Application Number: 25/01070/S73

TOWN & COUNTRY PLANNING ACT 1990

Section 73 amendment to planning permission

Rachel Furze
Rachel Furze Design Ltd
Nattymoor
North End
Exning, Newmarket
CB8 7PD

Huntingdonshire District Council in pursuance of powers under the above Act, hereby **GRANT PERMISSION** for:

Proposal: Variation of Condition 2 (approved plans) of 24/01701/FUL for the construction of 3no. dwellings and alterations to existing vehicular access

Site address: Land Adjacent 26 West Perry Perry

Applicant: Mr J Duberly

in accordance with your application received on 12th June 2025 and plans (listed below) which form part of the application

Plan Type	Reference	Version	Date Received
Location Plan	22-13-200		11.08.2025
Plans	22-13-211	Rev E	22.07.2025
Plans	22-13-212	Rev C	08.08.2025
Block Plan	22-13-210	Rev F	08.08.2025

Subject to the following condition/s.

1. Condition.
   The development hereby permitted shall be begun before the 18th of December 2027.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

2. Condition.

C. Kerr

Clara Kerr
Chief Planning Officer

Date 15th September 2025

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The development hereby permitted shall be carried out in accordance with the approved plans listed in the table above.

Reason: For the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. Condition.
No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

a) The statement of significance and research objectives;

b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;

c) The timetable for the field investigation as part of the development programme;

d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with Local Plan Policy LP34 and national policies contained in the National Planning Policy Framework (2024).

4. Condition.
No development shall take place above slab level, other than demolition, until details of the external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area in accordance with Policies LP11 and LP12 of the Huntingdonshire Local Plan to 2036.

5. Condition.

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Notwithstanding the details shown on the plans hereby approved,, no development above slab level shall take place until architectural details for the external surfaces of buildings have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

(a) Window and door reveals and means of opening;

(b) A plan(s) showing the location, design and colour of external flues, vents and meter boxes;

(c) Eaves and verge details;

(d) The product name and manufacturer where appropriate.

The development shall be carried out in accordance with the approved details.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area in accordance with Policies LP11 and LP12 of the Huntingdonshire Local Plan to 2036.

6. Condition.
No development above slab level shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

(a) indications of all existing trees and hedgerows on the land and details of any to be retained; planting plans (which show the relationship to all underground services); written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

(b) boundary treatments indicating the positions, design, materials and type of boundary treatments to be erected;

(c) a hard landscaping plan, indicating location, manufacturer, type, colour and size;

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies LP11, LP12 and LP31 of the Huntingdonshire Local Plan to 2036.

7. Condition.
All hard and soft landscape works shall be carried out and maintained in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning

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Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place during the current or next planting season.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies LP11, LP12 and LP31 of the Huntingdonshire Local Plan to 2036.

8. Condition.
No development above slab level shall take place until a Landscape Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include, but not be limited to:

(a) Long term design objectives;

(b) A programme of implementation;

(c) Management responsibilities including replacement of dead or dying plants;

(d) Maintenance schedules for all landscape areas other than privately owned domestic gardens.

The Landscape Management Plan shall be carried out as approved.

Reason: In the interests of visual amenity and to enhance the character and appearance of the site in accordance with Policy LP12 of the Huntingdonshire Local Plan to 2036.

9. Condition.
Notwithstanding the details shown on the plans hereby approved, no development above slab level shall commence, until details of the facilities for the provision of secure covered cycle parking for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the siting, means of enclosure, cycle rack systems where appropriate, appearance and materials. The facilities shall be provided in accordance with the approved details before the development to which it relates is occupied and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles to encourage sustainable travel in accordance with Policies LP12, LP16 and LP17 of the Huntingdonshire Local Plan to 2036 and the Huntingdonshire Design Guide SPD 2017.

10. Condition.

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No external lighting shall be provided or installed other than in accordance with a scheme which has been submitted to and approved in writing by the local planning authority. The scheme shall be carried as approved and shall be retained as such.

