HUNTINGDONSHIRE DISTRICT COUNCIL

25/00788/NMA

OFFICER REPORT

Case No: **25/00788/NMA** **Non Material Amendment**

Proposal: **Non-material amendment of 21/01808/REM to amend house types and flats to comply with Nationally Described Space Standard (NDSS) including relocation of windows and doors, new floor plans and revised locations of visitor parking spaces and removal of path to southern boundary**

Location: **Land West Of 26 To 34 High Street Stilton**

Applicant: **N/A**

Grid Ref: **516149 288933**

DESCRIPTION OF SITE AND APPLICATION

The application site is located to the west of the High Street and the A1 Motorway. The northern boundary of the site is formed by the gardens serving the residential dwellings of Church Close, Rectory Way and Fox Covert and lined with trees, hedging and drainage ditch. To the south is the golf course, whilst the eastern boundary fronts onto the High Street and the rear residential gardens serving No's 26 to 34 High Street. The western boundary leads onto the open countryside. The site extends to 3.44 hectares and is relatively flat land that gradually slopes up to the rear of the site to the east. A gravel track leads through the full length of the site (from the east to the west).

Application number 21/01808/REM granted approval of reserved matters (Access, Appearance, Landscaping, Layout and Scale) following outline approval for 70 Residential Dwellings, together with the provision of a New Access from High Street, Open Space and New Footpath/Cycle Ways and Doctors Surgery.

This non-material amendment submission seeks to amend house types and flats to comply with Nationally Described Space Standard (NDSS) including relocation of windows and doors, new floor plans and revised locations of visitor parking spaces and removal of path to southern boundary

The revised plans are set out below:

Approved Plan Drawing Nos. (21/01808/REM)	New Plans Drawing Nos. (25/00788/NMA)
19080dw2.210A -Amenity Space	19080dw2.210C -Amenity Space
19080wd2.01W - Proposed Site Plan	19080wd2.01Z - Proposed Site Plan
19080wd2.30J - Block Plan 1	19080wd2.30K - Block Plan 1
19080wd2.31H - Block Plan 2	19080wd2.31J - Block Plan 2
19080wd2.32H - Block Plan 3	19080wd2.32J - Block Plan 3
19080wd2.33I - Block Plan 4	19080wd2.33L - Block Plan 4
19080wd2.12E - S2A	19080wd2.12F - S2A

19080wd2.13D - S3	19080wd2.13E - S3
19080wd2.14F - S4B	19080wd2.14H - S4B
19080wd2.15C -S5C	19080wd2.15E -S5C
19080wd2.23E - S6B	19080wd2.23F - S6B
19080wd2.24D - S7	19080wd2.24F - S7
19080wd2.25B - S2B	19080wd2.25C - S2B
19080wd2.26A - S2C	19080wd2.26B- S2C
19080wd2.27A - S4A	19080wd2.27C - S4A
19080wd2.29A - S5B	19080wd2.29C- S5B
19080wd2.30A - S6A	19080wd2.30B - S6A
19080wd2.31B - S1A	19080wd2.31C - S1A
19080wd2.32C - S1B	19080wd2.32D - S1B
19080wd2.34 -S8	19080wd2.34A -S8
19080wd2.35 -S9	19080wd2.35B -S9
19080wd2.36F - S10	19080wd2.36I - S10
19080wd2.37 -S11	19080wd2.37A -S11
19080wd2.16D - R1A	19080wd2.16E - R1A
19080wd2.17E - R2	19080wd2.17F - R2
19080wd2.18F - R3	19080wd2.18G - R3
19080wd2.19E - Flat Block 1	19080wd2.19F - Flat Block 1
19080wd2.20F - Flat Block 2	19080wd2.20G - Flat Block 2
19080wd2.21F - Flat Block 1	19080wd2.21G - Flat Block 1
19080wd2.22E - Flat Block 2	19080wd2.22F - Flat Block 2

RELEVANT PLANNING HISTORY

18/02192/OUT - 70 residential dwellings, together with the provision of a new access from High St, open space and new footpaths/cycle ways and doctor's surgery - Approved 15.05.2019.

