Application Number: 24/02142/FUL

TOWN & COUNTRY PLANNING ACT 1990

Planning Permission

Mr Sean Bennett
Berrys
42 Headlands
Kettering
NN15 7HR

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

Proposal: Demolition of barn and construction of single self-build dwelling

Site address: Former Agricultural Building West Street Godmanchester

Applicant: Mr and Mrs Millward

in accordance with your application received on 18th November 2024 and plans (listed below) which form part of the application

Plan Type	Reference	Version	Date Received
Elevations	KA49425-BRY-NA-EL-A-09D		17.01.2025
Site Plan	KA49425-BRY-00-ST-A-05K		17.01.2025
Elevations	KA49425-BRY-NA-EL-A-08D		17.01.2025

C. Kerr

Clara Kerr
Chief Planning Officer

Date 16th May 2025

Huntingdonshire DISTRICT COUNCIL

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

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Location Plan	KA49425-BRY-00-PL-A-01D		18.11.2024
Floor Plan/s	KA49425-BRY-00-PL-A-06D		18.11.2024
Visibility Splay	SA49036-BRY-ST-PL-C-0001 A		18.11.2024
Floor Plan/s	KA49425-BRY-00-PL-A-07D		18.11.2024

Subject to the following condition/s.

1. Condition.

   The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   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.

   Notwithstanding the details shown on the plans hereby approved, no development above slab level shall take place until details of all the materials for the external surfaces of buildings to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

   (a) A plan(s) identifying the location of where the different materials are to be used within the development;

   (b) Details illustrating the choice of bricks, bonding, patterns and render colour;

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(c) The type, colour and texture of all materials to be used for the roof of the building(s);

(d) The profile, colour, material and method of attachment of rainwater goods including downpipes, gutters and hoppers;

(e) Non-masonry walling systems, cladding panels or other external screens; including colours, surface finishes/textures and relationships to glazing and roofing (this detail may consist of large-scale drawings and/or samples);

(f) Materials (including colour) for the construction of doors, windows (including method of opening), soffits and fascias;

(g) Materials for the construction of porch and any other canopies;

Details should include the product name and manufacturer where appropriate.

The development shall be carried out in accordance with the approved details.

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

4. Condition.

No development, except for demolition or site clearance, shall take place until details showing the finished floor levels of the proposed dwelling(s) in relation to the existing and proposed ground levels of the site and surrounding land has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure that before any development commences the impact on the amenity of the area can be fully assessed and protected in accordance with Policies LP12 and LP14 of the Huntingdonshire Local Plan to 2036.

5. Condition.

Notwithstanding the details shown on the plans hereby approved, no development above slab level shall commence, until details of the facilities for the provision of covered and secure cycle storage for three

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cycles in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the siting, appearance and materials. The facilities shall be provided in accordance with the approved details before the development to which it relates is occupied and shall be retained as such.

Reason: To ensure appropriate provision for the storage of cycles in accordance with Policy LP12 of the Huntingdonshire Local Plan to 2036 and the Huntingdonshire Design Guide SPD 2017.

6. Condition.

No development above slab level shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

(a) indications of all existing trees and hedgerows on the land and details of any to be retained; planting plans (which show the relationship to all underground services); written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

(b) boundary treatments indicating the positions, design, materials and type of boundary treatments to be erected;

(c) a hard landscaping plan, indicating location, manufacturer, type, colour and size;

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies LP11, LP12 and LP31 of the Huntingdonshire Local Plan to 2036.

7. Condition.

Prior to the first occupation of the development (or prior to commencement of the use hereby permitted) any gate or gates to the vehicular access shall be set back a minimum of 5m from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards.

Reason: In the interests of highway safety in accordance with Local Plan Policy LP17.

8. Condition.

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Prior to the first occupation of the development (or 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 and in accordance with Policy LP17 of the Huntingdonshire Local Plan to 2036.

9. Condition.

Prior to the first occupation of the development (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 Drawing No. KA49425 BRY 00 ST A 05 K.

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 Local Plan Policy LP17.

10. Condition.

A metalled surface shall be provided for a minimum distance of 5m along the access road from its junction with the public highway.

Reason: To prevent mud and extraneous material being deposited on the highway and in accordance with Policy LP17 of the Huntingdonshire Local Plan to 2036.

