OFFICER REPORT

Case No: 25/00098/FUL **Full Planning Application**

Proposal: **Conversion and extension of existing outbuilding granted prior approval (change of use) through previous application 24/01777/PMBPA.**

Location: **Long Lane House Long Lane Hemingford Grey**

Applicant: **Mr & Mrs P Sanderson**

Grid Ref: **529522 270062**

DESCRIPTION OF SITE AND APPLICATION

The application site is a former agricultural building (a milking shed) which lies to the west of Long Lane House, Hemingford Grey and south-west of the village centre. The site is not within a Conservation Area and there are no Listed Buildings or protected trees in the immediate vicinity. The building and resultant curtilage is within Flood Zone 1 and has an overall very low risk of flooding now and in the future. Part of the access route (from Long Lane) is within Flood Zone 2 and 3. This differs from the situation when the prior approval detailed below was determined when the site was within Flood Zone 2.

The building benefits from a prior approval consent (ref 24/01777/PMBPA) issued on the 21st of November 2024 (and so still valid) for the conversion of the milking shed to a single 1 bed dwelling with external parking and amenity space. This application seeks permission for the conversion (to residential) and extension of the building with the main change the addition of an extension to the rear (south-west) elevation creating a two-bedroom dwelling, replacement of the roof and extension of the residential curtilage (associated with the building). The prior approval is considered to be a strong 'fallback position' in the determination of this application and is referenced throughout this report.

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

During the lifetime of the application revised plans have been received. These make a minor change (no materials changes) to the arrangement of the outside space. As there is no alteration to the red line and no amenity impacts arising from these changes on the balance of fairness further public consultation was considered not to be necessary on this occasion.

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
LP33: Rural Buildings
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)

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

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

RELEVANT PLANNING HISTORY

18/01493/FUL - Demolition of existing dilapidated milking shed and erection of single storey dwellinghouse (Refused).

24/00925/HHFUL - Conversion of existing outbuilding to form bedroom annexe (Withdrawn).

24/01777/PMBPA - Change of use of former agricultural barn, The Milking Shed, into one bedroom dwelling with external parking and amenity space (Approved)

CONSULTATIONS

Hemingford Grey Parish Council were consulted but no representations have been received at the time of determination.

HDC Environmental Health Team - No objections.

Environment Agency - No representations received at the time of determination.

CCC Highways - No objections.

CCC Rights of Way Team - No representations received at the time of determination.

REPRESENTATIONS

None received at the time of determination.

SUMMARY OF ISSUES

When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 48 of the NPPF (2024). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

In Huntingdonshire the Development Plan consists of a number of adopted neighbourhood plans, however, as stated above, there is not an adopted neighbourhood plan in place for Hemingford Grey. Therefore, in this case no neighbourhood plans are given weight in the determination of this application.

The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

The main issues to consider are:

o Principle of Development
o Design, Visual Amenity and the Impact upon the Character of the Area
o Residential Amenity

o Highway Safety, Parking Provision and Access
o Biodiversity
o Flood Risk and Surface Water
o Other issues

*The principle of the development

Hemingford Grey is defined as a small settlement under Policy LP9 of the Local Plan to 2036. LP9 details that development within the built-up area (BUA) of a small settlement will be supported subject to specific tests relating to both sustainability and design. However, in this case, the site is considered to lie outside of the BUA (defined as a distinct group of buildings which includes 30 or more homes within the Local Plan). As such, the site is considered to lie within the countryside and so Policy LP10 is the starting point for consideration.

LP10 seeks to limit development in the countryside unless allowed for under other policies of the Local Plan. It states that all development within the countryside must:

a. seek to use land of lower agricultural value in preference to land of higher agricultural value: i. ii. avoiding the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) where possible, and 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 in question is Grade 3 agricultural land. It should be noted that this is the case for much of the surroundings including the developed area of the village. It is not the highest grade and is not presently in use for agricultural purposes. Therefore (especially having regard to the fallback position of the prior approval) it is not considered that the proposal would result in an acceptable loss of high grade agricultural land.

Matters relating to parts b and c of LP10 are discussed in further detail in the proceeding section of this report but for the purposes of this assessment it is not considered that the proposal would give rise to any negative elements which would be contrary to these parts of the policy.

As part of this assessment it should also be noted that 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.

As such, less weight can be attributed to Policy LP10. Whilst generally the LPA would still be required to complete an assessment as to the sustainability of a location for development such as this, this does not apply under Policy LP33 (Rural Buildings) which is one area where LP10 is relaxed and which permits development subject to the following tests:

a. the building is

i. redundant or disused;

ii. of permanent and substantial construction;

iii. not in such a state of dereliction or disrepair that significant reconstruction would be required; and

iv. structurally capable of being converted for the proposed use; and

b. the proposal:

i. would lead to an enhancement of the immediate setting; and

ii. any extension or alteration would not adversely affect the form, scale, massing or proportion of
the building.

