OFFICER REPORT

Case No: 25/00626/S73 **Removal/Variation of Conditions**

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

Location: 7 River Lane Brampton Huntingdon

Applicant: Mr James Rust

Grid Ref: 521538 270128

DESCRIPTION OF SITE AND APPLICATION

This application seeks to amend the permission 24/01129/FUL which was for the erection of a replacement dwelling at No. 7 River Lane, Brampton. The proposal is to increase the height and scale of the dwelling.

The existing property to be demolished is two-storeys in height, detached, of a gable-end design with a rendered finish. The property includes a single-storey double garage.

The site is located on the east side of Brampton, on the north side of River Lane. The adopted Huntingdonshire Local Plan to 2036 identifies Brampton as comprising part of the Huntingdon Spatial Planning Area. The site is located within Flood Zone 2.

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

The proposals now show an outbuilding. This did not form part of the original description or permission and thus cannot be considered in this application.

NATIONAL GUIDANCE

The National Planning Policy Framework (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, beautiful and safe 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 May 2019
LP1: Amount of Development
LP2: Strategy for Development
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP6: Waste Water Management
LP7: Spatial Planning Areas
LP10: The Countryside
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP25: Housing Mix
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP33: Rural Buildings
Local policies are viewable at https://www.huntingdonshire.gov.uk

Supplementary Planning Documents (SPD) and Guidance:
Huntingdonshire Design Guide Supplementary Planning Document 2017
Developer Contributions SPD 2011
Huntingdonshire Landscape and Townscape SPD (2022)
Huntingdonshire Strategic Flood Risk Assessment (2024)
Cambridgeshire Flood and Water SPD 2017
LDF Developer Contributions SPD (2011)
Annual Monitoring Review regarding housing land supply (2024)
Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

The National Design Guide (2021)
* C1 - Understand and relate well to the site, its local and wider context
* I1 - Respond to existing local character and identity
* I2 - Well-designed, high quality and attractive
* B2 - Appropriate building types and forms
*M3 - Well-considered parking, servicing and utilities infrastructure for all users
* N3 - Support rich and varied biodiversity
* H1 - Healthy, comfortable and safe internal and external environment
* H2 - Well-related to external amenity and public spaces
* H3 - Attention to detail: storage, waste, servicing and utilities
Local policies are viewable at https://www.huntingdonshire.gov.uk

PLANNING HISTORY

24/01129/FUL - Erection of a dwelling following demolition of existing dwelling - 18.10.2024 GRANTED .

22/00062/HHFUL - Single storey rear and side extension, two storey side extension, front porch, changes to the roof, including raising the ridge height by 0.55 metres) and front and rear elevations windows and doors. Render and Zinc cladding to the exterior - GRANTED.

0201431CLED - Certificate of lawful development for retention of dwelling without occupancy restriction - Approved.

CONSULTATIONS

Anglian Water: Unable to make comment
LLFA: The amendment does not appear to have any surface water flood risk or drainage implications therefore we have no further comments to make.
UK Power Network: No objections
Alconbury and Ellington Drainage Board: Stated that they wish to make the same comments as previous application.
Parish Council: approved recommended subject to road maintenance after construction work.
Urban Design: No objection subject to condition.
Environmental Health: No objections subject to conditions.

REPRESENTATIONS

The application was advertised by :
- Site notice
- Neighbour letters and
- On the council website

No representations have been made.

ASSESSMENT

Main Considerations:
The Principle of Development
Design and Visual Amenity
Residential Amenity
Highway Safety
Flood Risk and Surface Water
Biodiversity
Impact on Trees
Developer Contributions
Accessible and Adaptable Homes
Water Efficiency

*The Principle of the Development
The principle of development was established in 2024 under application: 24/01129/FUL. This is expressed below:

It was felt that the site is located on the edge of the settlement of Brampton, which the adopted Huntingdonshire Local Plan to 2036 identifies as forming part of the Huntingdon Spatial Planning Area. As such, Policy LP7 of the adopted Local Plan is considered relevant.

