DEVELOPMENT MANAGEMENT COMMITTEE 20th NOVEMBER 2017

Case No: 17/01768/OUT (OUTLINE APPLICATION)

Proposal: PROPOSED INFILL OF LAND BETWEEN EXISTING RESIDENTIAL PROPERTIES TO ERECT 3 DETACHED DWELLINGS WITH INTEGRAL GARAGES.

Location: LAND NORTH OF 215 UGG MERE COURT ROAD RAMSEY HEIGHTS PE26 2RJ

Applicant: MR AND MRS AMES

Grid Ref: 525388 285828

Date of Registration: 07.09.2017

Parish: RAMSEY

RECOMMENDATION - REFUSE

This application is referred to the Development Management Committee (DMC) as Ramsey Town Council’s recommendation of approval is contrary to the Officer’s recommendation of refusal.

1. DESCRIPTION OF SITE AND APPLICATION

1.1 The application site lies in between 215 Ugg Mere Court Road (to south) and 195 Ugg Mere Court Road (to north), although there is a noticeable open area of countryside between No. 215 and the application site. There are other two storey dwellings either side of the road and a mixture of residential properties and open green land along this section of Ugg Mere Court Road. Development in the area is generally sporadic and comprised of linear residential properties. Land use in the wider area is predominantly farming. There are open fields to the rear of the dwellings and surrounding the wider site. The application site is located to the north and detached from the main settlement of Ramsey Heights. The area is also rural in character. Ugg Mere Court Road is classified and runs parallel along the eastern boundary of the site. There are hedges along the boundaries of the site that make a positive contribution to this area and reinforce its rural characteristics.

1.2 The site is located in an area liable to flooding and noted on the Environment Agency’s flood maps as Flood zones 2 and 3. The site is located in an Internal Drainage Board (IDB) area (see attached note on Flood Risk in green paper) and is not shown to be within an area of flooding on Huntingdonshire District Council’s Strategic Flood Risk Assessment (2010) (SFRA) map. A flood risk assessment does accompany the application documents.

1.3 Outline planning permission, with all matters reserved, is sought for the erection of 3 detached dwellings with integral garages on the infill of land located between the existing residential properties.
2. NATIONAL GUIDANCE

2.1 The National Planning Policy Framework (2012) sets out the three dimensions to sustainable development - an economic role, a social role and an environmental role - and outlines the presumption in favour of sustainable development. Under the heading of Delivering Sustainable Development, the Framework sets out the Government's planning policies for: building a strong, competitive economy; ensuring the vitality of town centres; supporting a prosperous rural economy; promoting sustainable transport; supporting high quality communications infrastructure; delivering a wide choice of high quality homes; requiring good design; promoting healthy communities; protecting Green Belt land; meeting the challenge of climate change, flooding and coastal change; conserving and enhancing the natural environment; conserving and enhancing the historic environment; and facilitating the sustainable use of minerals.

2.2 Planning Practice Guidance

For full details visit the government website

3. PLANNING POLICIES

3.1 Saved policies from the Huntingdonshire Local Plan (1995)
- H23: Housing Development outside settlements
- H31: Residential privacy and amenity standards
- EN17: Development in the countryside
- En20: Landscaping Scheme
- En25: General Design Criteria
- CS8: Water supply, sewerage, sewage disposal and surface water drainage requirements
- CS9: Flood water management

3.2 Saved policies from the Huntingdonshire Local Plan Alterations (2002)
- HL5: Quality and Density of Development

3.3 Adopted Huntingdonshire Local Development Framework Core Strategy (2009)
- CS1: Sustainable development in Huntingdonshire
- CS2: Strategic housing development
- CS3: The Settlement Hierarchy
- CS10: Contributions to Infrastructure Requirements

3.4 Huntingdonshire's Local Plan to 2036: Consultation Draft 2017
- LP1: Strategy for Development
- LP3: Contributing to Infrastructure Delivery
- LP7: Small Settlements
- LP8: The Countryside
- LP9: Flood Risk
- LP10: Design Context
- LP11: Design Implementation
- LP13: Amenity
- LP14: Surface Water
   - Place Making Principles - Part 3.7 Building Form

