5837:2012

Bob Widd Associates
6 High Haden Road
Glatton, Huntingdon
Cambs. PE28 5RU
[redacted]

TREE CONSTRAINTS PLAN
64a BOTTELS ROAD
WARBOYS PE28 2RZ

1:200@A2

J HUGGINS