The application is accompanied by a Design and Access Statement which details that the barn has not served any function since its prior use as an agricultural building ended, it also refers to the structural survey and report submitted with approved prior approval application 24/01777/PMBPA which confirmed that the barn was generally in a fair/good condition and was capable of functioning as a habitable space. Given that this was so recent (November 2024) and the visual appearance during a site visit, Officers have no reason to consider that this is not the case. As such, the proposal is considered to accord with part a (i-iv) of LP33. In terms of part b (i-ii), these matters are discussed in further detail in the proceeding sections of this report but it is not considered that harm would be caused by the development. The surroundings are now largely residential with other former agricultural buildings converted either through prior approvals or planning permissions, the proposed extension to the building is to the rear, it has a small footprint and appears subservient to it. The increased curtilage would also not be harmful and is therefore considered compliant.

Again, the prior approval permission (24/01777/PMBPA) which permits the use of the building for residential purposes is given significant weight.

Overall, having regard to the above matters, the development is considered to be acceptable in principle subject to compliance with other material planning considerations and conditions.

*Design and visual amenity

The building in question is a single storey brick building with pitched pan-tiled roof located to the west of Long Lane House. The bricks (to the front) have been painted (albeit now worn) at some stage and Long Lane House itself features painted brickwork. The adjacent building (an earlier conversion) is of similar scale and appearance.

This application proposes the addition of a relatively minor single storey extension to the rear, replacement roof (with increased ridge height), new/increased apertures for windows and doors, and outdoor space (including bin and cycle storage).

The works to the existing building are not significantly different from the prior approval, the extension appears subservient to the host building and this is supported by the proposed use of materials to match. The Design and Access Statement and application form details the use of materials to match, this is considered to be acceptable and will ensure that it is assimilated into the area. This shall be controlled by condition.

In terms of outdoor space, the garden area extends further south-west in comparison with the prior approval application. This area forms part of the established garden of long lane house and shows grassed areas, small sections of hard surfacing and a close board fence forming the boundary to provide defensible space. This is considered an acceptable solution, is not within the public realm and, given the existing layout of the site and the small scale of development it is not considered necessary to condition details of the appearance of the hard and soft landscaping. The provision of bin and cycle storage is welcomed.

Overall, the scheme is considered acceptable in relation to design and visual amenity and accords with Policies LP2, LP10, LP11, LP12 and LP33 of the Local Plan to 2036 in this regard.

*Residential amenity

The building by virtue of its scale and location (in relation to adjacent dwellings and land) will not result in overbearing impacts, overshadowing or loss of light. The locations of windows and doors, given the proposed boundary treatments, setting (ground floor level) and relationship with adjacent land are also acceptable and will not result in overlooking or loss of privacy.

In terms of impacts on future occupants of the property, there is adequate defensible amenity space attributed to it, parking provision and natural light to all habitable rooms. It is noted that neither bedroom 1 or 2 comply with the guidance set out within the technical housing standards - nationally described space standards document. The internal footprint (55m² approx.) also does not accord with the overall space for a two-bedroom single storey dwelling (61m²) though would accord with a single storey 1 bedroom dwelling (50m²). However, bedroom 2 is also annotated as a study on the plans. Bedroom 1 is exactly the same size as that approved under 24/01777/PMBPA. As this is a valid permission (and could be implemented at any time) Officers have not sought amendments on this basis. In some respects, the development is limited by the constraints of the site and so given this, alongside the valid prior approval the development is considered acceptable in this instance. Future occupants would also have the option to use the rooms as they wished and so the use of the smaller room as a bedroom will not be 'enforced'.

In terms of other matters, as detailed above, having regard to previous approvals the former farm is now largely residential and so impacts from noise, odour or contamination are minimal. HDC's Environmental Health Team have been consulted and raise no objections.

On balance, the proposal is considered acceptable in terms of residential amenity impacts and broadly accords with Policies LP14 and LP37 of the Local Plan.

*Highway safety and parking

Access is via Long Lane and is a similar situation to the other dwellings in the vicinity. A single parking space is provided to the west of the dwelling (the same as the prior approval). The LPA do not have any specific policies in terms of the number of spaces required but given the scale of development (and the earlier prior approval) it is not considered that it would result in considerable pressures in terms of parking. CCC as the local highways authority have been consulted and raise no objections.

Provision of cycle storage is noted on the plans but no details have been submitted as to the design and scale of the proposed unit. From the footprint shown on the submitted site plan it is considered broadly acceptable for its proposed use and the aims of Policies LP16 and LP17 of the Local Plan and the Huntingdonshire Design Guide and it is not considered necessary to condition further details. A condition will be attached to secure the provisions of this.

Overall, having regard to the above, the development is acceptable in terms of highway safety and sustainable travel and therefore accords with Policies LP16 and LP17 of the Local Plan to 2036.