3.6 Cambridgeshire Flood and Water SPD (2017).

3.7 LDF Developer Contributions SPD (2011)

3.8 Policy Weighing – Housing Supply Policies

3.9 The policies relevant to the supply of housing (En17 and H23 of the Huntingdonshire Local Plan (HLP) and CS2 and CS3 of the Huntingdonshire Core Strategy (HCS)) were set against a lower Objectively Assessed Need figure. Therefore strict application of these policies would result in failure to achieve the objectively assessed housing need figure that the Council currently has identified as part of the emerging Local Plan to 2036, and these policies taken in isolation could be considered not to be up-to-date.

3.10 However the emerging Draft Local Plan to 2036 contains a number of site allocations which will meet the up-to-date housing needs figure and many of which already have the benefit of planning permission. As such the relevant Development Plan and Draft Local Plan policies relating to housing supply policies will ensure that the objectively assessed need up to 2036 will be met and these policies, along with other planning permissions and resolutions to approve, provides a five year housing land supply with 20% buffer (which means these policies are considered up-to-date for purposes of paragraph 49 of the NPPF).

3.11 The reduction in weight which should be given to the conflict of Development Plan policies (when considered in isolation) with the NPPF aims is very limited given that the Council’s current development approach is ensuring a continuous supply of housing, and provides a sound and sustainable policy framework for meeting Huntingdonshire District Council’s housing needs over the next 5 years, and the period up to 2036. As such these policies should be given significant weight in the determination of residential development proposals.

3.12 Countryside Policies - Policies H23, En17 and CS3 have environmental objectives are all firmly aimed at protecting the environment and landscape character. Core principles of the NPPF are to recognise the intrinsic character and beauty of the countryside and differing roles and character of the areas whilst supporting local communities in rural areas. The NPPF therefore has a slightly more positive approach to development in the countryside than the restrictive development plan policies, and this partial inconsistency requires a slight reduction in weight.

3.13 Whilst there is some difference in the wording between the policies written before the NPPF publication, the policies do not tightly accord
with the precise wording of the NPPF, however the countryside policies are considered to accord with one of the overarching aims of the NPPF. As such, having regard to paragraph 215 of the NPPF it is considered that when assessing impacts of development upon the countryside these policies can be afforded significant (reduced from full) weight.

3.14 Policy En17 - Whilst accepting the need to reduce the weight given to this policy in isolation when considering the delivery of the OAN figure, saved policy En17 of the HLP applies at the site-specific level to land which falls within the description of being “unallocated land outside of defined village environmental limits”. It is a countryside protection policy that seeks to prevent villages from expanding beyond their boundaries.

3.15 Saved Policy En17 is consistent with the Core Principle in NPPF 17(5) (fifth bullet) in recognising the intrinsic character and beauty of the countryside. It is further consistent with NPPF 17(3) as the Council can demonstrate a 5 year housing land supply and is therefore currently meeting the housing needs of its area, while at the same time preventing villages from expanding beyond their existing boundaries, which is an important component of the District’s settlement strategy. It is accepted that the wording of this does not tightly match the more nuanced approached taken by the NPPF in respect of development in the countryside.

3.16 For the purposes of NPPF paragraph 215, saved policy En17 should be given significant weight (albeit not full weight) and the protection it provides to the countryside should not be discounted by reference to the age of the HLP or that the wording does not tightly accord with the precise wording of the NPPF.

3.17 Policy H23 - Saved policy H23 of the HLP, like saved policy En17, is a countryside protection policy that affects the location of housing development by reference to a series of inset maps showing environmental limits. For the same reasons as given in the section on En17 above, saved policy H23 should be given significant weight.

3.18 Policy CS3 - Policy CS3 establishes a settlement hierarchy, which paragraph 5.16 of the supporting text explains as having the strategic aim of concentrating development in the larger sustainable settlements that offer the best levels of services and facilities and protects the character and scale of smaller villages and the countryside, and it will increase opportunities for sustainable lifestyles, reduce the need to travel and make good use of existing infrastructure. Policy CS3 is consistent with the Core Principle in NPPF 17(5) in recognising the intrinsic character and beauty of the countryside. It is further consistent with NPPF 17(3) as the Council can demonstrate a 5 year housing land supply and is therefore meeting the housing needs of its area by concentrating development in Strategic Expansion Locations or in the larger sustainable settlements that offer the best levels of services and facilities whilst at the same time protecting the character and scale of smaller villages and the countryside.

