OFFICER REPORT

Case No: 24/02139/S73 **Removal/Variation of Conditions**

Proposal: **Variation of Condition 2 (Approved Plan) of 23/00599/FUL to make minor amendments to the design.**

Location: **Land Between 65 And 67 Main Street Great Gidding**

Applicant: **Mr J Atkins**

Grid Ref: **511903 283486**

DESCRIPTION OF SITE AND APPLICATION

The site is located along the north-west side of Main Street between dwellings No. 65 And 67. The site is within the Great Gidding Conservation Area and is in close proximity to a Grade II Listed Building (No. 80 Main Street, Great Gidding).

Application number 23/00599/FUL granted permission for the change of use of land from agricultural to residential and the conversion and extension of the existing grain drier buildings to form one dwelling.

This application seeks to amend Condition 2 (Plans) to replace the floor plans, elevations, and site plan of the permitted dwelling. The applicants seek the following design changes to the dwelling:
-Glass panelling around the front elevation facing southeast.
-Installation of one timber window with stone cills on the northeast elevation.
-Reduction to the number of floor to ceiling panes of glass from three to one on the northeast elevation.
-The agricultural window with wooden lintol to be replaced with a timber window with stone cills on the northwest elevation.
-Omission of 2 windows and 1 door on the northwest elevation.
-Replace the three panel doors on the northwest elevation with glazed French doors.
-Installation of a utility room at ground floor between the bathroom and kitchen.
-Internal reconfiguration including the mission of some dividing walls.

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

NATIONAL GUIDANCE

The National Planning Policy Framework (20th December 2024) (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 2023 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 2023 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 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 15th May 2019):
LP1: Amount of Development
LP2: Strategy for Development
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
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
LP34: Heritage Assets and their Settings

Supplementary Planning Documents (SPD) and Guidance:
Landscape and Townscape SPD (2022) (adopted 17 March 2022)
Cambridgeshire Flood and Water SPD (2017) (adopted 20 April 2017)
Huntingdonshire Design Guide SPD (2017) (adopted 16 March 2017) and Huntingdonshire's Design Guide SPD 2017 - Compatibility Statement (2021)
Developer Contributions SPD (2011)
Huntingdonshire Tree Guidance Note 3
Annual Monitoring Review regarding housing land supply.

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

RELEVANT PLANNING HISTORY
23/00599/FUL-Change of use from agricultural to residential. The proposed development includes the retention, conversion and extension of the existing Grain Drier buildings for a single residential unit.-Permitted 18.09.2023

22/01317/FUL-Change of use from agricultural to residential. The proposed development includes the retention, conversion and extension of the existing Grain Drier buildings for a single residential unit.-Withdrawn 31.01.2023

20/70015/PENQ-Proposed barn conversion for residential development

CONSULTATIONS
Conservation Officer- No Objection. The proposal is considered to respect the rural and agricultural character and appearance of the Conservation Area and to maintain the contribution which the existing buildings make to the historic and evidential values which form the significance of the Conservation Area.

Environmental Health Officer- No Objection. This alteration of the proposed plans do not alter our original recommendation to set a condition requiring a land contamination risk assessment.

Parish Council- No Objection. The parish recommends approval.

CCC Highways Authority- No Objection. The Officer notes that the proposed changes relate to the dwelling only and the vehicular access has not been changed.

REPRESENTATIONS
One representation has been made in objection to the proposal raising the following concerns (as summarised):
-The proposed changes would result in the overlooking of No. 65's rear amenity space.

The material planning considerations raised by third parties will be addressed in the following sections of this report.

SUMMARY OF ISSUES
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".

The main issues to be considered in the determination of this application are as follows: -
*Principle of development
*Design, Visual Amenity and Impact on the Conservation Area.
*Impact upon Residential Amenity
*Other Matters

*Principle of development
The proposed amendments are set out in the above and all other parts of the development remain unchanged and therefore the previous planning permissions remain relevant and unamended. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. In this instance, the application seeks to vary condition 2 of 23/00599/FUL through the submission of amended and additional drawings and documents.

It should be noted that the principle of development has been established and will not be considered as part of this application. In determining an application under this section, Officers have regard to the development plan and all other material considerations.

