OFFICER REPORT

Case No: 25/00593/S73 **Removal/Variation of Conditions**

Proposal: **New single-storey village hall, comprising an event space a cafe/communal space and a meeting room, with associated ancillary areas, together a grassed recreation space and car parking: Variation of Condition 2 (Approved Plans) of 23/01725/FUL to amend the design of the building**

Location: **Community Centre Crest Drive Fenstanton**

Applicant: **Fenstanton Village Hall Trust**

Grid Ref: **531544 268287**

DESCRIPTION OF SITE AND APPLICATION

The application site comprises a parcel of land which is laid to grass with tree planting, however it has previously been granted outline planning permission for a 279sqm community centre (D1 use) as part of the hybrid application reference 16/01206/FUL and a subsequent section 73 application (reference 18/00310/S73) covering the wider site (Former Dairy Crest Factory site). The site also forms part of the allocated site (FS1) which earmarked a village hall or other community facility within the site.

There are residential properties to north of the site on Crest Drive and to the south of the site is the A1307 slip road into the village. Land immediately to the east of the village hall is subject to a separate application which is pending consideration for the erection of 7 dwellings (application ref 23/00346/FUL), however outline permission was granted for the provision of 660sq.m of commercial (B1) in a similar location under the hybrid application referenced above.

The application site is located in the built-up area of Fenstanton and falls within Flood Zone 1 on the Environment Agency's Flood Map for Planning and Huntingdonshire's Strategic Flood Risk Assessment 2017. The site falls outside of the Fenstanton Conservation Area and is over 80 metres from the closest Listed Building to the north on High Street.

Planning permission (reference 23/01725/FUL) was granted on 16th February 2024 for 'New single-storey village hall, comprising an event space a cafe/communal space and a meeting room, with associated ancillary areas, together a grassed recreation space and car parking'. This application seeks to vary condition 2 (approved plans) to amend the design of the building.

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 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
*LP11: Design Context
*LP12: Design Implementation
*LP14: Amenity
*LP15: Surface Water
*LP16: Sustainable Travel
*LP17: Parking Provision and Vehicle Movement
*LP22: Local Services and Community Facilities
*LP30: Biodiversity and Geodiversity
*LP31: Trees, Woodland, Hedges and Hedgerows
*LP32: Protection of Open Space

Supplementary Planning Documents (SPD) and Guidance:
*Huntingdonshire Design Guide SPD (2017)
*Huntingdonshire Townscape and Landscape Assessment SPD (2022)
*Developer Contributions SPD (2011)
*Cambridgeshire Flood and Water SPD (2017)

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

PLANNING HISTORY

16/01206/FUL - Hybrid Planning Application for the Demolition of Existing Factory Buildings and the Development of 88 Dwellings (to include for the residential conversion of 3 number units located at 17 High Street), provision of public open space and associated works (applied for in full) and provision of 660sq.m of commercial (B1) and 279 sqm of community (D1) uses (Applied for in Outline with All Matters Reserved Except Access) - Granted with conditions

18/00310/S73 - Variation of residential conditions 2, 5, 6, 11 and 26; and non-residential conditions 5 and 13 of 16/01206/FUL - omit dry pond from public open space and replace with underground cellular storage crates to provide a more sustainable public open space and removal of trees and replanting along the northern boundary for plots 5-8 inclusive and plots 14-16 inclusive - Granted with conditions

23/01725/FUL - New single-storey village hall, comprising an event space a cafe/communal space and a meeting room, with associated ancillary areas, together a grassed recreation space and car parking. - Granted with conditions

24/01152/NMA - Non-material amendment of 23/01725/FUL to amend the siting of building. No external or internal changes - Approved

CONSULTATIONS

Fenstanton Parish Council - Recommend approval.

Highway Authority - It was noted that the proposed access is in the same location as application 23/01725/FUL and that the same number of parking spaces are proposed. Previous comments will apply.

HDC Environmental Health - No further comments.

Cambridgeshire Constabulary - No further comments.

REPRESENTATIONS

3 representations received in objection raising the following matters:
*No purpose for the building proposed
*Existing community buildings already in the village
*Funds could be used elsewhere
*Existing green area is widely used and should be retained/improved
*Parking issues
*Additional traffic and noise
*Noise, dirt, obstructions and general inconvenience during construction

SUMMARY OF ISSUES
The main issues to consider in the determination of this application are:
*Principle of development
*Design and Visual Amenity
*Residential Amenity
*Highway Safety, Access and Parking Provision
*Biodiversity
*Trees
*Flood Risk/Drainage
*Other matters

*Principle of development

The proposed amendments are set out above and all other parts of the development remain unchanged and therefore the previous planning permission remains relevant and unamended. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. In this instance, the application seeks to vary condition 2 (Approved Plans) through the submission of amended drawings.