3.19 Whilst accepting the need to reduce the weight given to this policy in isolation when considering the delivery of the OAN figure in place at the time of the Core Strategy adoption, policy CS3 in the HCS seeks
to achieve the same outcome as policies En17 and H23 in the HLP, but with a slightly different policy mechanism. Establishing whether a parcel of land is within or outside a settlement creates a degree of tension between HLP policies En17 and H23; the question of whether there is conflict between CS3, En17 and H23, to any extent, should be resolved in favour of CS3 through the operation of Section 38(5) of the Planning and Compulsory Purchase Act 2004.

3.20 Policy CS3 can be given significant weight in determining the proposal, but that weight is also tempered by a slight degree of conflict with paragraph 55 of the NPPF, which takes a more nuanced approach to housing in the countryside.

3.21 Sustainable Development Policies - Policy CS1 of the adopted Core Strategy 2009 sets out the criteria for sustainable development and is broadly consistent with the NPPF. Having regard to the NPPF paragraph 215, this policy is considered to have full weight, given the NPPF requirement for development to be sustainable and jointly and simultaneously achieve economic, social and environmental gains

3.22 Design Policies - Policies En25 of the Huntingdonshire Local Plan 1995 and HL5 of the Huntingdonshire Local Plan Alteration (2002) set out criteria in order to achieve high quality design. These are consistent with the Core Planning Principle in NPPF 17(4) which seeks to secure high quality design and NPPF 56 which states that good design is a key aspect of sustainable development and indivisible from good planning. HL5 is further consistent with NPPF 58 which requires planning decisions to, amongst other criteria, aim to ensure that developments add to the quality of an area; establish a strong sense of place and create attractive places to live and respond to local character and reflect local character.

These policies can be afforded full weight owing to its consistency with the NPPF.

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

4. PLANNING HISTORY

4.1 There is no planning history that is applicable to the application site.

5. CONSULTATIONS

5.1 Ramsey Town Council - Recommends Approval. Unanimously approved, will infill vacant plot within village profile and will not impact on street scene.

5.2 Environment Agency – At the time of composing this report, no comment has been received from the Environment Agency. Should any response be received this will be delivered to members as a late representation.

5.3 Middle Level Commissioners/ Ramsey Fourth (Middlemoor) District IDB - The Ramsey Fourth IDB is associated with the Middle Level Commissioners and they have been consulted with respect to this planning application. At the time of composing this report, no
response has been received. Should any response be received this
will be delivered to members as a late representation.

5.4 **Cadent Gas** – Searches based on your enquiry have identified that
there is apparatus in the vicinity of your enquiry which may be
affected by the activities specified. Can you please inform Plant
Protection, as soon as possible, the decision your authority is likely to
make regarding this application. If the application is refused for any
other reason than the presence of apparatus, we will not take any
further action.

5.5 **Environmental Health** - The superficial geology at this application
site is Peat, which can produce significant quantities of hazardous
ground gases, namely methane and carbon dioxide. If you are
minded to approve the application, I would recommend a condition
requiring either a ground gas risk assessment which will be used to
determine whether or not the proposed buildings require protection
against the ingress of gas, or the installation of a methane gas
resistant membrane.

5.6 **HDC Transport Officer** - At the time of composing this report, no
comment has been received from the HDC Transport Officer. Should
any response be received this will be delivered to members as a late
representation.

5.7 **County Council Highways Officer** - At the time of composing this
report, no comment has been received from the County Council
Highways Officer. Should any response be received this will be
delivered to members as a late representation.

5.8 **Urban Design Officer** - The proposed site has been subject to a
previous pre-application submission (17/70042/PENQ) for the larger
site including land to the north of No. 215 Ugg Mere Court Road. This
pre-app proposal was reviewed at Urban Design Forum in May 2017.
The units, whilst setback from the prevailing building line, were
smaller in footprint and included detached garages which created
breaks between units.

