OFFICER REPORT

Case No: 25/00352/S73 **Removal/Variation of Conditions**

Proposal: **Variation of conditions 2, 3, 4, 5, 6, 7 and 8 of 23/02343/FUL to amend approved drawings to change design of dwelling and garage and amend wording of approved conditions.**

Location: **Land South West Of November Cottage Green End Great Stukeley**

Applicant: **Mr Duncan Boston**

Grid Ref: **522377 274346**

DESCRIPTION OF SITE AND APPLICATION

This application seeks approval for the variation of conditions 2, 3, 4, 5, 6, 7 and 8 of 23/02343/FUL to amend approved drawings to change the design of the approved dwelling and garage.

Application 23/02343/FUL granted approval for the erection of one dwelling on land south-west of November Cottage, Green End, Great Stukeley.

This application seeks various amendments to the layout and elevations of the proposed dwelling, along with an increase in ridge height as detailed in the proceeding sections of this report.

The proposal relates to a parcel of land measuring approximately 4140sqm which is located on the northwest side of Green End, to the southwest of November Cottage. The application site falls within Flood Zone 1 of the LPA's Strategic Flood Risk Assessment mapping (i.e., at low risk of flooding).

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

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
LP9: Small Settlements
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

The Stukeleys Neighbourhood Plan 2022-2036

Policy 1 - Definition of 'Built-up Area' (Settlement Boundary)

Local policies are viewable at https://www.huntingdonshire.gov.uk

Supplementary Planning Documents (SPD) and Guidance:

Huntingdonshire Strategic Flood Risk Assessment (2024)
Huntingdonshire Design Guide Supplementary Planning Document 2017
Developer Contributions SPD 2011
Huntingdonshire Landscape and Townscape SPD (2022)
Cambridgeshire Flood and Water SPD 2017
Annual Monitoring Review regarding housing land supply (2024)

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

23/02343/FUL - Erection of a detached 4 bedroom house and garage - Approved.

23/02204/S73 - Variation of conditions 2 (Plans) and 4 (Landscaping) of 18/01728/FUL - Approved.

23/01078/S73 - Variation of conditions 2 (Plans) and 4 (Landscaping) of 18/01728/FUL - Refused.

21/00825/FUL - Erection of three dwellings and garages including access - Approved.

20/0245/FULTDC - Erection of a dwelling following permission in principle approval - 19/00112/PIP - Approved.

19/00112/PIP - Permission in principle for the erection of one dwelling - Approved.

18/01728/FUL - New dwelling - Approved.

17/02261/FUL - Proposed development for 3 dwellings - Approved.

CONSULTATIONS

Stukeley Parish Council - No comments to make.

Cambridgeshire County Council Archaeology - No objections.

Cambridgeshire County Council Highway Authority - No objection. No changes are proposed to the access, therefore the conditions previously recommended are still applicable.

Huntingdonshire District Council Environmental Protection Officer - No objections

Huntingdonshire District Council Landscape and Biodiversity Officer - Initially requested further information and details to ensure the location of all existing trees and hedgerows to be retained and lost are shown on the submitted drawings, along with proposed soft landscaping and details of external lighting. Following the receipt of an Additional Landscape Specification confirmed the proposal is now considered acceptable.

Huntingdonshire District Council Arboricultural Officer - No objection. The updated Tree Protection plan provides sufficient protection to the retained trees during construction works.

REPRESENTATIONS

No third-party representations were received during the course of the application.

SUMMARY OF ISSUES

The Planning Practice Guidance (PPG) notes that there are instances where new issues may arise after planning permission has been granted, which require modification of the approved proposals. It advises where these modifications are fundamental or substantial, a new planning application will be required. Where less substantial changes are proposed a non-material amendment application can be submitted, or a minor material amendment (S73 application) where there is a relevant condition that can be varied. There is no statutory definition within the PPG of a 'minor material amendment' but it states that it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

The PPG advises that "Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning

permission under section 73 should also repeat the relevant conditions from the original planning permission unless they have already been discharged".
As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original consent.

Under this Section 73 application, it is proposed to vary conditions 2, 3, 4, 5, 6, 7 and 8 of planning permission 23/02343/FUL to amend approved drawings (cond 2) to change the design of the dwelling and garage whilst also submitting the information required by conditions 3-8 by amending them to compliance conditions.

- Condition 2 agreed the approved plans
- Condition 3 related to materials
- Condition 4 related to hard and soft landscaping
- Condition 5 related to the submission of a Tree Protection Plan
- Condition 6 related to the submission of a Biodiversity Method Statement
- Condition 7 related to the provision and implementation of foul and surface water
- Condition 8 related to the provision of secure covered cycle parking and wheeled bin storage

The main issue to consider in the determination of this application therefore is whether the amended scheme is acceptable in terms of

- Design and Visual Amenity
- Residential Amenity
- Highway Safety
- Flood Risk and Surface Water
- Biodiversity
- Impact on Trees

*Design and Visual Amenity

Policy LP11 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 Section 12 of the National Planning Policy Framework (2024).

Paragraph 140 of the National Planning Policy Framework states that local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

This application seeks to amend the layout and elevations of the proposed dwelling, creating a larger one and a half storey projection to the rear (northern elevation), removing the single storey central rear projection and creating a recessed entrance with gables either side, rather than the previously approved single, central gable projection. The ridge height of the proposed dwelling has also been increased from 9.35m to 9.54m in the main section, and from 7.25m to 7.5m in the one and a half storey elements extending both sides and the size and location of a number of windows has also changed. The design and location of the detached garage remains as per the previous approval, although the roofing material is now proposed to be slate to match the main dwelling.

