Application Number: 25/02388/S73

TOWN & COUNTRY PLANNING ACT 1990

Section 73 amendment to planning permission

Mr Jon Jennings
Chaplin Farrant Ltd
Scarletts Business Park
Padlock Road
West Wratting
Cambridge
CB21 5LS

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

Proposal: variation of condition 2 to allow for amendments to the detached garages approved under planning application 22/00793/FUL

Site address: Stonely House 37 - 41 Main Road Stonely St Neots

Applicant: Mr Tom Salkield Atomica Ltd

in accordance with your application received on 19th December 2024 and plans (listed below) which form part of the application

Plan Type	Reference	Version	Date Received
Location Plan	S667-G-02		19.12.2024
Site Plan	03	Existing	04.04.2022
garage block	S667-G-01 Rev A		19.12.2024
Floor Plan/s	07 - Stonely House		16.06.2023
Elevations	08 - Stonely House		16.06.2023
Floor Plan/s	10 - new dwelling		04.04.2022
Elevations	11 - new dwelling		04.04.2022
Street Elevations	12		04.04.2022
Tree Protection Plan	Tree Protection Plan		04.04.2022
Site Plan	5667-G-03	Proposed	22.04.2025

Subject to the following condition/s.

C. Kerr

Clara Kerr
Chief Planning Officer

Date 25th April 2025

Pathfinder House, St Mary's Street
Huntingdon. PE29 3TN
Dmadmin@huntingdonshire.gov.uk

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1. Condition.
The development hereby permitted shall be begun before the 18th July 2026.

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

2. Condition.
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.
The external materials (roofing, brick, rainwater goods) shall be in accordance with condition discharge application reference 25/80052/COND as approved on the 13th March 2025 unless otherwise agreed in writing. The development shall be undertaken in accordance with those approved details and thereafter retained as such in perpetuity.

Reason: In the interests of visual amenity in accordance with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036.

4. Condition.
The external brickwork shall be in accordance with condition discharge application reference 25/80052/COND as approved on the 13th March 2025 unless otherwise agreed in writing. The development shall be undertaken in accordance with those approved details and thereafter retained as such in perpetuity.

Reason: In the interests of visual amenity in accordance with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036.

5. Condition.
The windows and roof lights shall be in accordance with condition discharge application reference 25/80052/COND as approved on the 13th March 2025 unless otherwise agreed in writing. The development shall be undertaken in accordance with those approved details and thereafter retained as such in perpetuity.

Reason: In the interests of the character and appearance of the conservation area and setting of Stonely House in accordance with Policies LP11, LP12 and LP34 of Huntingdonshire's Local Plan to 2036.

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6. Condition.
The hard and soft landscaping shall be carried out in accordance with condition discharge application reference 25/80051/COND approved on the 4th April 2025 unless otherwise agreed in writing.

Any trees or plants which are planted in connection with the approved soft landscape details which within a period of five years from planting, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of the same size and species as those originally approved, unless the Local Planning Authority gives written approval to any variation.

Reason: In the interests of visual amenity and to enhance the character and appearance of the site in accordance with Policies LP10, LP11 and LP12 of the Huntingdonshire Local Plan to 2036.

7. Condition.
The development hereby approved shall be carried out in accordance with the Tree Protection Plan and Accompanying Report submitted to the Local Planning Authority on 4th April 2022. The tree protection measures shall be implemented before any equipment, machinery, or materials are brought on to the site in connection with the works, be retained intact for the duration of the construction works and only be removed or altered with the prior written approval of the Local Planning Authority.

Any trees, shrubs or hedges subject to the protection measures which die or become severely damaged 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 the Local Planning Authority gives written approval to any variation.

Reason: To ensure suitable protection of the retained trees, shrubs and hedges (and if necessary their replacement) on and adjacent to the site; and in the interests of visual amenity, and to enhance the character and appearance of the site.

8. Condition.
The written scheme of investigation (WSI) shall be carried out in accordance with condition discharge application reference 25/80051/COND approved on the 4th April 2025 unless otherwise agreed in writing.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and

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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 national policies contained in the National Planning Policy Framework (MHCLG 2019).

9. Condition.
The foul and surface water drainage scheme for the site shall be carried out in accordance with the approved details within condition discharge application reference 25/80051/COND approved on the 4th April 2025 unless otherwise agreed in writing.

Reason: To ensure sustainable design and use of water and to minimise the risk of flooding due to surface water run-off in accordance with Policies LP12 and LP15 of the Huntingdonshire Local Plan to 2036.

10. Condition.
The biodiversity enhancements shall be carried out in accordance with condition discharge application reference 25/80051/COND approved on the 4th April 2025 unless otherwise agreed in writing and retained as such for the lifetime of the development.

Reason: To help minimise the impact of the development upon biodiversity and seek to secure a net gain in biodiversity in accordance with Policy LP30 of the Huntingdonshire Local Plan to 2036.

11. Condition.
Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

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

12. Condition.
Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

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

13. Condition.

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Prior to the first occupation of the development the proposed on-site parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and thereafter retained for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area and In the interests of highway safety in accordance with Policies LP12 and LP17 of the Huntingdonshire Local Plan to 2036.