This proposal is for three units fronting Ugg Mere Court Road. I am
concerned that the arrangement of the proposed units (located
approximately 11-12m behind the prevailing building line of No. 215
to the south and No. 195 to the north) and close proximity to one
another (3.7m gap between plots 1 and 2 and 1.9m gap between
plots 2 and 3) results in a cramped appearance which fails to relate to
the lower density looser grain development adjacent. As submitted
the principle of 3 units on this site is not supported.

6. **REPRESENTATIONS**

6.1 A letter of support in favour of this application has been received from
Councillor Lisa Duffy, the ward member for Ramsey.

7. **ASSESSMENT**

7.1 The report addresses the principal, important and controversial issues
which are in this case:
The Principle of Development and the Impact on the Character of the Area

7.2 This site is outside the built up area of Ramsey Heights and is in the open countryside for the purposes of the Development Plan and emerging planning guidance. The relevant policies are generally restrictive, and will only permit new residential development where this is essential for the proper functioning of a rural enterprise.

7.3 'Saved' Local Plan policies H23 and En17 seek to restrict development outside defined settlements to that which is considered to be essential for agriculture and other related rural activities.

7.4 The Core Strategy was adopted in 2009 and therefore forms part of the Development Plan and offers more up to date policies than the Local Plan (1995). Policy CS3 defines a settlement hierarchy to provide a framework to manage the scale of housing development appropriate on unallocated sites. Ramsey Heights is designated as a Smaller Settlement in which residential infilling will be appropriate within the built-up area. For the purposes of the Core Strategy (as stated in para 5.15) the built-up area is defined as the existing built form excluding:
- Buildings that are clearly detached from the main body of the settlement,
- Gardens and other undeveloped land within the curtilage of buildings on the edge of the settlement, where these relate more to the surrounding countryside than they do to the built-up parts of the village; and
- Agricultural buildings where they are on the edge of the settlement.

7.5 This criterion based approach to the built-up area is considered to be the more appropriate, as it resolves specific problems encountered with the delineated boundaries of the Local Plan. Importantly this approach also resolves the perception that any form of development on any land within a drawn boundary would be acceptable and the pressure for every piece of land within the boundary to be developed; and thus damaging the loose knit character of many settlements in Huntingdonshire by creating harder, more regular edges to settlements. The reasoned justification for Policy CS3, in paragraph 5.20, sets the threshold of 30 properties as broadly distinguishing (in planning terms) between the hamlets, groups of houses and individual properties that lie in the countryside and designated 'smaller settlements'.

7.6 Ramsey Heights is predominantly a linear settlement. Existing development located at the application site and its immediate vicinity consists of sporadic ribbon development, interspersed with gaps of open countryside. This interspersing is integral to the rural character
of the area. It is considered that filling in the gap would intensify the built form to the detriment of the rural character. It is further considered that the cumulative impact of continually allowing development on the sporadic pockets of land between the existing dwellings along Ugg Mere Court Road northwards could eventually lead to a continual linear form of development between Ramsey Heights and Pondersbridge.

7.7 It is therefore considered that the application site is outside of the built-up area in accordance with the second part of paragraph 5.15 in relation to Policy CS3. Given the divorced nature of the undeveloped land within the curtilage of buildings on the edge of the settlement, where it instead relates more to the surrounding countryside rather than that of the built-up parts of the village. On this basis the site falls within the countryside and so the other two criteria in para 5.15 do not need to be assessed in this instance.

7.8 An aim of the National Planning Policy Framework (NPPF) is to boost significantly the supply of new homes (para 47), and new isolated homes in the countryside should be avoided unless there are special circumstances such as an essential need for a rural worker to live permanently at or near their place of work (para 55). In light of this, and in regard to paragraph 215 of the NPPF, it is considered that the adopted policies can be afforded significant weight given the general conformity of the local policies with the NPPF.

