HUNTINGDONSHIRE DISTRICT COUNCIL

25/00902/PIP

OFFICER REPORT

Case No: **25/00902/PIP** **Permission in Principle**

Proposal: **Permission in principle for up to 2 dwellings with existing road access**

Location: **Land Adjacent To 291 Oilmills Road Ramsey Mereside**

Applicant: **Mr Chris Dyer**

Grid Ref: **528162 289511**

DESCRIPTION OF SITE AND APPLICATION

The application site is a section of land to the north-west of 291 Oilmills Road, Ramsey Mereside and to the north-west of the village centre. It lies to the south-west of Oilmills Road.

The site measures approx. 0.126ha extending south-west from the boundary with Oilmills Road towards the open countryside beyond.
There is an existing access from Oilmills Road and due to dense hedgerows the site is not readily visible from this direction. A substantial leylandii tree belt provides separation to 291 Oilmills Road. The south-eastern and north-eastern boundaries are formed of sporadic planting and there are clear views into and out of the site from these directions. The site is mainly laid to lawn (which is maintained) and there is tree/shrub planting throughout.

The site is not within a Conservation Area and there are no Listed Buildings or trees subject to Preservation Orders in the immediate vicinity. The site does lie within Flood Zone 3 as per the most recent Environment Agency (EA) Flood Risk Maps and Data. There is a watercourse to the running north-west-to southwest at the north-western boundary and the EA identifies a risk of surface water flooding adjacent to this. It also has a medium risk of river flooding and is classified as Grade 1 agricultural land.

The current proposal is the first part of a permission in principle application for up to two dwellings on the site. Permission in principle only assesses the principal issues namely location, use, and amount of development proposed and establishes whether a site is suitable in principle. Should this application be successful, the applicant will have to submit a Full Technical Details Consent (FULTDC) application covering all other detailed material planning considerations.

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

It should be noted that whilst Huntingdonshire District Council as the Local Planning Authority (LPA) has a different view to Ramsey Town Council, decisions for permission in principle applications are delegated as per the adopted Scheme of Delegation.

NATIONAL GUIDANCE

The National Planning Policy Framework (December 2024) (NPPF 2024) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'

The NPPF 2024 sets out the Government's planning policies for (amongst other things):

* delivering a sufficient supply of homes;
* building a strong, competitive economy;
* achieving well-designed, beautiful and safe places;
* conserving and enhancing the natural, built and historic environment.

Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website: https://www.gov.uk

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 - adopted May 2019

LP1: Amount of Development
LP2: Strategy for Development
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP6: Waste Water Management
LP9: Small Settlements
LP10: The Countryside
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP25: Housing Mix
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP37: Ground Contamination and Groundwater Pollution

Supplementary Planning Documents (SPD) and Guidance:

Huntingdonshire Design Guide (2017)
Developer Contributions SPD (2011)
Huntingdonshire Landscape and Townscape SPD (2022)
Huntingdonshire Strategic Flood Risk Assessment (2024)
Cambridgeshire Flood and Water SPD (2024)
Annual Monitoring Review regarding housing land supply (2024)
Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
The National Design Guide (2021)
Local policies are viewable at https://www.huntingdonshire.gov.uk

RELEVANT PLANNING HISTORY

None relevant.

CONSULTATIONS

Ramsey Town Council recommend approval.

Cambridgeshire County Council Highways Team - No objections.

Environment Agency - No objections.

HDC Environmental Health - No representations received at the time of determination.

HDC Landscapes Officer - No representations received at the time of determination.

Middle Level Commissioners - No representations received at the time of determination.

REPRESENTATIONS

None received at the time of determination.

SUMMARY OF ISSUES

This application is made pursuant to the Town and Country Planning (Permission in Principle) Order 2017 (as amended) (PIP regulations) that provides opportunity for an applicant to apply as to whether permission in principle is acceptable for a site, having regard to specific legislative requirements and, in accordance with ref. 58-012-20180615 of the NPPG, as to whether the location, land use and amount of development proposed is acceptable. The permission in principle (PIP) consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development.

The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. PIP establishes that a particular scale of housing-led development on a defined site is acceptable. The aim is for a PIP to minimise the upfront and at-risk work of applicants.

The report addresses the principal, important and controversial issues which are in this case:

1. Location
2. Land Use
3. Amount of Development
4. Other Matters

1. Location

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).

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.

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.

In solely assessing this site, whilst as above, Policies LP9 (small settlements) and LP10 are out of date (and so afforded less weight in the determination of this application) they are not to be entirely disregarded where significant and demonstrable harm can be identified.

