HUNTINGDONSHIRE DISTRICT COUNCIL

25/00157/NMA

OFFICER REPORT

Case No: **25/00157/NMA** **Non Material Amendment**

Proposal: **Non-material amendment to Reserved Matters Planning Permission 22/01003/REM (as amended by 24/01240/NMA), to relocate parking spaces, amend plot 92 and make alterations to landscaping and PV layout.**

Location: **Wintringham Park Cambridge Road St Neots**

Applicant: **Mr N Wakefield**

Grid Ref: **519875 259612**

DESCRIPTION OF SITE AND APPLICATION

Wintringham Park comprises approximately 162 hectares and is located to the east of St Neots in the south of Huntingdonshire District.

In November 2018, Hybrid Planning Permission (17/02308/OUT) was granted for the development of Wintringham Park. The permission grants outline consent for:
- Up to 2,800 dwellings including affordable housing (C3);
- Up to 63,500m2 of employment floorspace (B1-B8);
- District and local centre facilities featuring retail, commercial, leisure, health and community uses;
- New primary school provision;
- Open spaces, play areas, recreation facilities, landscaping and sports provision;
- New vehicular access points from Cambridge Road, the A428, and Potton Road; and
- Associated facilities and infrastructure comprising utilities including electricity, water, sewerage, and telecommunications, highway improvements and diversion of existing utilities where necessary.

All matters were reserved with the exception of the means of access.

The Hybrid Permission also granted full planning permission for:
- The construction of new roads,
- Hard & soft landscaping including the creation of SUDS
- Associated infrastructure and engineering works including the creation of haul routes.

Application 17/02308/OUT was approved on 6 November 2018 and was subject to the completion of a Section 106 Agreement and various planning conditions.

Reserved matters approval for parcel 5 was granted consent under application reference 22/01003/REM on 30 November 2022 for the erection of 144 dwellings and all ancillary works, associated infrastructure and engineering works.

A non material amendment (NMA) application was approved under application reference 24/01240/NMA on 27th September 2024 which incorporated a range of changes including the provision of PV's to all roofs (following change from gas heating to ASHP.

This application seeks to relocate parking spaces, amend plot 92 and make alterations to landscaping and PV layout following the approval of 22/01003/REM (as amended by 24/01240/NMA).

NATIONAL GUIDANCE

The Planning Practice Guidance (PPG) has a chapter on flexible options for planning permission, which includes non-material amendments. The PPG outlines that new issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are fundamental or substantial, a new planning application under section 70 of the Town and Country Planning Act 1990 will need to be submitted. Where less substantial changes are proposed, there are the following options for amending a proposal that has planning permission:

- making a non-material amendment
- amending the conditions attached to a planning permission, including seeking to make a minor material amendment.

For full details visit the government website
https://www.gov.uk/government/organisations/department-for-communities-and-local-government

PLANNING POLICIES

Non-material amendment (NMA) applications should not, by definition, raise policy issues that were not covered in the original application report.

PLANNING HISTORY

17/02308/OUT - Hybrid planning application comprising:
1) Application for outline planning permission for development of a mixed use urban extension to include: residential development of up to 2,800 dwellings (C3), up to 63,500 sqm of employment development (B1-B8), District Centre including shops, services, community and health uses (A1-A5, D1 & D2), Local Centre (A1-A5), Temporary Primary School, Two Permanent Primary Schools, open space, play areas, recreation facilities and landscaping, strategic access improvements including new access points from Cambridge Road & A428, associated ground works and infrastructure. All matters reserved with the exception of means of access: and
2) Application for full planning permission for the construction of new roads, hard & soft landscaping, creation of SUDS and all associated infrastructure and engineering works including creation of haul routes. Permission Granted 06.11.2018.

22/01003/REM - Application for Reserved Matters Approval for the erection of 144 dwellings and all ancillary works, associated infrastructure and engineering works pursuant to Permission 17/02308/OUT (Parcel 5).) – Details approved 30.11.2022

24/01240/NMA - Non-material amendment of 22/01003/REM to incorporate changes to banding; omission of external chimney structure in lieu of roof top chimney to Block Types 3 and 16; addition of window in dining room to Block Types 3 & 16 at site of former external chimney breast; addition of window in dining room to Block Type 13; addition of soldier course above and below front elevation windows; open plan alterations to designated plots including window alterations; provision of PV's to all roofs (following change from gas heating to ASHP); ASHP external locations and internal redesign to incorporate mechanical plant associated with ASHP heating resulting in elevational changes (the omission of ensuite windows to Block Types 10, 13 & 15 in lieu of tax windows and the omission of hall windows to Block Type 13 in lieu of tax window and the addition of a window in the dining room) – Consent 27.09.2024

CONSULTATIONS

HDC Urban Design – Following receipt of amended details, no objections.

CCC highways – No objections.

LLFA – No comments.