7.9 Policy LP 11 of the Draft Local Plan to 2036 provides further guidance on the relationship of the built-up area and the countryside. Like the core strategy it defines the built up area as a continuous group of 30 or more houses. It excludes:
   a. gardens, paddocks, agricultural land and other undeveloped land in the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built-up area of the settlement;
   b. outdoor sports and recreation facilities, other formal open spaces and agricultural buildings on the edge of the settlement.

7.10 Given the sporadic nature of development within the vicinity of the application site and that the nature of the land between to the north of 215 Ugg Mere Court Road relating more to the countryside land, the application site therefore cannot be considered for planning policy purposes to be within the built-up area.

7.11 New homes in the countryside are guided by policy LP26 and this sets criteria for when new housing will be supported in the countryside. The current application does not have agricultural justification, is not for affordable housing, does not relate to a heritage asset in terms of viable use or securing the future of a heritage asset, it does not seek to re-use an existing rural building, and the design is not of an exceptional quality or is truly innovative in nature. It is therefore considered that there is no emerging policy support for a new dwelling in this instance either.

7.12 Huntingdonshire’s Local Plan to 2036: Consultation Draft 2017 whilst not possessing a formal policy with regards to the above does include a definition as to what constitutes the Built-up Area. The definition of the Built-up Area is “considered to be a distinct group of buildings and
their immediate surroundings that includes 30 or more homes.” It goes on to state that land which “relates more to the surrounding countryside than to any buildings, is not part of the built-up area.

7.13 Officers have had due regard to a recent appeal decision APP/H0520/W16/3154786 Land north of 192-194 Ugg Mere Court Road, Ramsey Heights, PE26 2RH (application reference: 16/00741/OUT). It is acknowledged that the Inspector in that instance concluded that the appeal site “of a relatively small gap in an otherwise continuous frontage” was not detached from the settlement. However at paragraphs 14 and 15 of the appeal decision, whilst the Inspector states “the appeal site does not form part of a larger field or have the same characteristics as other more expansive open fields and countryside in the wider area…including…the opposite side of the road”… “I recognise that development on the opposite side of the road at this point is more sporadic in nature and the gaps between dwellings larger and more related to the countryside than the appeal site”.

As each application is considered on its own merits, the officer assessment for this application is that paragraph 5.15 of CS Policy CS3 defines gardens and other undeveloped land within the curtilage of buildings at the edge of the settlement, where these relate more to the surrounding countryside than they do to the built-up parts of the village. By the Inspector also reaching the above conclusions, it is considered that the development of 3 dwellings would be outside the built-up area and would cause harm to the rural character and appearance of the area. This viewpoint is also reinforced via policies LP11 and LP26 of the Draft Local Plan to 2036.

It is acknowledged that the application site is located in reasonable proximity to some local services and facilities, and the proposal would contribute to the mix of dwellings within the local area and add to the local housing stock. These benefits weigh in favour of the proposal, and the development would meet the aims of the NPPF in these respects. However the overriding policy aims to safeguard the countryside and steer residential developments to sustainable areas, where there are a wider range of services etc., are considered to outweigh these benefits.

7.13 As such, the principle of development on this site is considered unacceptable owing to the intrusion of the built form in a rural location. The proposal is therefore contrary to The National Planning Policy Framework (2012) and policies En17, and H23 of the Huntingdonshire Local Plan 1995, policies CS1 and CS3 of the LDF Core Strategy 2009, policies LP1, LP11 and LP26 of the Draft Local Plan to 2036: Stage 3 (2013) and policies LP1, LP7, LP8 and LP19 of Huntingdonshire’s Local Plan to 2036: Consultation Draft 2017.

Housing Land Supply:

7.14 In order to satisfy the requirements of the NPPF to boost housing supply the Council must demonstrate an up-to-date five year supply of deliverable housing sites to meet its objectively assessed need, with an additional buffer to ensure choice and competition in the market for land; this requirement is set out in paragraph 47 of the NPPF.
In a recent Appeal Decision (Ref: APP/H0520/W/16/3159161, dated 18 July 2017) an Inspector took the view that a 20% buffer should be applied to the housing requirement for the District due to under delivery in recent years.

7.15 The latest Housing Land Supply Position Statement of August 2017 provides an interim update to the December 2016 Annual Monitoring Review and demonstrates that the Council has a five year supply of housing land with application of the 20% buffer.