Policy LP7 states that a proposal for housing development on a site which is additional to those allocated in the Local Plan will be supported where it is appropriately located within a built-up area of an identified Spatial Planning Area settlement.
The extents of the settlements' built-up areas are not defined on maps but are to be judged on a site-by-site basis.

The application site is considered to be on the edge but just within the built-up area of Brampton.

The site context ad policy has not changed and this s73 does not affect the principle.

As the proposal seeks approval for the erection of a replacement dwelling within the settlement of Brampton, the principle of development is considered to be acceptable in this instance, subject to all other planning matters being addressed.

The proposals now show an outbuilding. This did not form part of the original description or permission and thus cannot be considered in this application. The proposals are over 3m in height and forward of a principle elevation of the dwelling, thus would require separate planning permission and consideration.

*Design, Visual Amenity and Impact Upon the Character of the Area

Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context. Policy LP12 states that new development will be expected to be well designed and that a proposal will be supported where it can be demonstrated that it contributes positively to the area's character and identity and successfully integrates with adjoining buildings and landscape. This is also reflected in the Huntingdonshire Design Guide SPD and National Planning Policy Framework.

This application seeks approval for the erection of a replacement dwelling following the demolition of No. 7 River Lane, Brampton. The proposed dwelling would be two and a half storeys in height, comprising two main gables with a two-storey hipped roof element extending to the front of the property from the eastern gable. The dwelling would be constructed with a rendered finish with elements of Cambridge white bricks and boarding.

While the footprint and overall scale of the replacement dwelling would increase, given the property would be set back from the public highway by approximately 39m (compared to the existing - 32m) and would sit within a generous sized plot, the Local Planning Authority do not consider the increase to result in detrimental impacts on the character or appearance of the site, streetscene of River Lane or the surrounding area.

This s73 seeks to increase the height and scale of the dwelling as shown on the plan - New Dwelling Foot Print Comparison 24050-12 Rev A. This increases the footprint of the dwelling by 800m to the south, with the western wing moved westwards by 150mm. The plan also shows the increased height of the building by 250mm. Whilst the dwelling is of a notable scale and mass, given the limited increased height and footprint, there would be no significant harm to the character and visual amenity of the area.

The proposed dwelling would be constructed with a rendered finish with elements of Cambridge white bricks and boarding. Given the varied materials in the local vicinity and those used in the existing dwellinghouse, the proposed finishing materials are considered to be acceptable in principle. Specific details of the proposed finishing materials have not been provided and therefore a condition would be imposed on any planning permission granted to secure specific details of the proposed finishing materials.

The overall design and appearance of the proposed replacement dwelling is considered to be acceptable, utilising both traditional and modern features including the finishing materials, large portions of glazing on the front and rear elevations and a traditional, chimney. However, on the original permission the windows on the front elevation of the western gable were considered to be disproportionately small to the gable width and height to which they are located within and therefore, a condition was imposed on the planning permission to secure specific details of the proposed fenestration of the replacement dwelling. The current proposal has increased the width of the windows on the western gable of the front elevation (south). These windows now serve a dining area at ground floor and bed 3 at first floor, however a hierarchy of sizes vertically has not been provided, and the ground floor window is still disproportionately small. As such it is recommended that the dining area window be increased to a minimum of 1200mm in depth (to match the bedroom window above) or 1350mm in depth which would provide a hierarchy. This could be achieved via an amended condition.

The proposed development has not provided any specific details of the soft/hard landscaping scheme or boundary treatments and whether there would be any additions/alterations to the existing arrangements. As such, a condition would be imposed on any planning permission granted to secure specific details.

Overall, the proposed replacement is considered to be acceptable in terms of its scale, siting and design and therefore would not result in harm to the character or appearance of the site, the streetscene of River Lane or the surrounding area. As such, the proposal is deemed to be in accordance with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and the National Planning Policy Framework 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.

Given the distance to the closest neighbouring residential properties (approximately 70m from No. 3 Bradshaw Close and 77m to No. 2 River Lane), the proposed replacement dwelling and amended scheme considered in this application, is not considered to result in any overbearing, overshadowing, overlooking or loss of light impacts.