*Biodiversity

Policy LP30 of the Local Plan requires a development to ensure no net loss of biodiversity and achieve a net gain where possible. Biodiversity Net Gain Legislation (BNG) also requires developments to achieve a 10% net gain unless exempt.

A Preliminary Ecological Appraisal dated May 2024 accompanies the application and concludes that the site is low in ecological value and that the risk of presence and significant impact to protected, priority or rare species or notable habitats was very low/negligible. It does make recommendations for precautionary measures and mitigation and these shall be secured by condition.

In terms of BNG, the application form details that the development would fall within an exemption as it is impacts less than 25m² of priority habitat. The LPA opinion accords with this. The footprint of the extension is below 25m² with the land surrounding (to the rear) retained as grass (as existing). The area given over to parking is already hard surfaced as is the majority of the hard surfaced area to the side/front. These impact very minor areas of grass (small strips adjacent to the access road which at the time of the site visit were clearly maintained, not in the best condition and offer minimal value. It is not considered to be justified to try and impose BNG regulations solely on these very minor areas the tolerance of which (in terms of scale and value) could be argued.

Overall, having regard to the above matters, the development is considered to be acceptable with regard to biodiversity impacts and broadly accords with Policy LP30 of the Local Plan to 2036 in this regard.

*Flood risk

The application site is largely within Flood Zone 1 (including the footprint of the building/garden), a section of the access lies within Flood Zones 2 and 3. This differs from the prior approval application (24/01777/PMBPA) where the site was within Flood Zone 2. Environment Agency (EA) data appears to have been updated reflecting the change above. It remains that the site has an overall very low risk of flooding.

The NPPF (2024) requires that all development within Flood Zones 2 and 3 provide a Site-Specific Flood Risk Assessment (SSFRA). Changes of use however are not subject to the Sequential or Exception Tests detailed within the NPPF. Further, again the prior approval is an established 'fallback position' for the provision of residential development in this location.

The EA were consulted on this application but no representations have been received at the time of determination. However, they were consulted on the prior approval application and raised no objections, instead directing the LPA to their standing advice.

The EA tick sheet has been provided with the application which references the advice provided within the SSFRA provided with 24/01777/PMBPA (in relation to floor levels) and states that this

will be brought forward to this scheme along with the new extension. Further details of measures have been referenced in the Design and Access Statement, and these shall be conditioned in their entirety. It is acknowledged that this will not solve the issue with regard to access to and from the site but given that this is the same access for other dwellings in this section of Hemingford Grey, the established fallback position and the overall very low risk of flooding (now and in the future) this is considered acceptable.

It is noted that there is a slight increase in footprint but given this minor increase, the permeability of the surrounding land and the use of permeable paving (to be secured by condition) it is not considered that there would be detrimental impacts from flooding.

Overall, having regard to all of the above matters it is not considered that the development will result in increased risk of flooding nor the displacement of surface water. It therefore broadly accords with Policies LP5 and LP15 of the Local Plan to 2036.

*Accessible and Adaptable Homes

Policy LP25 of the Local Plan to 2036 requires proposals that include housing to meet the optional Building Regulation requirement M4(2)" Accessible and adaptable dwellings" unless it can be demonstrated that site specific factors make this unachievable. Given the constraints of the site it is considered that it would be unreasonable to attach such a condition in this instance.

*Water Efficiency Policy

LP12 of the Local Plan to 2036 requires proposals that include housing to comply with the optional building regulation for water efficiency, as set out in Approved Document G. The proposed development will be conditioned to be in accordance with and will be built in accordance with the LP12 (j) standards.

*Other matters

Developer contributions (Wheeled Bins)

A signed Unilateral Undertaking to secure the provision of wheeled bins has been submitted as part of the application process. The development is therefore considered to be in accordance with Policy LP4 of Huntingdonshire's Local Plan to 2036 in this regard. The proposal is therefore considered to accord with the requirements of Policy LP4 of the Local Plan to 2036 and the Developer Contribution SPD in this regard.

Developer contributions (CIL)

The development will be CIL liable in accordance with the Council's adopted charging schedule; CIL payments will cover footpaths and access, health, community facilities, libraries and lifelong learning and education. No CIL forms have been provided with the application but this is a matter which shall be pursued by the Council's Implementation Team and is therefore not a reason for refusal.

The proposal is considered to accord with the requirements of Policy LP4 of the Local Plan to 2036 and the Developer Contribution SPD in this regard.

*Conclusion

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

The proposed development is acceptable in principle, and there would be no harm to the character or appearance of the area, the countryside, on residential amenity, highway safety, increased flood risk or biodiversity and it can therefore be supported.

Having regard to all relevant material considerations the proposed development is considered to comply with Policies LP2, LP4, LP5, LP10 LP11, LP12, LP14, LP15, LP16, LP17, LP25, LP30, LP33 and LP37 of Huntingdonshire's Local Plan to 2036 and consequently, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs.

CONTACT OFFICER:
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