Application Number: 25/00626/S73

TOWN & COUNTRY PLANNING ACT 1990

Section 73 amendment to planning permission

Mr David Mead
The Planning Partnership
14 Hilton Road
Fenstanton
Huntingdon
PE28 9LJ

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

Proposal: Erection of a dwelling following demolition of existing dwelling: Variation of Condition 2 (Approved Plans) to 24/01129/FUL to amend the proposed plans and proposal

Site address: 7 River Lane Brampton Huntingdon PE28 4PU

Applicant: Mr James Rust

in accordance with your application received on 31st March 2025 and plans (listed below) which form part of the application

Plan Type	Reference	Version	Date Received
Tree Protection Plan	24045-08		26.07.2024
Block Plan	BR-20-07-001	A	31.03.2025
Elevations	24050-07	D	31.03.2025
Floor Plan/s	24050-04	F	31.03.2025
Floor Plan/s	24050-03	F	31.03.2025
Floor Plan/s	24050-02	G	31.03.2025
Elevations	24050-08	C	31.03.2025
Location Plan	24045-08		26.06.2024
FOOTPRINT	24050-12	A	15.04.2025

Subject to the following condition/s.

C. Kerr

Clara Kerr
Chief Planning Officer

Date 23rd May 2025

Huntingdonshire DISTRICT COUNCIL

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1. Condition.
The development hereby permitted shall be begun before 18.10.2027.

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.
Not withstanding the details submitted, no development shall take place above slab level, other than demolition, until details of all external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. 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 Policy LP12 and LP34 of the Huntingdonshire Local Plan to 2036.

4. Condition.
Notwithstanding the details shown on the plans hereby approved, no development above slab level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating alternative sized windows to serve the dining room and Bedroom 3 on the western gable of the front elevation. Construction of the dwelling shall thereafter take place only in accordance with the approved details.

Reason - In the interests of visual amenity and to enhance the character and appearance of the site in accordance with Policy LP12 of the Huntingdonshire Local Plan to 2036.

5. 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);

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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.

6. Condition.
Notwithstanding the details shown on the plans hereby approved, no development above slab level shall commence, until details of the provision of bin stores for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include, siting, means of enclosure, appearance and materials where appropriate. The facilities shall be provided in accordance with the approved details before the development to which it relates is occupied and shall be retained and only used as such.

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

7. 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 secure covered cycle parking for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the siting, means of enclosure, cycle rack systems where appropriate, 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 secure storage of bicycles to encourage sustainable travel in accordance with Policies LP12, LP16 and LP17 of the Huntingdonshire Local Plan to 2036 and the Huntingdonshire Design Guide SPD 2017.

8. Condition.
The development, hereby permitted, shall not be occupied or brought into use until the parking has been laid out, levelled, surfaced and drained in accordance with approved drawing number 24050-02 Rev G and BR-20-07-001 Rev A and thereafter retained for that specific use.

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

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9. Condition.
No development above ground level, other than demolition, shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment dated June 2024 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies LP5, LP12 and LP15 of the Huntingdonshire Local Plan to 2036.

10. Condition.
The development, hereby permitted, shall not be occupied until all identified flood alleviation and protection measures have been completed in accordance with the submitted Flood Risk Assessment submitted on 26th June 2024. The completed measures shall thereafter be retained in accordance with the approved measures. The finished floor levels of the dwelling hereby approved shall be set no lower than 12.86m AOD as set out in the FRA.

Reason: To mitigate against flood risk and to ensure adequate surface water drainage in accordance with Policies LP2, LP5 and LP15 of Huntingdonshire's Local Plan to 2036.

11. Condition.
No development (or phase of), or any investigations required to assess the contamination of the site, shall commence until a Phase 1 Desk Top Study and a Phase 2 Site Investigation Strategy have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that before development commences, risks from land contamination to the future users of the land and neighbouring land are identified and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors as well as to controlled waters, property and ecological systems in accordance with Policies LP14 and LP37 of the Huntingdonshire Local Plan to 2036.

12. Condition.
No development (or phase of) shall commence until the following have been submitted to and approved in writing by the Local Planning Authority:

(a) A Phase 2 Intrusive Site Investigation Report, if required, based upon the findings of the approved Phase 1 Desk Top Study.
(b) A Phase 3 Remediation Strategy, if required, based upon the findings of the approved Phase 2 Intrusive Site Investigation Report.

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Reason: To ensure that before any development commences, any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Policies LP14 and LP37 of the Huntingdonshire Local Plan to 2036.

13. Condition.
The development (or each phase of the development where phased) shall not be occupied until the approved Phase 3 Remediation Strategy, if required, has been implemented in full.

Reason: To ensure that any contamination of the site is effectively remediated in the interests of environmental and public safety in accordance with Policies LP14 and LP37 of the Huntingdonshire Local Plan to 2036.

14. Condition.
The development (or each phase of the development where phased) shall not be occupied until a Phase 4 Verification/Validation Report demonstrating full compliance with the approved Phase 3 Remediation Strategy, if required, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Policies LP14 and LP37 of the Huntingdonshire Local Plan to 2036.

15. Condition.
If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination. The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Policies LP14 and LP37 of the Huntingdonshire Local Plan to 2036.

16. Condition.
The development hereby permitted shall be carried out in accordance with the submitted tree protection plan reference 24045-08 received by the Local Planning Authority on 26th July 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.

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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.

17. Condition.
Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no buildings, structures or works as defined within Part 1 of Schedule 2, class A (extensions) inclusive of that Order, shall be erected or undertaken on the site, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

Reason: To ensure flood risk is not increased within the site in accordance with Policies LP2, LP5 and LP15 of Huntingdonshire's Local Plan to 2036.

18. Condition.
The existing dwelling and garage shown on the location and layout plan reference: BR-20-07-001 RevA shall be demolished prior to the commencement of the replacement dwelling and garage hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

19. Condition.
The residential dwelling 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 Huntingdonshire's Local Plan to 2036.

20. Condition.
The proposed residential dwelling hereby approved shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement for water efficiency, as set

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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 Huntingdonshire's 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.

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

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give written confirmation within a period of 8 weeks from the date on which the request and fee are received.

24. Note to applicant.
Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

25. Note to applicant.
Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated, with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.

26. Note to applicant.
This site falls within the Alconbury & Ellington Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works.

Note: In some IDB districts, Byelaw consent may also be required.

27. Note to applicant.
The applicant is made aware that the permission hereby approved does not approve the outbuilding shown on the plans. This would require seperate planning permission.

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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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