21/01810/OUT - Application for Outline Planning Permission for the Erection of up to 16 Dwellings and Associated Infrastructure Works and Access (Appearance, Landscaping, Layout and Scale to be considered at reserved matters stage) - Pending decision

23/01935/NMA - Non-material amendment to the wording of Condition 13 (Details of Attenuation Ponds) of 21/01808/REM to modify the trigger for the approval of details to allow the construction of part of the approved access onto High Street - Granted

24/01594/S106OB - Discharge of obligation S1 2.1-2.2 of planning permission 18/02192/OUT - Green Space Strategy - Granted

24/00529/CLPD - Lawful development certificate to confirm that plots 3 and 4 of planning permission 18/02192/OUT (full details of which were approved pursuant to 21/01808/REM) can be lawfully developed - Granted

Discharge of Condition Pursuant to 18/02192/OUT	Discharge of Condition Pursuant to 21/01808/REM
23/80393/COND- Discharge of Condition 19 (CEMP) and 26 (Affordable Housing) for 18/02192/OUT-Details discharged 12.12.2023	22/80264/COND-Conditional Information for 21/01808/REM: C10 (Highways - Mud)- Details Discharged 05.01.2023
23/80343/COND -Discharge of condition 23 (Archaeology) for 18/02192/OUT-Details Discharged 26.09.2023	22/80237/COND-Discharge of Condition 21 (Tree pit details) of 21/01808/REM- Condition Reply 05.01 2023
22/80129/COND-Application for approval of details reserved by condition C21 (Newts) attached to Planning Permission reference 18/02192/OUT-Details Discharged 16.08.2022	22/80238/COND-Discharge of condition 3 (Materials) to 21/01808/REM- Refused 04.10.2022
21/80269/COND- Application for approval of details reserved by conditions C17 (Surface Water Drainage), C18 (Foul Drainage), C20 (Ecology), C21 (Newts) attached to Planning Permission reference 18/02192/OUT-Details discharged 18.03.2022	
22/80260/COND-Conditional Information for 18/02192/OUT C19 (CEMP)-Refused 17.10.2022	

CONSULTATIONS

HDC Urban Design - support following amendments.

REPRESENTATIONS
N/A

SUMMARY OF ISSUES
Section 96A of the Town and Country Planning Act 1990 (as amended) 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. The main issue for consideration is whether the proposed amendment can be treated as 'non-material'.

Government guidance on non-material amendments is set out in the Planning Practice Guidance. This sets out that there is no statutory definition of 'non-material' because it will be dependent on the context of the overall scheme. An amendment that is non-material in one context may be material in another.

The changes proposed as shown on the submitted revised plans are summarised as:
Site Layout Changes
Northern edge
The amendments reconfigure the arrangement of car parking for Plots 27-38 backing onto the northern site boundary and replaces the tandem side drives previously approved for the 3B5P Plot 28 and 4B6P Plot 36 with frontage parking. The frontage parking approved for the 2B4P Plots 30 and 35 has been replaced with side drives. These changes together with minor amendments to the

spacing of units has resulted in relocating and concentrating the landscape breaks in front of Plots 34-35 and 30-31.

Visitor Parking
The amendments maintain the 14 visitor parking spaces previously approved but relocates the three parallel spaces to the south of the western shared surface street (south west of Plot 54) to the Communal Green, increasing the number of spaces from 4 to 6. The number of parallel spaces immediately south of the central flat block (Plots 63-70) has increased from 2 spaces to 3 spaces.

Southern Footpath
The proposal involves the removal of the southern footpath, however given the footpath on the north side of the spine road this is considered acceptable.

House Types and Flat Blocks
House Types
All house types have been amended in order to comply with NDSS requirements, the cill heights of the first-floor windows have also been raised to comply with the new Building Regulations Part O and ASHPs have been introduced on the rear elevations at ground floor level. The proposal also involves amendments to the internal arrangement of accommodation within house types.

Flat Blocks
Both flat blocks have been amended to accord with NDSS requirements. The cill heights of the first-floor windows have also been raised to comply with the new Building Regulations Part O and the internal arrangement of accommodation has been revised.

It is not considered the proposed amendments to the site layout, elevations and floor plans described would have any material adverse impact on the overall design of the approved development, nor would the amendments represent a material change to the original permission in the context of the overall scheme. Furthermore, the interests of a third party or body who were informed of the original decision would not be disadvantaged. It is therefore considered that the proposed amendments can be agreed as non-material.

*Conclusion
The proposed amendments are considered non-material in the context of the overall scheme and accord with the provisions of Section 96A of the Town and Country Planning Act 1990 (as amended).

The decision only relates to the non-material amendment sought and this is not a reissue of the original planning permission which still stands. The two documents should be read together.

CONTACT OFFICER:
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