Application Number: 24/02395/S73

TOWN & COUNTRY PLANNING ACT 1990

Section 73 amendment to planning permission

Mrs Beth Elmore
The Design Partnership (Ely) Ltd
Claremont House
10 Station Road
Chatteris
Cambs
PE16 6AG

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

Proposal: Variation of Condition 2 (Plans) to 21/02494/FUL to accommodate the comments made by Anglian Water

Site address: North East Of 157 Duck Lane St Neots

Applicant: Mr Kyle Crush Marfleet and Blyth

in accordance with your application received on 20th December 2024 and plans (listed below) which form part of the application

Plan Type	Reference	Version	Date Received
Plans	CH-903-P9-01	Rev G	07.03.2025

Subject to the following condition/s.

1. Condition.
   The development hereby permitted shall be begun before the 13th December 2025.

   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.

C. Kerr

Clara Kerr
Chief Planning Officer

Date 21st March 2025

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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 roof tiles and facing brick shall be in accordance with condition discharge application reference 23/80143/COND as approved on the 24th August 2023 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, Policy A3 of the St Neots Neighbourhood Plan 2014-2029 (2016) and the NPPF (2024)

4. Condition.
The architectural details shall be in accordance with condition discharge application reference 23/80143/COND approved on the 24th August 2023 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, Policy A3 of the St Neots Neighbourhood Plan 2014-2029 (2016) and the NPPF (2024)

5. Condition.
The first-floor windows to the side (south-west) and north-east elevations of both plots serving the landing/stairwell and the rear (north-west) elevations of both plots serving the bathrooms, and the ground floor windows in both the south-west and north-east elevations serving the WC's hereby permitted shall be obscurely glazed and non-opening up to a height of 1700mm above internal finished floor level, prior to first occupation of the dwellings and thereafter retained as such for the lifetime of the development. The obscure glazing shall be to a minimum of Privacy Level 3 Pilkington Glass or equivalent.

Reason: In the interests of residential amenity in accordance with Policy LP14 of Huntingdonshire's Local Plan to 2036 and the NPPF (2024)

6. Condition.
Prior to the first occupation of the dwelling hereby permitted, the cycle storage shall be provided in full in accordance with the approved details within condition discharge application reference 23/80473/COND approved on the 21st November 2024 unless otherwise agreed in writing. The cycle parking shall be retained as such for the lifetime of the development.

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Reason: In order to support more sustainable methods of travel in accordance with Policies LP16 and LP17 of Huntingdonshire's Local Plan to 2036, Policy PT1 of the St Neots Neighbourhood Plan 2014-2029 (2016) and the NPPF (2024)

7. Condition.
The hard and soft landscaping shall be carried out in accordance with condition discharge application reference 23/80143/COND approved on the 24th August 2023 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 and residential amenity in accordance with Policies LP11, LP12 and LP14 of Huntingdonshire's Local Plan to 2036, Policy A3 of the St Neots Neighbourhood Plan 2014-2029 (2016) and the NPPF (2024)

8. Condition.
The biodiversity enhancements shall be carried out in accordance with condition discharge application reference 23/80143/COND approved on the 24th August 2023 unless otherwise agreed in writing and retained as such for the lifetime of the development.

Reason: To mitigate any biodiversity impacts and to achieve a biodiversity net gain in accordance with Policy LP30 of Huntingdonshire's Local Plan to 2036 and the NPPF (2024)

9. 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*,

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c. adjoining land,
d. groundwaters and surface waters,
e. ecological systems and
f. archaeological sites and ancient monuments.

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

B. Submission of Remediation Scheme

Where contaminated 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.

It is noted that Parts A and B have been approved in accordance with condition discharge application reference 23/80143/COND approved on the 24th August 2023.

It is noted that Parts C and D have been approved in accordance with condition discharge application reference 23/80473/COND approved on the 21st November 2024.

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 Policy LP37 of Huntingdonshire's Local Plan to 2036 and the NPPF (2024).