It should be noted that the principle of development has been established and will not be considered as part of this application. In determining an application under this section, officers have regard to the development plan and all other material considerations.

*Design and Visual Amenity

Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036 state that developments should respond positively to their context, draw inspiration from the key characteristics of its surroundings and contribute positively to the area's character and identity.

The community centre as approved had a triple gable design however the current proposal looks to simplify the gable roof form. The overall height of the building would remain as approved (7.7

metres) and the amended arrangement of windows and entrances allows for sufficient levels of surveillance and activity to the road and parking spaces. The building is proposed further to the east and creates a larger area of external hard standing to the front of the building compared to the approved scheme. Materials are listed on the submitted elevations (22-1211 PL11 Rev D) and remain the same as previously approved. It is recommended that condition 3 is reimposed to secure further details of these materials as well as the location and colour of external flues and extracts.

Overall, the proposed amendments to the design and layout of the development are acceptable. Subject to the reimposition of conditions securing details of materials, architectural details, cycle and refuse storage, hard and soft landscaping, levels and external lighting scheme, it is considered that the development would respect the existing character and appearance of the area and would achieve a high standard of design. The proposal is therefore considered to accord with Policies LP11 and LP12 of the Huntingdonshire Local Plan to 2036, the Huntingdonshire Design Guide (2017) and the NPPF (2024).

*Impact upon Residential Amenity

Policy LP14 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of a proposed development and maintained for users and occupiers of neighbouring land and buildings. The proposed amendments do not otherwise change the nature of the development in comparison to the approved application, with only minor changes to the design of the building proposed. Objections have been received to the current application which are noted, however the principle of a community centre has already been established through previous applications and the extant permission 23/01725/FUL. It is not considered the proposed amendments to the design of the building would materially alter the impacts of the development on neighbour amenity. The proposal is considered to accord with Policy LP14 of the Local Plan.

*Highways Safety, Parking Provision and Access

Policies LP16 and LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.

The proposal retains the level of parking approved within the site and would not otherwise alter the access arrangements or materially change the level of type of vehicle movement. The Highway Team at Cambridgeshire County Council has raised no objections to the proposed amendments, subject to the condition on the original permission being reimposed. The proposal therefore remains in accordance with policies LP16 and LP17 of the Local Plan.

*Biodiversity

Policy LP30 of the Local Plan requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible. It is considered that the development would ensure no net loss in biodiversity subject to condition 10 being reimposed requiring a biodiversity method statement which builds on the recommendations and enhancements put forward in the PEA. The proposal therefore complies with Policy LP30 of the Local Plan and the National Planning Policy Framework 2024.

*Trees

Policy LP31 of the Local Plan states that a proposal will be required to demonstrate that the potential for adverse impacts on trees and hedges has been investigated. The proposal would involve the removal of immature trees planted along the south and west boundaries of the site (not illustrated on the existing or proposed plans). As per the officer report for 23/01725/FUL, these

should be replanted elsewhere on site if possible and the LPA would wish to see this as part of the soft landscape scheme secured by condition. Subject to this, the proposal would accord with Policy LP31 of the Local Plan.

*Flooding and Drainage

Policy LP5 of the Local Plan states that a proposal will only be supported where all forms of flood risk have been addressed. The application site is a low risk of flooding and the applicant indicated on the previous application 23/01725/FUL, surface water will be disposed of via a sustainable drainage system and main sewer which is acceptable. The detailed design and requirements for foul and surface water drainage would be met through the building regulations process, as such it is not considered necessary to secure any further details by planning condition. It is not considered that there would be any conflict with Policies LP5, LP12 and LP15 of the Local Plan.

*Other matters

An application under Section 73 of the Town and Country Planning Act 1990, if approved, has the effect of the issue of a new, separate, planning permission. Consequently, the conditions applied to the previous permission to which this application relates must be reviewed and added to any approval of this application where they would pass the tests of conditions set out in paragraph 56 of the NPPF.

The list of approved drawings will be varied to include the amended drawings and the wording of condition 2 (approved plans) will remain to ensure the development is carried out in accordance with the approved plans list. The remainder of the conditions on the original application remain outstanding and will be imposed on this application.

*Conclusion
Having regard to national and local planning policies, and having taken all relevant material considerations into account, it is recommended that application should be approved for the proposed amendments. It is recommended that the wording of all conditions on the original application 23/01725/FUL be replicated on this application under section 73 of the Town and Country Planning Act 1990.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:
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