Furthermore, given the scale and nature of the proposal, it is not considered to result in any noise or general disturbance impacts on any neighbouring properties amenities.

As such, the proposal is considered to be acceptable with regard to its impact on residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework in this regard.

*Highway Safety
The proposal seeks approval for the erection of a replacement dwelling at No. 7 River Lane, Brampton. As a result of the proposed development, the existing access arrangements would remain unaltered and therefore are considered to be acceptable given the proposal would not result in any intensification of its use.

Furthermore, the proposal is considered to provide an adequate space for off-street car parking - including an integral double garage, and turning facilities to ensure that vehicles enter the public highway in a forward gear. A condition would be imposed on any planning permission granted to secure details of cycle storage in accordance with Policy LP17 of the adopted Local Plan.

Therefore, subject to appropriate conditions the proposal is considered acceptable in terms of its impact on highway safety and therefore accords with Policy LP17 of Huntingdonshire's Local Plan to 2036 and Section 9 of the National Planning Policy Framework in this regard.

*Flood Risk and surface water

The impact on flood risk would remain the same as the changes do not significantly increase the size of the dwelling. The original consideration is below.

The site is located within Flood Zone 2 based on the Council's 2017 Strategic Flood Risk Assessment (SFRA) and currently within Flood Zone 2 of the Environment Agency's Flood Map for Planning. However, the Environment Agency has confirmed that they intend to update the information in this area in the next revision period and following this update the site will be shown in Flood Zone 1.

In Flood Zone 2 'More Vulnerable' development e.g. residential dwellings, usually require application of the sequential test in accordance with paragraph 167 of the NPPF (2023).

Policies LP5, LP6, LP12 and LP15 seek to ensure that new developments mitigate against potential flooding, manage surface water and provide adequate water efficiency methods. With regard to other reasonably available sites with a lower risk of flooding, it is noted that the proposal is for a replacement dwelling within the site albeit on a slightly larger footprint. Given the presence of the existing dwelling the proposal is not considered to require the application of the sequential test or to increase flood risk at the site, as it would result in a 1 for 1 replacement of the existing dwelling and therefore there would be no net increase in dwellings within the site. Where the sequential test is passed the exceptions test needs to be considered.

The proposal is for a 2 storey dwelling with attached garage to be located in broadly the same position as the existing dwelling albeit on a larger footprint. It is acknowledged that planning permission was granted under 22/00062/HHFUL for various extensions and alterations to the dwelling. The new dwelling proposes a larger footprint than the existing dwelling, and officers consider the need to restrict any further increases to the footprint within this area of high flood risk.

It is therefore considered necessary to restrict permitted development rights by condition attached to the decision notice to ensure there is no additional net increase in floorspace which could be created utilising permitted development rights.

A Flood Risk Assessment has been submitted with the application and confirms that the finished floor levels of the building will be at a minimum of 12.86m AOD. A condition will be added to the decision notice in this regard to secure the mitigation measures.

The Environment Agency have no objections to the proposal but recommend that the mitigation measures proposed in the submitted Flood Risk Assessment are adhered to.

The LLFA have confirmed that they have no objection to the proposal and the application does not appear to have any significant impact on surface water flood risk or drainage implications. The Alconbury and Ellington Internal Drainage Board have commented that given the planned expansion of the proposed footprint of the dwelling, it is essential that the current soakaways have sufficient capacity to manage increased runoff from the enlarged impervious area. A condition requiring a detailed surface water drainage scheme for the site, based on the submitted Flood Risk Assessment dated June 2024 will therefore be imposed on any permission granted.

Overall, the proposal remains acceptable with regard to its impact on both flood risk and surface water and therefore accords with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework in this regard.

*Biodiversity
The NPPF (2023) states planning policies and decisions should contribute to and enhance the natural and local environment. Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible, through the planned retention, enhancement and creation of habitats and wildlife features, appropriate to the scale, type, and location of development.