10. Condition.
The existing access to the garage block shall be permanently and effectively closed and the footway shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority within 28 days of the bringing into use of the new access.

Reason: In the interests of highway safety in accordance with Policy LP17 of Huntingdonshire's Local Plan to 2036 and the NPPF (2024)

11. Condition.
Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting

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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 Policy LP17 of Huntingdonshire's Local Plan to 2036 and the NPPF (2024).

12. Condition.
Prior to the first occupation of the development 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 Policy LP17 of Huntingdonshire's Local Plan to 2036 and the NPPF (2024).

13. Condition.
Prior to the first occupation of the development the proposed on-site parking 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, in the interests of highway safety in accordance with Policy LP17 of Huntingdonshire's Local Plan to 2036, Policy PT2 of the St Neots Neighbourhood Plan 2014-2029 (2016), and the NPPF (2024).

14. Condition.
The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with condition discharge application reference 23/80143/COND approved on the 24th August 2023 unless otherwise agreed in writing. The development shall thereafter be maintained as such.

Reason: To prevent surface water discharging to the highway in accordance with Policies LP15 and LP17 of Huntingdonshire's Local Plan to 2036 and the NPPF (2024).

15. Condition.
A metalled surface shall be provided for a minimum distance of 5m along the access road from its junction with the public highway and shall thereafter be maintained as such.

Reason: To prevent mud and extraneous material being deposited on the highway in the interests of highway safety in accordance with Policy LP17 of Huntingdonshire's Local Plan to 2036 and the NPPF (2024).

16. Condition.



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Prior to occupation of the first dwelling, the surface water drainage scheme for the site shall be implemented in accordance with condition discharge application reference 23/80143/COND approved on the 24th August 2023 unless otherwise agreed in writing. The development shall thereafter be maintained as such.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policies LP5, LP14, LP15 and LP37 of Huntingdonshire's Local Plan to 2036, Policy P4 of the St Neots Neighbourhood Plan 2014-2029 (2016) and the NPPF (2024).

17. Condition.
The long-term maintenance arrangements for the surface water drainage system (including all SuDS features) are to be carried out in accordance with the approved details within condition discharge application reference 23/80473/COND approved on the 21st November 2024 unless otherwise agreed in writing. The development shall thereafter be maintained as such.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 163 and 165 of the NPPF 2021 and to reduce the risk of flooding in accordance with Policies LP5 and LP15 of Huntingdonshire's Local Plan to 2036, Policy P4 of the St Neots Neighbourhood Plan 2014-2029 (2016) and the NPPF (2024).

18. Condition.
No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence and shall thereafter be maintained as such.

Reason: To ensure that surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts. In accordance with Policies LP5 and LP15 of Huntingdonshire's Local Plan to 2036, Policy P4 of the St Neots Neighbourhood Plan 2014-2029 (2016) and the NPPF (2024).

19. Condition.
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that order with or without modification), no development under schedule 2 part 1, classes A, B, and C

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or schedule 2 part 2 class A shall be undertaken without the express consent of the Local Planning Authority.

Reason: To enable the local Planning Authority to retain control of the approved development in the interests of visual and residential amenity in accordance with Policies LP11, LP12 and LP14 of Huntingdonshire's Local Plan to 2036 and the NPPF (2024).

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

22. Note to applicant.
Infiltration rates should be worked out in accordance with BRE 365/CIRIA 156. If infiltration methods are likely to be ineffective then discharge into a watercourse/surface water sewer may be appropriate; however, soakage testing will be required at a later stage to clarify this.

23. 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 season 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.

24. Note to applicant.
This development involves work to the public highway that 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.

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Please note that it is the applicants 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.

25. Note to applicant.
The development would benefit from home security lights to the front and rear which should be dusk to dawn LED bulkhead lights (having regard to residential amenity). The parking area would also benefit from some lighting provision and bollard lighting is not considered to be acceptable for this purpose. It is recommended that the cycle storage shed includes a ground anchor cemented within the concrete sub-base to allow residents to secure their cycles.

26. 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.

27. 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.

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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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