Ramsey Mereside is defined as a small settlement under Policy LP9 of the Local Plan which states that these settlements can support proposals within the built-up area (BUA) of the settlement subject to tests relating to the sustainability of the settlement (levels of infrastructure, accessing services by sustainable travel methods and so on) as well as the impact on the settlement as a whole. The Local Plan defines a BUA as a distinct group of buildings that include 30 or more homes. It also states that land which relates more to the group of buildings rather than to the surrounding countryside is also considered to form part of the BUA.

The Local Plan goes on to state that the BUA will exclude open spaces which extend into the countryside and are not well contained by strong boundary features or primarily relate to the countryside in their use, form or character.

For the purposes of this assessment, given the character of the site and its relationship with the surrounding countryside it is considered that it lies outside of the BUA. As such, Policy LP10 (The Countryside) is the correct policy for assessment.

LP10 seeks to limit development in the countryside unless allowed through other opportunities provided for within the Local Plan. LP10 states that all development in the countryside must:

a. seek to use land of lower agricultural value in preference to land of higher agricultural value:

i. avoiding the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) where possible, and

ii. avoiding Grade 1 agricultural land unless there are exceptional circumstances where the benefits of the proposal significantly outweigh the loss of land;

b. recognise the intrinsic character and beauty of the countryside; and

c. not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others.

In this case the land is defined as grade 1 agricultural land (and so the most valuable). However, this is also the case for Ramsey Mereside (inclusive of developed land) in its entirety. The site as is currently presented does not appear typical of agricultural use (it is maintained meadow land containing minor planting). Furthermore, it is considered that the loss of agricultural land is largely inevitable if housing is to be provided within this rural district and as such has to be considered in the planning balance particularly given the engagement of tilted balance. Given the existing character of the land and the surroundings alongside the scale of development proposed it cannot reasonably be considered that the loss of this land would be significantly harmful when assessed against its present contribution to agricultural uses.

In terms of parts b of LP10, permission in principle applications are not required to provide any details as to layout, scale, design etc. However, in considering this, the LPA are of the view that the introduction of residential development on this site would result in the erosion of land which creates separation space between the sporadic built form extending from the developed area of the village and the countryside beyond. The site is detached from the main settlement (the built

form of the village lying approx. 319m south-east) and is considered to relate much more to the countryside than to the settlement and its development for housing would fail to recognise the character and beauty of the countryside by the introduction of new housing and domestic paraphernalia

In terms of part c, whilst there is the potential for some impacts arising from residential development being introduced in this location, given the quantum proposed it is unlikely that this would be significantly harmful. Matters such as external lighting could be controlled by condition. Given the surrounding uses of land (and recognising that there are other dwellings in the vicinity, including a conversion approved under prior approval reference number 24/02037/PMBPA), a refusal solely on these grounds would not be justified.

Whilst the site is considered to lie outside of the BUA, as the Council is in titled balance and so the principle of housing in this countryside location is now not an straight forward no, the development impacts in terms of LP9 should be considered. In this case, the impact on the character and appearance of the area has been addressed above and so the assessment relates largely to the sustainability of the location.

Ramsey Mereside has limited services, there is a Church at Pondersbridge (though in excess of 3km away) and a village hall within the residential area of the village. There is no public house or school/nursery facilities. It is recognised that there is a bus services providing connectivity to surrounding settlements such as Ramsey, Whittlesey and Peterborough with the closest stop lying approx. 350m south-east. There is a footpath to the north-east of this section of Oilmills Road (none on the side of the application site) and so residents of the proposed dwellings would need to cross a 60mph road and walk along a footpath adjacent to a 60mph road in order to reach the stop and the limited services within the village. It cannot be considered that this is a safe nor convenient access. Furthermore, there are no cycleways providing a link to the village centre and so occupants of the dwellings would likely need to rely on a private motor vehicle in order to access everyday services and it would be questionable as to if they could access services safely by sustainable travel methods.

Whilst in principle there are no fundamental objections to some growth within small settlements these should be considered on a hierarchal basis with developed directed to settlements which have a greater degree of options for accessing day to day services in a safe and sustainable manner and in accordance with Para. 115 (particularly parts a and b) of the NPPF (2024).