The original application has been accompanied by a Preliminary Ecological Appraisal and protected species assessment. This concluded that the site offers low ecological value. No signs or evidence of protected, priority or rare species were identified. The report goes on to conclude that no further surveys are required. This would not have changed in the intervening period and the development impacts would be similar.

Whilst the proposal at this stage does not indicate any measures for biodiversity enhancement, given the scale and nature of the proposed development and the proposed replacement dwelling being located in a similar location to the existing, the Local Planning Authority are satisfied that the proposal would ensure no biodiversity net loss. As previously stated, a condition would be imposed on any planning permission granted to secure a soft landscaping scheme.

The application form states that the proposal is a self-build development by the existing owner of the property and is therefore exempt Biodiversity Net Gain as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended).

Overall, the proposal is deemed to broadly be in accordance with Policy LP30 of Huntingdonshire's Local and Section 15 of the National Planning Policy Framework in this regard.

*Impact on Trees

Policy LP31 of the Huntingdonshire Local Plan to 2036 requires proposals to demonstrate that the potential for adverse impacts on trees, woodland, hedges and hedgerows has been investigated and that a proposal will only be supported where it seeks to conserve and enhance any existing tree, woodland, hedge or hedgerow of value that would be affected by the proposed development.

The application site falls within proximity to a number of well-established trees including an area of Protected Trees (TPO: 015/96) on the western boundary of the site. It is noted that there are a number of trees near to the proposal which will require protection during construction. The Arboricultural Officer was consulted on the original proposal and had no objections, subject to a condition securing the submitted Tree Protection Plan.

Therefore, as the changes are small and do not encroach on any trees to a significantly greater degree, notwithstanding the required condition, the proposals are considered to accord with Policy LP31 of Huntingdonshire's Local Plan to 2036.

*Developer Contributions
Part H of the Developer Contributions SPD (2011) requires a payment towards refuse bins for new residential development. However, as the proposal seeks approval for the erection of a replacement dwelling that is currently occupied and served by a bin collection, a financial contribution is not considered to be required in this instance. The proposed development is therefore considered to accord with Policy LP4 of Huntingdonshire's Local Plan to 2036 and the Developers Contributions SPD (2011).

*Accessible and Adaptable Dwellings
Policy LP25 of the Huntingdonshire's Local Plan to 2036 seeks to ensure that all housing developments in the district offers a genuine choice of Accessible and adaptable dwellings that meet the requirements of residents: f. ensuring 100% of new dwellings, across all tenures provided, meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' (or replacement standards).

To ensure that the development can meet these standards a condition would be imposed on any permission that may be granted in this regard in accordance with Policy LP25 of Huntingdonshire's Local Plan to 2036.

*Water Efficiency
Policy LP12 (j) of the Local Plan to 2036 states that new dwellings must comply with the optional Building Regulation requirement for water efficiency set out in Approved Document G of the Building Regulations. A condition will be attached to any consent to ensure compliance with the above, in accordance with Policy LP12 (j) of Huntingdonshire's Local Plan to 2036.

*Other

*Community Infrastructure Levy (CIL)
The development will be CIL liable in accordance with the Council's adopted charging schedule; CIL payments will cover footpaths and access, health, community facilities, libraries and lifelong learning and education.

*Contaminated Land
Records show that the site was previously occupied by a quarry (gravel, sand and clay) which may have been filled with unknown potentially hazardous constituents. Environmental Health have therefore requested a condition requiring a land contamination risk assessment (and if necessary a remediation strategy) prior to commencement of development. The Agent had agreed to such a condition.

CONCLUSION

The proposed development is considered to be compliant with the relevant national and local policy as it remains:
*Acceptable in principle
And it:
* Is of an appropriate scale and design which is not significantly more harmful than the original permission ;
* Would not have a significantly detrimental impact upon the amenity of neighbours.
* Would not be detrimental to highway safety in the locality;
* Would not result in an increased risk of flooding in the locality;
* There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

No conditions have been discharged yet and thus will be re-imposed but relevantly changed to reflect this application.

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.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to **Hannah Hodges**