7.16 As such there is no reason to set aside the concerns outlined above on the basis of the supply of deliverable housing.

The Design of the Property and its Impact on the Residential Amenity of Surrounding Properties

7.17 The Design and Access statement is rather limited in its description of the application proposal. However, some key details can be drawn from it to understand the intentions of proposed development at this site. This includes the site measuring at approximately 0.12ha with an access drive included. It is stated that the proposal is for three dwellings, all to be finished in ultra-energy saving materials with methods of high thermal resistances. The proposed two storey type dwellings will have a mix of eave and ridge heights to give a mixture of designs. The intention is for the scale and floor space of the proposed dwellings will be similar to that of the surrounding houses.

7.18 With regards to landscaping; trees, shrubs and hedging are to be allowed for and agreed at a reserved matters stage. As indicated above, the appearances of the proposed three dwellings are intended to reflect the built character of the surrounding area.

7.19 As stated by the Urban Design Officers comments, the proposal is for three units fronting Ugg Mere Court Road. The Officer has expressed concern that the arrangement of the proposed units (located approximately 11-12m behind the prevailing building line of No. 215 to the south and No. 195 to the north) and their close proximity to one another (3.7m gap between plots 1 and 2 and 1.9m gap between plots 2 and 3) results in a cramped appearance which fails to relate to the lower density looser grain development adjacent. As submitted they are unable to support the principle of 3 units on this site.

7.20 As the proposal is in outline, it is difficult to assess the full impact that the proposal may have on neighbour amenity. Given the orientation of the proposed dwellings in relation to the single-storey dwellings to the south (192 and 194), the rear gardens of which abut the southern boundary of the site, there is potential that the proposed dwellings may result in overshadowing and loss of amenity to these properties.

7.21 The Urban Design Officer has also commented on the amenity issues arising from this scheme. They have expressed concern that the two storey height and arrangement of Plot 1 directly to the south of No. 195 will result in overshadowing of the adjacent rear garden. The scale and depth of this unit is also likely to appear overbearing from this dwelling. Setting the unit forward and reducing the depth of the unit would go some way to resolving these amenity impacts.
Impact with Regards to Flooding

7.22 As outlined in the ‘Flood Defences and Flood Risk of Housing Developments 18th September 2017’ note (attached in green papers) some villages, including some of the Ramsey villages, are entirely within Zone 3 in the 2017 SFRA, and an application of the above approach would mean that no general market housing only developments would be approved in these villages. New development within settlements, including market housing, can 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.

7.23 Therefore, for those villages which are entirely within Flood Zone 3 as defined in the 2017 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.

7.24 The site is in Flood Zone 1 in the 2010 SFRA and in light of the above position, the development would not place persons at an unwarranted risk of flooding and would therefore not pose risk to persons or property in accordance with policies CS9 of the Huntingdonshire Local plan 1995, CS6 of the Huntingdonshire Core Strategy 2009 and emerging policy LP9 of the Huntingdonshire's Local Plan to 2036: Consultation Draft 2017

Highway Implications

7.25 At the time of composing this report, comments from both the HDC Transportation Officer and the County Council Highways Officer have not been received. Any highway related comments received from these officers that cannot be included in this report will be delivered as a late representation notice.

7.26 The Design and Access statement indicates that the current access is to be altered, but will remain. Visibility splays will be included and will provide for a 40mph road speed. Each dwelling is to retain block paving, whilst the main access is to be of gravel.

7.27 Having reviewed the on-site parking arrangements, the Urban Design Officer has stated that the majority of existing dwellings fronting Ugg Mere Court Road include parking to the side of the dwelling (and was the case with the previous 17/70042/PENQ scheme) which provides breaks between units. This proposal to locate the parking at the front of the dwelling limits opportunities for breaks further exacerbates the cramped appearance of the scheme.