Overall, whilst as required by titled balance reduced weight has been applied to Policies LP9 and LP10 of the Local Plan to 2036 it is considered that allowing this development outside of the built-up area of Ramsey Mereside would result in encroachment and expansion of a small settlement into the countryside with visual harm. The applicant has also not demonstrated that the development would fall within a category which would allow for the relaxation of these policies. Further, opportunities for occupants of the dwellings to access everyday services by sustainable travel methods would be limited. It is therefore concluded that the proposal would result in visual harm to the rural location and the wider settlement, and is not sustainable in terms of access to serves and facilities and is contrary to Local Plan Policies LP9 in entirety and LP10 (part b).

2. Land use

The site lies within Flood Zone 3 as per the most recent Environment Agency Flood Risk Maps and Data and has a medium risk of river flooding. No parts of the site are subject to surface water flooding.

The Environment Agency have been consulted and raise no objections subject to a Flood Risk Assessment being submitted with the technical details consent. They have also observed that the site lies within Flood Zone 3, however, whilst the Council produced an updated Strategic Flood Risk Assessment (SFRA) in 2024, which defines Ramsey Mereside as being within Flood Zone 3

and the Environment Agency (EA) flood zone mapping also shows Ramsey Mereside, including the site, as being located within Flood Zone 3.

Flood Zone 3 is defined as having the highest risk of flooding in the Government's National Planning Practice Guidance (PPG). The National Planning Policy Framework 2024 (NPPF) seeks to direct inappropriate development away from areas at the highest risk of flooding (whether existing or future). Where development is proposed in areas that are at the highest risk of flooding, the Framework requires a sequential, risk-based approach to the location of development, so as to avoid where possible, flood risk to people and property.

However, existing raised defences, which the 2024 SFRA specifically does not take account of, provide some protection to existing properties in this area. Given this, Huntingdonshire District Council's Development Management Planning Committee agreed the following:

Some villages, including some of the Ramsey villages, are entirely within Zone 3 in the 2024 SFRA. New development within settlements, can in some cases help enhance or maintain the vitality of a rural community and this is a key objective of the Council's Planning Strategies and the NPPF. Therefore, for those villages which are entirely within Flood Zone 3 as defined in the 2024 SFRA only, the 2010 SFRA which took account of flood defences will be used as the basis for decision making, and general market housing will only be permitted in areas shown as being in Flood Zone 1 as defined in that document. This approach follows discussions with the Environment Agency and the Middle Level Commissioners and will ensure that regard is still given to flood risk but will also allow some development to be approved in these villages to maintain their vitality.

The Huntingdonshire Strategic Flood Risk Assessment 2010 shows the site to be within Flood Zone 1 and the site is at low risk of surface water flooding and groundwater flooding as per the relevant 2017 SFRA maps. Accordingly, as the site is considered to be in Flood Zone 1.

As this is the case, the LPA would not pursue a Flood Risk Assessment as the site would be regarded as being within Flood Zone 1 and treated as such within the NPPF (2024 guidance).

No details have been provided as to how surface water and sewerage will be managed (and these will form part of an application for FULTDC in the event of a successful appeal). However, it is not considered that the quantum of development proposed would place undue pressure on waste water disposal.

Policy LP14 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of a proposed development and maintained for users and occupiers of neighbouring land and buildings and concerns have bene raised regarding potential impacts.

The Huntingdonshire Design Guide 2017 states when considering residential development there are three key issues that need to be addressed which are loss of privacy, reducing the level of daylight and being overbearing in size and layout.

Officers need to be satisfied at this stage that the site is capable of accommodating the quantum of development proposed without having a detrimental impact on neighbour's amenity and the amenity of the proposed occupiers.

HDC's Environmental Health Team have been consulted but no representations have been received at the time of determination. However, given that there is existing residential development sporadically along this section of Oilmills Road which successfully co-exists with the surrounding uses it is not considered that there would be concerns in terms of noise or odour impacts on future occupants of the dwellings. Land contamination should be considered as part of a future FULTDC application (in the event of a successful appeal).

Subject to the careful design and layout of the dwellings, for the purposes of this assessment it is considered that the site is capable of accommodating the quantum of development proposed and could be arranged such to limit negative impacts on occupants of adjacent dwellings and land and future occupants of the proposed dwellings. Such matters would need to be considered at FULTDC stage in the event of a successful appeal.

Cambridgeshire County Council's Highways Team have been consulted as part of this process and raise no objections in principle. However, they advise that the access would need to be modified to an acceptable standard for shared access as well as the construction specification, drainage and visibility splays. Such matters would need to be considered at FULTDC stage in the event of a successful appeal.

Overall, it is considered that the scheme could be realised in accordance with Policies LP5, LP15, LP14, LP17 and LP37 of the Local Plan to 2036.