11. Condition.

The dwelling(s) hereby permitted 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 (or replacement standards) prior to first occupation. Such provision shall be maintained for the lifetime of the development.

Reason: In accordance with Policy LP12 of the Huntingdonshire Local Plan to 2036.

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Informative: The person carrying out building work must inform the building control body that the optional requirement for Water Efficiency (As set out in Approved Document G) and M4(2) applies.

12. Condition.

The dwelling(s) hereby permitted, shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(2) 'accessible and adaptable' (or replacement standard), prior to occupation. Such provision shall be maintained for the lifetime of the development.

Reason: To ensure the units are accessible and adaptable in accordance with Policy LP25 of the Huntingdonshire Local Plan to 2036.

13. Condition.

A. Site Investigation Information

No development (except demolition of above ground structures) shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a competent person and shall assess any contamination on the site, whether or not it originates from the site. Moreover, it must include;

(i) details of previous land uses;

(ii) a site investigation survey of the extent, scale and nature of contamination;

(iii) an assessment of the potential risks to;

a) human health,

b) property*,

c) adjoining land,

d) groundwaters and surface waters,

e) ecological systems and

f) archaeological sites and ancient monuments.

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* Property (existing or proposed) includes buildings, crops, livestock, pets, woodland and service lines and pipes

B. Submission of Remediation Scheme

Where contamination is found which poses unacceptable risks, as determined by the local planning authority in its response to (A), no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include;

(i) an options appraisal and remediation strategy;

(ii) remediation objectives and remediation criteria;

(iii) remediation works to be undertaken and the order in which the works will be progressed;

(iv) a verification scheme providing details of the data that will be collected in order to demonstrate that the works set out in (iii) have been completed and identifying any requirements for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action.

The scheme should be designed to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use.

C. Implementation of Approved Remediation Scheme

Where a detailed remediation scheme has been required and approved under (B), no occupation of any part of the permitted development which has been identified in the scheme as being subject to contamination shall take place until the approved scheme has been implemented and the verification report, including the results of sampling and monitoring carried out in accordance with the approved verification scheme to demonstrate that the site remediation criteria have been met, has been submitted to and approved in writing by the local planning authority. The report shall, if required by the local planning authority, also include a reassessment of the long-term monitoring of contaminant linkages, maintenance and arrangements for contingency action. The long-term monitoring and maintenance proposals shall be implemented as finally approved.

D. Reporting of Unexpected Contamination

If, during development, contamination not previously identified is found to be present at the site;

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(i) it shall be reported in writing to the local planning authority within 1 working day;

(ii) no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until site investigations have been undertaken and a remediation strategy has been submitted to and approved in writing by the local planning authority detailing how this unsuspected contamination will be dealt with;

(iii) the remediation strategy shall be implemented as approved;

(iv) no occupation of any part of the permitted development identified in the remediation strategy as being affected by the previously unidentified contamination shall take place until;

a) the approved scheme has been implemented in full and any verification report required by the scheme has been submitted to and approved in writing by the local planning authority;

b) if required by the local planning authority, any proposals for long-term monitoring of contaminant linkages, maintenance and arrangements for contingency action have been submitted to and approved in writing by the local planning authority.

(v) the long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, ecological systems and heritage assets, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the National Planning Policy Framework and Local Plan Policy LP14.

14. Condition.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that Order without modification, no structure shall be erected and no landscaping (unless those agreed by discharge of condition 6) shall take place within the rear and side garden of the dwelling hereby approved located to the south of the River Great Ouse, as shown on Appendix 2 within MTC Engineering's Flood risk Assessment (2946-FRA November 2024) with no permitted development within the 1 in 100 Year Plus Climate Change Flood Line as delineated on this plan.

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Reason: The garden to the north and west of the property is partially located within Flood Zone 3a and 3b (the functional floodplain). This condition is to ensure that there is no additional risk of flooding or alteration of the floodplain, which may reduce the flood plain and increase the risk of flooding both on and off the site in accordance with Local Plan Policy LP5 and LP15.