Infrastructure Requirements

7.28 The application is accompanied by provision for refuse (appropriate coloured waste storage containers -wheeled bins) in the form of a unilateral undertaking (UU).
7.29 The UU meets the three tests of being necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development as required by the Community Infrastructure Levy Regulations 2010. In other cases, Planning Inspectors have agreed that a UU is reasonable and meets the tests set out in the NPPF and Regulation 122 of the Community Infrastructure Levy Regulations 2010, for example in appeal decisions relating to 1301676FUL (see paragraph 3 of the decision) and 1400078FUL (see paragraphs 20-21 of the decision).

7.30 The proposal therefore complies with the requirements of the NPPF and CIL regulations and Policy CS10 of the Core Strategy 2009, the requirements of the Developer Contributions Supplementary Planning Document 2011, policy LP2 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013) and policy LP3 of Huntingdonshire's Local Plan to 2036: Consultation Draft 2017.

Conclusion

7.31 Having regard to applicable national and local policies and having taken all relevant material considerations into account, it is recommended that planning permission be refused in this instance as it has not been demonstrated that the dwellings are essential to a rural enterprise. In addition the site is in the open countryside and outside of the built-up area of Ramsey Heights and causes significant detrimental impact upon the character and appearance of the countryside resulting from the intrusion of the built form in this rural location. The proposal is therefore contrary to The National Planning Policy Framework (2012) and policies En17 and H23 of the Huntingdonshire Local Plan 1995, policies CS1 and CS3 of the LDF Core Strategy 2009, and policies LP1, LP7, LP8 and LP19 of Huntingdonshire's Local Plan to 2036: Consultation Draft 2017.

7.32 Ultimately, having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be refused.

8. RECOMMENDATION – REFUSE for the following reason:

1. The erection of three dwellings at this site would constitute non-essential development in the open countryside and outside the built up area of Ramsey Heights. As such, the principle of development on this site is considered unacceptable owing to the intrusion of the built form in a rural location. The proposal would therefore be contrary to the provisions of paragraph 55 of the National Planning Policy Framework 2012 and policies H23, En17 and En25 of the Huntingdonshire Local Plan 1995, policies CS1 and CS3 of the Local Development Framework Core Strategy 2009, policies LP1, LP11 and LP26 of the Draft Huntingdonshire Local Plan to 2036 (Stage 3) 2013 and policies LP1, LP7, LP8 and LP19 of Huntingdonshire's Local Plan to 2036: Consultation Draft 2017.

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CONTACT OFFICER:
Enquiries about this report to Nathan Makwana Development Management Officer 01480 388406
Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 11:45 AM on 15 Sep 2017 from Mr Gary Cook.

**Application Summary**

**Address:** Land North Of 215 Ugg Mere Court Road Ramsey Heights

**Proposal:** Proposed infill of land between existing residential properties to erect 3 detached dwellings with integral garages.

**Case Officer:** Nathan Makwana

[Click for further information](#)

**Customer Details**

**Name:** Mr Gary Cook

**Email:** gcook@ramseytowncouncil.org.uk

**Address:** 7A Church Green, Ramsey, Huntingdon PE26 1DW

**Comments Details**

**Commenter Type:** Town or Parish Council

**Stance:** Customer made comments in support of the Planning Application

**Reasons for comment:** Unanimously approved. No neighbouring objections, will not impact on street scene.
Development Management Committee

Application Ref: 17/01768/FUL
Location: Ramsey

Key
- Listed Building
- The Site
- Conservation Area

2010 SFRA - Flooding Extents
Flood Extents (produced by Mott MacDonald)
- 1 in 20 Yr Flood Extent (Functional Floodplain)
- 1 in 100 Yr Flood Extent
- 1 in 100 Yr Flood Extent (with climate change allowance)
- 1 in 100 Yr Extent (derived from eng. judgement)
- Other Forms Of Flooding
EXISTING SITE PLAN. 1:200.
GREEN PAPERS FOLLOW
1.1 The publication of the Huntingdonshire Strategic Flood Risk Assessment 2017 (SFRA 2017) and the new draft Local Plan has been a trigger for the Council to reconsider its approach to assessing flood risk in meeting its objectively assessed need for housing.

1.2 The National Planning Policy Framework (NPPF) makes clear that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. The Planning Policy Guidance (PPG) makes clear that, for the purpose of the NPPF, flood risk is a combination of the probability and the potential consequences of flooding.

