OFFICER REPORT

Case No: 25/00869/S73 Removal/Variation of Conditions

Proposal: Variation of Condition 2 (Approved Plans) of 20/02393/HHFUL to replace the approved site plan to accommodate the boundary treatment update

Location: Brickbarn Cottage Church Road Grafham

Applicant: Valerie Bowness

Grid Ref: 514878 269332

DESCRIPTION OF SITE AND APPLICATION

The application site relates to Brickbarn Cottage in an isolated rural area some distance from Grafham village centre.

The site is situated in flood zone 1 and there are no designated heritage assets in the vicinity.

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

The application seeks to vary condition 2 (Approved Plans) of 20/02393/HHFUL to replace the approved site plan to accommodate the boundary treatment update. It is noted that following Officer concerns, revisions were sought during the lifetime of the application to amend a section of the proposed boundary treatment from post and wire fencing to post and rail fencing with planting. As this amendment is minor, it was not considered necessary to reconsult on the proposal.

The original application (20/02393/FUL) was for the replacement of an existing single storey element to the front of the property with a new two storey extension together with internal alterations.

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 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 15th May 2019)

LP11: Design Context
LP12: Design Implementation
LP14: Amenity

Planning Practice Guidance is also relevant and a material consideration.

Huntingdonshire Design Guide Supplementary Planning Document (2017):
* Place Making Principles – Parts 3.7 Building Form and 3.8 Building Detailing

Grafham and Ellington Neighbourhood Plan 2020 – 2036 (February 2022)
*6 Grafham and Ellington: 2020-2036 – Community and Development Objectives

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

PLANNING HISTORY

0102145FUL – Change of use and alteration to the barn t form 2 holiday cottages – Permission granted 25.01.2002
18/02396/CLED - Use of 1 and 2 Brickbarn Cottages as single dwelling houses in breach of condition 2 of 0102145FUL which requires the properties to have been used for holiday accommodation only – refused 26.02.2019
20/01477/S73 – Removal of Condition 2 (holiday let only) of Planning Permission 0102145FUL – Permission granted 17.11.2020
20/02393/HHFUL - Replacing existing single storey element to the front of the property with new two storey extension together with internal alterations – Permission granted 10.03.2021

CONSULTATIONS

Grafham Parish Council have no objection to the proposal.

REPRESENTATIONS

No objections received at time of determination.

SUMMARY OF ISSUES

The Planning Practice Guidance (PPG) notes that there are instances where new issues may arise after planning permission has been granted, which require modification of the approved proposals.

It advises where these modifications are fundamental or substantial, a new planning application will be required. Where less substantial changes are proposed a non-material amendment application can be submitted, or a minor material amendment (S73 application) where there is a relevant condition that can be varied. There is no statutory definition within the PPG of a 'minor material amendment' but it states that it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

The PPG advises that "Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning

permission unless they have already been discharged". As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission.

Whilst there is a presumption in favour of sustainable development, the National Planning Policy Framework defines sustainability as having three strands - social, economic and environmental. One of the NPPF's core principles is to achieve well-designed places and it is noted that "The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

The main issues to consider in the determination of this application are:
- Design and Visual Amenity
- Residential Amenity

*Design and Visual Amenity

Policies LP11 and LP12 of the Huntingdonshire 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.

Planning permission is sought for the variation of condition 2 (Plans) to replace the approved site plan to accommodate the boundary treatment update. The application site is a large rural site with a variety of boundary treatments, both withing the site and marking the boundary. The proposal is to amend the boundary treatment from close boarded fencing to post and wire fencing separating the residential amenity land from the adjacent agricultural land. In addition, whilst a section of the western boundary will remain as 1.8 close boarded timber fencing, the majority of the western boundary treatment between Brickbarn Cottage and Hill Farm to the west, will be 1.2 metre high post and rail fencing with planting of natives species mix of hawthorn hedge to the front, as shown on the proposed site plan. The proposed boundary treatments are considered to be appropriate to the rural nature of the application site and are accepted.

Therefore, it is considered that the scale, bulk and design of the development complement the host building and would not harm the general character of the area. The proposal, therefore, accords with LP11 and LP12 of Huntingdonshire’s Local Plan to 2036 (2019) in this regard.

*Residential Amenity

Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

The proposed boundary treatments will provide a clear demarcation between Brickbarn Cottage and Hill Farm to the west. The post and rail fencing with planting of natives species mix of hawthorn hedge to the western boundary will provide a level of privacy between the two properties. Due to the nature of the proposal it is considered that the proposal will not result in any significant detrimental impact on the residential amenity of neighbouring properties to warrant a refusal of the application.

Therefore, the development is considered acceptable in terms of overshadowing, overlooking, loss of privacy, loss of light and would not have a significant impact upon residential amenity. The proposal, therefore, accords with LP14 of Huntingdonshire’s Local Plan to 2036 (2019) in this regard.

*Conclusion
The proposed development is considered to be compliant with the relevant national and local policy as it:
* Is of an appropriate scale and design;
* Would not have a significantly detrimental impact upon the amenity of neighbours.

There are no other material planning considerations which have a significant bearing on the determination of this application.

The proposed amendment to vary condition 2 is considered to be relatively minor in relation to the wider site and will not fundamentally change the character of the development as approved.

It is therefore recommended that planning permission be granted. All conditions imposed under parent permission 20/02393/FUL will be repeated, where relevant and amended to compliance conditions where the conditions have been discharged, as per advice in the PPG.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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CONTACT OFFICER:
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