3. Amount of Development

Local Policy LP12 states new development will be expected to be well designed based upon a thorough understanding of the constraints and appraisal of the site's context, delivering attractive, usable and long-lasting buildings and spaces. A proposal will be supported where it can demonstrate that it contributes positively to the areas character and identity, successfully integrates with adjoining buildings, the routes and spaces between buildings, topography and landscape.

In this case, whilst the LPA are satisfied that the density of development can be accommodated on the site and matters of scale, design and massing are not matters for consideration at permission in principle stage as discussed above it is considered that the proposal would result in the introduction of development in a rural location which would be harmful to its character and visual appearance, and which would result in erosion of land which creates visual separation between the sporadic built form extending from the developed area of the village and the countryside beyond. Furthermore, the siting is not considered to be sustainable having regard to the access to and separation from the centre of the village, and the limited services therein. It would therefore fail to accord with Policies LP11 and LP12 (in particular parts a, b, c, f and i), parts C1, I1, M1 and M2 of the National Design Guide (2021), and the provisions of the NPPF (2024), in particular Para. 115, and 135 parts a, c and f.

4. Other Matters

The Planning Practice Guidance (PPG) states that the scope of permission in principle is limited to location, land use and amount of development as assessed above. In the event of a successful appeal the applicant would need to also receive a grant of technical details consent before the development can proceed.

The granting of technical details consent has the effect of granting planning permission for the development. Other statutory requirements may apply at this stage such as those relating to protected species or trees.

*Trees

There are trees at various points surrounding and within the site which are not afforded protection by a Tree Preservation Order and are not within a Conservation Area. They are also not of a scale or species which would warrant their longer-term protection - mainly being leylandii or small-scale domestic planting which does little to add to the character of the area. It is considered that a scheme could be realised in broad accordance with Policy LP31 of the Local Plan to 2036.

*Ecology

Policy LP30 of the Local Plan states that a proposal will be required to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and that a proposal will 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.

Further to the above (and separate from the requirements of LP30) the development will be subject to Biodiversity Net Gain legislation pursuant to the Environment Act 2021. This means that a 10% statutory Biodiversity Net Gain (BNG) would be required with any future application, following the hierarchy of onsite provision; mixture of on-site and off-site provision; and the last resort of statutory biodiversity credits unless it can be demonstrated that the development would be exempt.

The presence of grassland, trees and hedging within, surrounding, and immediately adjacent to the site means that a preliminary ecological survey and any additional species-specific surveys would be required as part of any FULTDC application to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and appropriate mitigated. Details of how a 10% BNG will be achieved in accordance with the legislation would also be required.

*Water Efficiency

Any future application for technical details consent would need to confirm compliance with the optional Building Regulation requirement for water efficiency in Approved Document G, as set out in criteria j. of Policy LP12 of Huntingdonshire's Local Plan to 2036.

*Accessible and Adaptable Homes

Policy LP25 of Huntingdonshire's Local Plan to 2036 requires all new dwellings to comply with optional Building Regulation requirement M4(2) 'accessible and adaptable homes', unless it can be demonstrated that site specific factors make this impractical or unviable. Any future application for technical details consent would need to confirm compliance with this policy.

*Developer Contributions

Any subsequent Technical Details application should be accompanied by a signed Unilateral Undertaking for the provision of wheeled bins in accordance with the Developer Contributions SPD (2011).

*Community Infrastructure Levy (CIL)

As the proposed development is for new residential dwellings, the development would 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.

* Planning Balance

The proposal will result in the delivery of two homes towards the housing supply. This is afforded moderate weight.

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. This is afforded moderate weight.

However when these benefits are weighed against the above identified visual harm to the countryside and the sustainability harm in terms of access to the site and access to services and

facilities, it is concluded that the harm would significantly and demonstrably outweigh the benefits when considering all the positives and negatives of the proposal into account.

*Conclusion

Section 38(6) TCPA 2004 states that "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

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.

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 in accordance with paragraph 11 (d) part ii.

The proposed development is contrary to the development plan, being residential development in the open countryside and in the rural policy area outside the built-up area of a settlement, which does not meet any development plan policy exceptions. Reduced weight has been given to the relevant policies given the situation with the Council's five-year housing land supply and application of tilted balance but it remains that the development would result in significant and demonstrable harm and is contrary to Policies LP9, LP10 (part b), LP11, LP12 (parts a, b, c, f and i), the National Design Guide (2021) parts C1, I1, M1 and M2, and the provisions of the NPPF (2024), in particular Para. 135 parts a, c and f and should be refused.

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CONTACT OFFICER:
Enquiries about this report to **Kevin Simpson**