14. Condition.
Prior to the first occupation of the dwellings hereby approved (or prior to the commencement of the proposed use) visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan No (3732/04 Rev B)

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.

15. Condition.
The cycle and bin stores shall be carried out in accordance with the approved details within condition discharge application reference 25/80051/COND approved on the 4th April 2025 unless otherwise agreed in writing.

Reason: In the interests of neighbour and visual amenity in accordance with the requirements of Policies LP12 and LP14 of the Huntingdonshire Local Plan to 2036.

16. Condition.
The parts of the south-east facing secondary window of bed 3 (of the new dwelling hereby approved) which are less than or equal to 1.7m above the floor of bed 3 shall be obscure glazed and fixed closed (unless otherwise approved in writing by the Local Planning Authority) prior to the occupation of the new dwelling and that obscure glazing and fixing shall be permanently retained thereafter.

Reason: In the interests of the privacy and amenity of the occupiers of 47 Main Road in accordance with policy LP14 of the Huntingdonshire Local Plan to 2036.

17. Condition.
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that order with or without modification), no development within Class A (enlargement, improvement or other alteration of a dwellinghouse), B (additions etc to the roof of a dwellinghouse), C (other

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alterations to the roof of a dwellinghouse), D (porches) or E (buildings etc incidental to the enjoyment of a dwellinghouse) of Part 1 of Schedule 2 of the Order shall take place to the new dwelling hereby approved without the prior written permission of the Local Planning Authority.

Reason: In the interests of visual amenity and the setting of the adjacent Listed Building in accordance with Policies LP12 and LP34 of the Huntingdonshire Local Plan to 2036.

18. Condition.
The residential dwelling(s) hereby approved shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(2) 'accessible and adaptable' prior to first occupation. Such provision shall be maintained for the lifetime of the development.

Reason: To ensure the adequate provision of accessible and adaptable dwellings in accordance with Policy LP25 of the Local Plan to 2036.

19. Condition.
The residential dwelling(s) hereby approved 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 prior to first occupation. Such provision shall be maintained for the lifetime of the development.

Reason: To ensure the adequate provision of water efficiency methods in accordance with Policy LP12 part j of the Local Plan to 2036.

20. Condition.
The materials to be used in the proposed works, hereby permitted, shall be as detailed in the Proposed Garage Plans ref S667-G-01 Rev A received by the local planning authority on 19th December 2023 unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the listed building and conservation area in accordance with Policies LP11, LP12 and LP34 of the Huntingdonshire Local Plan to 2036.

21. 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.

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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.

22. 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 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.

23. Note to applicant.
A fee is payable for each "request" when submitting details pursuant to a condition or conditions of this permission that require(s) details to be submitted to and approved by the Local Planning Authority (i.e. details submitted under Article 27 of the Town and Country Planning (General Development Procedure) Order 2015. Further details on what constitutes a "request" can be found in the "Guidance Note - Fees for confirmation of compliance with condition attached to a planning permission". The appropriate fee can be found in the "Planning Fees Form". Both documents can be viewed via www.huntingdonshire.gov.uk. The Local Planning Authority should give written confirmation within a period of 8 weeks from the date on which the request and fee are received.

24. Note to applicant.
In order to obtain an official postal address, any new buildings should be formally registered with Huntingdonshire District Council. Unregistered addresses cannot be passed to Royal Mail for allocation of postcodes. Applicants can find additional information, a scale of charges and an application form at www.huntingdonshire.gov.uk/streets-parking-transport/street-naming-and-numbering/ Alternatively, applicants can contact the Street Naming and Numbering Team on 01480 388353 or email at streetnaming@huntingdonshire.gov.uk. Please note new address cannot be assigned by the Council until the footings of any new buildings are in place.

25. Note to applicant.

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o Public Footpath No. 7, Kimbolton must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).
o Public Footpath No. 7, Kimbolton must not be used to access the development site unless the applicant is sure they have lawful authority to do so (it is an offence under S34 of the Road Traffic Act 1988 to drive on a Public Footpath without lawful authority)
o No alteration to the footpath's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).
o Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of Way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).
o The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).
o Members of the public on foot have the dominant right of passage along the public footpath; private vehicular users must 'give way' to them
o The Highways Authority has a duty to maintain Public Rights of Way in such a state as to be suitable for its intended use. (S41 Highways Act 1980 and S66 Wildlife & Countryside Act 1981). If the surface of the footpath is damaged as a result of increased motorised vehicle usage, the Highways Authority is only liable to maintain it to a footpath standard. Those with private vehicular rights will therefore be liable for making good the surface of the Public Right of Way.

Furthermore, the applicant may be required to temporarily close public rights of way whilst construction work is ongoing. Temporary Traffic Regulation Orders (TTROs) are processed by the County Council's Street Works Team and further information regarding this can be found on the County Council's website at https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highway-licences-and-permits/.

26. 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.

A brief for the recommended programme of archaeological works is available from this office upon request. Please see our website for CHET service charges



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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.

General Notes

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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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