Reason: To minimise the effects of light pollution on the surrounding area and to protect biodiversity interests in accordance with Policies LP14 and LP30 of the Huntingdonshire Local Plan to 2036.

11. Condition.
No part of the development hereby approved shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination, ecology and ground water.

It shall also set out arrangements by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

Reason: To safeguard the amenities of the adjoining premises and the area generally, having regard to Policy LP14 of Huntingdonshire's Local Plan to 2036.

12. Condition.
No development shall commence until a Biodiversity Net Gain Plan has been submitted to and approved in writing by the Local Planning Authority demonstrating a scheme for biodiversity net gain to achieve 10% biodiversity net gain (BNG). These details shall include:

a) A Biodiversity Net Gain Plan Template which provides details on how the development will achieve 10% biodiversity net gain (BNG). The details shall include but not be limited to; net gain strategy, irreplaceable habitats, on-site habitat enhancements, off-site habitat enhancements, statutory biodiversity credits and trading summary;

b) A Biodiversity Method Statement which provides details of how the recommendations contained in the letter from Skilled Ecology Consultancy Ltd dated 16th September 2024 will be carried out. The details shall include but not be limited to; specification, location, timing, an implementation programme.

c) A Habitat Management and Monitoring Plan. These details shall include how the habitats will be maintained, who is responsible for creating or enhancing the habitats and who is responsible for maintenance, management and monitoring.

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The development shall be carried out in accordance with the approved details.

Reason: To ensure the conservation and enhancement of biodiversity and delivery of 10% Biodiversity Net Gain (BNG). To ensure the habitats and hedgerows formed are maintained for at least 30 years in accordance with Policy LP30 of the Huntingdonshire Local Plan to 2036 and Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

13. Condition.
The development, hereby permitted, shall not be occupied until the proposed bathroom windows in the first floor rear (north-west) elevation of plot 1 and first floor rear (north-east) elevvation of plots 2 and 3, have, apart from any top hung vent, been fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 or equivalent in obscurity) and shall be fixed shut or have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall thereafter be retained in accordance with the approved details

Reason: To prevent overlooking of the adjoining properties in accordance with Policy LP14 of the Huntingdonshire Local Plan to 2036.

14. Condition.
The development hereby permitted shall be carried out in accordance with the submitted tree protection measures contained in the Arboricultural Impact Assessment by Skilled Ecology Consultancy Ltd dated 11th September 2024 received by the Local Planning Authority on 17th September 2024. The measures shall be implemented prior to the commencement of any development, demolition, clearance or other preparatory operations including excavations and shall be retained intact for the duration of the construction works.

Any trees, shrubs or hedges covered by the agreed protection measures, which die or become severely damaged either from natural causes or as a result of the construction works; during the construction works or within five years from the completion of the construction works, shall be replaced with trees, shrubs or hedge plants of similar size and species, unless otherwise agreed in writing with the Local Planning Authority. Replacement planting to be undertaken by the end of the next available planting season.

Reason: To safeguard the retained trees, shrubs and hedges on and adjacent to the site and in the interests of visual amenity, and to enhance the character and appearance of the site in accordance with Policies LP12 and LP31 of the Huntingdonshire Local Plan to 2036.

15. Condition.
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or

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without modification), no development within Class A of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

Reason: To safeguard the privacy of adjoining occupiers in accordance with Policy LP14 of the Huntingdonshire Local Plan to 2036.

16. Condition.
Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved access.

Reason: In the interests of highway safety in accordance with Policies LP12 and LP17 of the Huntingdonshire Local Plan to 2036.

17. Condition.
Prior to the first occupation of the development sufficient space shall be provided within the site to enable vehicles to:

a) Enter, turn and leave the site in forward gear

b) Park clear of the public highway

The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

Reason: In the interests of highway safety in accordance with Policies LP12 and LP17 of the Huntingdonshire Local Plan to 2036.