There is a mixture of scale and style of dwelling in the vicinity and given the varied scale of properties in the vicinity and the generous plot size for the proposed dwelling, the increased scale is considered to be acceptable in this instance.

With regards to the design and materials of the dwelling, the proposal will now be very similar in design to the adjacent dwellings (plots 2 and 3) and the proposed materials, will also match those of the neighbouring properties. The style and appearance of dwellings along Green End, Great Stukeley is varied with both traditional and modern features and therefore the proposal is considered to be acceptable in this regard.

As such, the quality of the approved development is not considered to diminish as a result of the proposed changes and they are considered to be acceptable in relation to scale, design and appearance. Therefore, the proposal is deemed to be in accordance Policies LP11 and LP12 of the Huntingdonshire Local Plan to 2036, the Huntingdonshire Design Guide SPD and Sections 12 and 16 of the National Planning Policy Framework (2024) 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.

The proposed dwelling is not considered to result in any detrimental overbearing or overshadowing impacts on any neighbouring residential property as the two-storey dwelling would be located centrally within the site with one-and-a-half storey elements extending toward the shared boundaries within neighbouring properties. At its closest point, the proposed dwelling would be approximately 7.5m to the shared boundary with November Cottage (which is screened by boundary trees/planting which is proposed to be retained) and approximately 8.7m to the neighbouring boundary to the south-west.

The proposed dwelling would not result in any detrimental overlooking impacts on any neighbouring residential property as the proposed dwelling does not include any first-floor side elevation windows that would serve habitable rooms. An additional en-suite window is proposed on the north elevation, however, it is considered that a condition could be imposed to ensure that this window would be obscurely glazed as previously conditioned on other similar windows.

As such, the proposal is deemed to be in accordance with Policy LP14 of the adopted Huntingdonshire Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024).

*Highway Safety

The proposed changes to permission 23/02343/FUL include providing details of the proposed cycle store required under condition 8 with a cycle stand shown with the proposed garage store. This is considered to be acceptable.

No other changes to the access or parking arrangements are proposed as part of this Section 73 application and therefore the proposals are not considered to result in any impacts on highway safety.

As such, the proposal is deemed to be in accordance with Policies LP16 and LP17 of the adopted Huntingdonshire Local Plan to 2036 and Section 9 of the National Planning Policy Framework (2024) in this regard.

*Flood Risk

The application site is located within Flood Zone 1 as classified by the Huntingdonshire Strategic Flood Risk Assessment (2024) and the Environment Agency's Flood Map for Planning.

The proposal has been accompanied by a surface water drainage strategy report as part of this application. This confirms that SuDS will be provided and will comprise a geocellular soakaway below the driveway with the parking/driveway being largely of gravel construction. Foul drainage will be disposed of via the mains sewer and drawing P1000 Rev B shows the relevant connections. The proposed methods are considered to be acceptable.

Accordingly, subject to a compliance condition in relation to the drainage strategy, the proposal is considered to accord with Policy LP5 of the Huntingdonshire Local Plan to 2036 and the NPPF (2024) in this regard.

*Biodiversity

Paragraph 187 of the NPPF (2024) 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.

This application has been accompanied by a landscape specification detailing planting, management and maintenance and this is considered to accord with the Preliminary Ecological Appraisal (PEA) submitted with the previous planning permission granted (23/02343/FUL). Drawing P1000 Rev B also includes details and locations of bat and bird boxes in accordance with the recommendations of the PEA.

Lighting details have also been shown on the proposed elevations drawing P2000 which accord with the PEA recommendations and overcome the Landscape and Biodiversity officers concerns.

A condition would be imposed to ensure the development is carried out in strict accordance with the landscape specification and submitted plans.

Overall, the proposal is considered to broadly be in accordance with Policies LP30 and LP31 of Huntingdonshire's Local Plan to 2036 and Section 15 of the National Planning Policy Framework in this regard.

*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.

Tree protection measures are shown on drawing P1000 Rev B and the Arboricuultural Officer has confirmed that the Tree Protection Plan (TPP) shows appropriate locations for protective fencing. There are no other encroachments into RPA's and the building appears far enough away from retained trees to allow for growth. Accordingly the Arboricultural officer has confirmed that the updated TPP will provide sufficient protection. A compliance condition would be imposed to ensure development is carried out in strict accordance with the submitted details.

Overall, the proposal is considered to broadly be in accordance with Policy LP31 of Huntingdonshire's Local Plan to 2036 and Section 12 of the National Planning Policy Framework in this regard.

*Other matters

* 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.

*Bin UU:

Part H of the Developer Contributions SPD (2011) requires a payment towards refuse bins for new residential development. A Unilateral Undertaking to secure the provision of wheeled bins has been received dated 19th June 2025. The development is therefore considered to be in accordance with Policy LP4 of Huntingdonshire's Local Plan to 2036 in this regard.

*Conclusion

The proposed development is considered to be compliant with the relevant national and local policy as it is:

* Acceptable in terms of its visual impact;
* Acceptable in terms of impact on neighbouring properties amenities;
* Acceptable in terms of highway safety; and
* There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that this Section 73 application 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 **Jennifer Wallis**