1.3 Flood defences can reduce the probability of flooding, but they can also increase the consequences of flooding. This is because, if a breach of defences does occur, it can result in the rapid onset of flooding with little or no warning. The new SFRA 2017 follows the PPG and does not take into account flood defences. Areas that benefit from flood defences are still in an area of higher flood risk as there is a residual risk that the flood defence could fail. This is particularly relevant given that development needs to be safe for its lifetime which the PPG states should be considered to be a minimum of 100 years for homes.

1.4 Government policy requires Local Planning Authorities to steer new development to areas with the lowest probability of flooding, and makes clear that the Strategic Flood Risk Assessment will be the starting point for applying this Sequential Test – that is to investigate risks further (through flood risk assessment) and to avoid locating development in areas at flood risk from any source, wherever possible. The SFRA 2017 shows areas at risk of flooding at the date of publication, and into the future for fluvial risk with climate change scenarios. The SFRA also signposts further sources of flood risk information, such as Environment Agency Flood Maps for Surface Water that also indicate areas that may be at risk from surface water flooding.

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<th>Flood Zone</th>
<th>Definition</th>
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<tr>
<td>Zone 1 Low Probability</td>
<td>Land having a less than 1 in 1,000 annual probability of river or sea flooding. (Shown as ‘clear’ on the Flood Map – all land outside Zones 2 and 3)</td>
</tr>
<tr>
<td>Zone 2 Medium Probability</td>
<td>Land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding. (Land shown in light blue on the Flood Map)</td>
</tr>
<tr>
<td>Zone 3a High Probability</td>
<td>Land having a 1 in 100 or greater annual probability of river flooding; or Land having a 1 in 200 or greater annual probability of sea flooding. (Land shown in dark blue on the Flood Map) See 2017 SFRA maps</td>
</tr>
<tr>
<td>Zone 3b The Functional Floodplain</td>
<td>This zone comprises land where water has to flow or be stored in times of flood. Local planning authorities should identify in their Strategic Flood Risk Assessments areas of functional floodplain and its boundaries accordingly, in agreement with the Environment Agency. (Not separately distinguished from Zone 3a on the Flood Map) See 2017 SFRA maps</td>
</tr>
</tbody>
</table>

1.5 For the Sequential Test, the regularly updated Environment Agency Flood Maps provide the definitive maps of flood zones 1, 2 and 3. The SFRA 2017 shows the split between flood zones 3a and 3b. Together the EA flood maps and SFRA 2017 form the basis for applying the NPPF Sequential Test.

1.6 Detailed guidance on flood risk is set out in sections 4 and 5 of the Cambridgeshire Flood and Water Supplementary Planning Document (2017).
1.7 A development’s objective is key in determining the geographical area over which the Sequential Test is to be applied. For example, for developments proposing market or affordable housing to meet the needs of the District, the area over which to consider whether there are other sites at lower risk of flooding is the whole District. In contrast for example, where a housing development is meeting the particular identified needs of a settlement (an ‘exception site’), the area over which to consider whether there are other sites at lower risk of flooding would be that settlement.

1.8 The work on the new Local Plan shows that the District identified housing need can generally be met by developments in Flood Zone 1, with some exceptions in flood zone 2.

1.9 Developments in Flood Zones 2 and 3 will not therefore be permitted unless, to quote the NPPF, “it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding”. This applies to defended as well as undefended areas within Flood Zones 2 and 3. A regeneration project might be an example of a development that met “wider sustainability objectives”.

1.10 If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for a development to be located in zones with a lower probability of flooding, any proposed housing development in Flood Zone 3a must still pass the Exceptions Test to be permitted.

For the Exceptions Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; AND
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

1.11 Some villages, including some of the Ramsey villages, are entirely within Zone 3 in the 2017 SFRA, and an application of the above approach would mean that no general market housing only developments would be approved in these villages. New development within settlements, including market housing, can 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 2017 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. For villages that are not entirely within Zone 3 in the 2017 SFRA, the application of the Flood Zones in 2017 will allow some development to be approved in these villages to maintain their vitality whilst also having regard to the most recent information on flood risk.