18. Condition.
Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.

Reason: In the interests of highway safety in accordance with Policies LP12 and LP17 of the Huntingdonshire Local Plan to 2036.

19. Condition.
Prior to the first occupation of the development vehicular and pedestrian visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted Drawing No. 22-13-210 Rev F Proposed 3 Unit Block Plan dated 08.08.25 and received by the LPA on the 8th of August 2025.

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The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety in accordance with Policies LP12 and LP17 of the Huntingdonshire Local Plan to 2036

20. Condition.
The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent surface water discharging to the highway in the interests of highway safety in accordance with Policies LP12 and LP17 of the Huntingdonshire Local Plan to 2036.

21. Condition.
The access shall be a minimum width of 5 metres, for a minimum distance of 10 metres measured from the near edge of the highway carriageway.

Reason: In the interests of highway safety in accordance with Policy LP17 of the Huntingdonshire Local Plan to 2036.

22. Condition.
The dwelling(s) hereby permitted, shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(2) 'accessible and adaptable' (or replacement standard), prior to occupation. Such provision shall be maintained for the lifetime of the development.

Reason: To ensure the units are accessible and adaptable in accordance with Policy LP25 of the Huntingdonshire Local Plan to 2036.

23. Condition.
The dwelling(s) hereby permitted shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement for water efficiency, as set out in Approved Document G (or replacement standards) prior to first occupation. Such provision shall be maintained for the lifetime of the development.

Reason: In accordance with Policy LP12 of the Huntingdonshire Local Plan to 2036.

Informative: The person carrying out building work must inform the building control body that the optional requirement for Water Efficiency (As set out in Approved Document G) and M4(2) applies.

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24. Note to applicant.
This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant. The applicant should note that the nature of the highway works proposed will necessitate the completion of a Section 184 Highway Works Agreement between the developer and the LHA prior to commencement.

25. Note to applicant.
Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development. Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.

26. Note to applicant.
This application is accompanied by a signed Unilateral Undertaking for the provision of wheeled bins dated 11th of August 2025.

27. Note to applicant.
Statement as to how the Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner on seeking solutions:

When an application is received, planning conditions will be used where they can make a development acceptable.

A clear reason for refusal identifies the specific reasons why the development is unacceptable and helps the applicant to determine whether and how the proposal can be revised to make it acceptable.

In relation to this application, it was considered and the process managed in accordance with the National Planning Policy Framework 2024.

28. Note to applicant.
Huntingdonshire District Council became a Community Infrastructure Levy (CIL) Charging Authority on 1st May 2012. The Council is obliged to collect the levy from liable parties in instances where development received planning permission on or after 1st May 2012. It is

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important that liable parties (usually developers or landowners) are correctly identified to the Council as early as possible. For more details on CIL, the developments the charges will apply to, how much the charge will be and the process involved, including the developers or landowners legal responsibilities, the CIL pages on the Council's website at www.huntingdonshire.gov.uk should be referred to. It should be noted that all development which creates one or more dwellings will be liable to be charged irrespective of the floor space charge. However, developments which create less than 100 square metres of new floor space and do not involve a dwelling or dwellings, will be exempt from CIL and will not be charged.



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NOTES

Rights of Appeal under the Town and Country Planning Act, 1990 Section 78

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant permission subject to conditions, he/she may appeal to the Secretary of State responsible for planning within;

- **Six months from the date of this decision notice.**

Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Alternatively all forms can be downloaded from their website www.planning-inspectorate.gov.uk. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the Development Orders and to any directions given under the Orders. He does not, in practice, refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State responsible for planning and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act, 1990.

Claiming Compensation

In certain circumstances, a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

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General Notes

This decision notice does not convey any approval or consent which may be required under any enactment, bye-law or regulation other than Section 57 of the Town and Country Planning Act 1990.



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