16. Condition.

The development, hereby permitted, shall not be occupied until all identified flood alleviation and mitigation measures have been completed in accordance with the Flood Risk Assessment by MTC Engineering reference 2946-FRA November 2024, received by the Local Planning Authority on 18.11.24 and letter by MTC engineers dated 14 January 2024, received by the Local Planning Authority on 15.11.24. The completed measures shall thereafter be retained in accordance with the approved measures. The completed measures shall be completed prior to occupation and thereafter be retained in accordance with the approved measures.

Reason: To prevent the increased risk of flooding in accordance Policy LP5 of the Huntingdonshire Local Plan to 2036.

17. Condition.

The development, hereby permitted, shall not be occupied until a Flood Warning and Evacuation Plan shall have been submitted to and approved in writing by the local planning authority The approved Flood Warning and Evacuation Plan shall be implemented in accordance with the approved details.

Reason: To prevent the increased risk of flooding in accordance Policy LP5 of the Huntingdonshire Local Plan to 2036.

18. Condition.

The development hereby approved shall be carried out in accordance with the recommended mitigation and safeguarding measures set out within the Bat and Great Crested Newt Survey Report by Allied Ecology dated June 2023 received by the Local Planning Authority on 18th November 2025.

Reason: In order to ensure that protected species in and around the site are protected in accordance with Policy LP30 of the Huntingdonshire Local Plan to 2036.

19. Condition.

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No development above slab level shall take place until a Biodiversity Method Statement which provides details of how the recommendations contained in the Preliminary Ecological Appraisal (PEA), by Greenwillows Associates Ltd, dated January 2023 and Ecological Verification Note by BMD dated November 2024 will be carried out has been submitted to and approved in writing by the Local Planning Authority. The details shall include but not be limited to; specification, location, timing, an implementation programme, maintenance, and monitoring. The development shall be carried out in accordance with the approved details.

Reason: To ensure the conservation and enhancement of on-site biodiversity in accordance with Policy LP30 of the Huntingdonshire Local Plan to 2036.

20. Condition.

The development hereby permitted shall be carried out in accordance with the submitted tree protection measures within the submitted Arboricultural Impact Assessment (AIA), Tree Survey Schedule and Tree Survey Legend By Greenwillows Associates Ltd, dated November 2022, received by the Local Planning Authority on 18th November 2024. The measures shall be implemented prior to the commencement of any development, demolition, clearance or other preparatory operations including excavations and shall be retained intact for the duration of the construction works.

Any trees, shrubs or hedges covered by the agreed protection measures, which die or become severely damaged either from natural causes or as a result of the construction works; during the construction works or 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 otherwise agreed in writing with the Local Planning Authority. Replacement planting to be undertaken by the end of the next available planting season.

Reason: To safeguard the retained trees, shrubs and hedges on and adjacent to the site and in the interests of visual amenity, and to enhance the character and appearance of the site in accordance with Policies LP12 and LP31 of the Huntingdonshire Local Plan to 2036.

21. Condition.

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The development hereby permitted shall consists exclusively of a dwelling which is self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.

Reason: For the development hereby permitted to be exempt from mandatory 10% Biodiversity Net Gain (BNG), as per Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

22. Condition.

Prior to the installation of the air source heat pump on the east elevation shown on drawing no. KA49425-BRY-00-ST-A-05K, full details and specification of the air source heat pump including its location and compliance with the latest CIEH guidance for heat pumps shall be submitted to and approved in writing by the local planning authority. The scheme shall be carried out as approved and shall be retained as such.

Reason: To protect the amenity of nearby properties in accordance with Policy LP14 of the Huntingdonshire Local Plan to 2036.

23. 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.

24. Note to applicant.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

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(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Huntingdonshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply:

4.8 The permission which has been granted is for development which is exempt being Self and Custom Build Development, meaning development which:

iv) consists of no more than 9 dwellings;

v) is carried out on a site which has an area no larger than 0.5 hectares; and

vi) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements

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have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and

ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

25. 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.

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.

26. Note to applicant.

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If this development involves work to the public highway, it will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

27. Note to applicant.

Please visit the below link for full CIEH guidance on compliance.

https://www.cieh.org/news/press-releases/2022/cieh-and-ioa-launch-new-heat-pump-briefing-notes/



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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.



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Street Naming and Numbering

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 388153 or email streetnaming@huntingdonshire.gov.uk. Please note new address cannot be assigned by the Council until the footings of any new buildings are in place.

General Notes

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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