REPRESENTATIONS
No comments received at time of determination.

SUMMARY OF ISSUES
Section 96A of the Town and Country Planning Act allows a Local Planning Authority (LPA) to make a change to any planning permission if it is satisfied that the amendment proposed is non-material. This includes the power to impose new conditions and to remove or alter existing conditions.

These provisions have been introduced by the Government to provide a quick, formal method of dealing with small changes to approved schemes to give greater flexibility within the planning system.

Government guidance on non-material amendments is set out in the Planning Practice Guide; this advises that there is no statutory definition of 'non-material' because it will be dependent on the context of the overall scheme. The main issue for consideration is whether the proposed amendments can be treated as 'non-material' and whether they are acceptable.

This NMA application seeks to relocate parking spaces, amend plot 92 (an adjustment of the alignment of this property) and make alterations to landscaping and PV layout.

In respect of the proposed PV provision, the location of PV panels were previously amended and approved under 24/01240/NMA. The submitted Solar PV Site Layout drawing URB-NEO-500 Rev G and Materials Plan drawing DR-A-510 Rev Q significantly increases the PV provision across the parcel. Notwithstanding this, panels are arranged in regular patterns, with symmetrical configurations along lengths of terraces and groups of buildings. Drawing DR-A-510 Rev Q confirms that the panels (Viridian Solar Limited Integrated Clearline PV16 G1 Solar Panels) would sit flush with the proposed roof tiles. The arrangement and location of Solar PV panels is supported in design terms.

This NMA also proposes adjustments to the residential parking for plots 91, 92, 93 and 105. The revised arrangement for parking is supported and improves the relationship of parking to these units. Adjusting the alignment of parking at plot 92 results in the loss of the small pocket park; the loss of this pocket park (134sqm) would reduce the open space provision within parcel 5 from 1424sqm to 1290sqm. However, the proposals on this parcel would still accord with the open space requirement set out within the KP1 Regulatory Plan, which requires 1200sqm. The loss of this open space is therefore considered acceptable in design terms and thus the relocation of parking for plots 92 93 is supported.

The revised amenity space schedule drawing DR-A-509 Rev M indicates that the amendments to the siting of plot 92 would result in an increase in the size of the rear garden from 93.1sqm (DR-A-509 Rev H - 24/01240/NMA) to 117.1sqm (garden size without shed). Drawing DR-A-509 Rev M also indicates the rear garden of the following plots would increase / decrease slightly following the previous DR-A-509 Rev H drawing approved under the 24/01240/NMA application (garden size without shed):
* Plot 41 - increase from 108.0sqm to 109.1sqm
* Plot 42 - decrease from 85.4sqm to 85.1sqm.
* Plot 58 – Increase from 126.9sqm to 128.6sqm
* Plot 93 – increase from 56.2sqm to 67.0sqm

It is noted that the number of units with Design Code compliant gardens remains as approved; therefore these minor changes set out above are acceptable in design terms.

This NMA also updates the previously approved brick types; the Materials Plan drawing DR-A-510 Rev Q amends the distribution of facing brick for select plots and reflects the Materials Plan drawing DR-A-510 Rev N approved under the Condition 4 (Materials) application 24/80295/COND, to ensure that details align.

In respect of the amended soft landscaping plans submitted, the 'Detailed Planting Plans' 1 of 4 drawings 2580A2-LLA-ZZ-00-DR-L-201 P07, DR-L0202 P07, DR-L-0203 P09 and DR-L0204 P09 are acceptable and reflect the layout changes set out above.

The submitted 'Detailed Hard Landscape Proposals' 1-6 drawings 2580A2-LLA-ZZ-00-DR-L-0101 P12, DR-L-0102 P11, DR-L-0103 P11, DR-L-0104 P10, DR-L-0105 P12 and DR-L-0106 P12 are acceptable and reflect the layout changes set out above and the amended drawings submitted for the discharge of Condition 5 Hard Landscaping – application ref 24/80422/COND (currently pending determination).

The surface treatment of roads, footpaths, driveways, raised tables and private shared drives accords with the Detailed Hard Landscape Proposals 1-6 approved under the 22/01003/REM. Minor amendments have been made to the treatment of kerbs to the rear of groups of frontage parking spaces and to the back edge of private drives, changing the standard upstands to lower 25mm upstands. The brick boundary walls have also been rationalised across the parcel, changing these from a mixture of 1.8m and 2.1m high walls to 1.8m high walls, consistent across the parcel. The minor changes to the hard landscaping details are considered to be acceptable.

Having regard to details approved under application reference 22/01003/REM the changes sought as part of this NMA are considered non-material in the context of the approved development.

No new conditions are necessary, but amendments are proposed to conditions 7, 14, 18, 22 and 25 to make reference to the NMA approved drawings.

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CONTACT OFFICER:
Enquiries about this report to **Laura Fisher**