* Design, Visual Amenity and Impact on the Conservation Area
The application site is located within Great Gidding Conservation Area whereby special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area as per Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. NPPF advice and Local Plan Policy LP 34 aligns with this statutory duty. Similarly, Local Plan Policies LP 11 and LP 12 state that development proposals will be supported where it is demonstrated that it responds positively to its context (LP 11), is well designed and demonstrates that it contributes positively to the area's character and identity and successfully integrates with adjoining buildings and landscape (LP 12).

The applicant seeks to change the floor and elevational plan (referenced 311_P_05 rev C) permitted and approved in condition 2 of 23/00599/FUL.

The applicants seek the following design changes to the fenestration of the dwelling permitted:
-Glass panelling around the front elevation facing southeast.
-Installation of one timber window with stone cills on the northeast elevation.
-Reduction to the number of floor to ceiling panes of glass from three to one on the northeast elevation.
-The agricultural window with wooden lintol to be replaced with a timber window with stone cills on the northwest elevation.
-Omission of 2 windows and 1 door on the northwest elevation.

-Replace the three panel doors on the northwest elevation with glazed French doors.
-Installation of a utility room at ground floor between the bathroom and kitchen.
-Internal reconfiguration including the mission of some dividing walls.

The Conservation Officer was consulted as part of this application and raised no objection to the proposed design amendments. The proposal retains the main barn/cattle shelter, stable, and open-sided buildings which provide a record of the historic agricultural use of the site, and maintains their contribution to the character and appearance of the Conservation Area. The proposed amendments to the approved design are minor and are sympathetic to the style of the existing buildings and their contribution to the street scene.

It is noted that the Conservation Officer's comments refer to the omission of the first floor. The approved first floor study is however, proposed to be converted into an ensuite and the approved living room with vaulted ceilings is proposed to be converted into a kitchen diner retaining the vaulted ceilings.

Overall, the proposal is considered to respect the rural and agricultural character and appearance of the Conservation Area and to maintain the contribution which the existing buildings make to the historic and evidential values which form the significance of the Conservation Area. The proposed amendments therefore accord with LP 11 LP 12, LP 34 of the Huntingdonshire Local Plan to 2036 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

*Impact upon 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.

Overlooking
The closest residential dwellings to the application site are No. 65 And 67 Main Street.

It is acknowledged third parties raised concerns the proposed alterations would result in the overlooking of the rear amenity space of No. 65 Main Street. The positioning of the dwelling within the application site is not to be altered as part of this proposal and as such the dwelling (at its closest point) shall be 6.4m from the common boundary with No.65. No windows are proposed on the closest outward projection to the adjacent neighbour. The remaining element of the barn is separated from the common boundary with No.65 by 17.27m. Whilst the southwest elevation has ground floor, floor to ceiling windows by virtue of the barn's separation distance and single storey design, the Local Planning Authority are satisfied that the proposal would not result in any detrimental overlooking impacts to the rear amenity space of No.65. It is also noted the applicants do not intend to alter the fenestration of the southwest elevation from what is already permitted.

It is noted that the fenestration on the northeast elevation facing No.67 has been altered as part of this application. The proposal includes the Installation of one timber window with stone cills but the reduction to the number of floor to ceiling panes of glass from three to one. The first-floor window would not pose any overlooking concerns for the adjacent neighbours given this only services a vaulted ceiling. The permitted extension is approximately 2.7m from the common boundary with No.67. Given the distance to the shared boundary, the single-storey nature and the proposed alterations would result in less openings on the northeast elevation the Local Planning Authority are satisfied that the proposal would not result in any detrimental overlooking impacts.

Given the above, 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 in this regard.

*Other matters

If approved, an application under Section 73 of the Town and Country Planning Act 1990, in effect issues a new, separate, planning permission. Subsequently, the conditions applied to the previous permission to which this application relates must be reviewed against the conditions test set out in paragraph 58 of the NPPF 2024. Should the conditions pass the test they shall be included on any approval of this application.

The wording of condition 1 (time limit) imposed on 23/00599/FUL will be amended so to not extend the time within which the works must be started in accordance with Section 19(5). The list of approved drawings will be varied to include the amended drawings. The wording of condition 2 (approved plans) will remain to ensure the development is carried out in accordance with the approved plans list.

*Conclusion
Having regard to national and local planning policies, and having taken all relevant material considerations into account, it is recommended that the application should be approved for the proposed amendments. It is recommended that the wording of all conditions on the original application (23/00599/FUL) be replicated on this application under section 73 of the Town and Country Planning Act 1990, excluding conditions 1 and 2 which shall be amended as outlined above

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CONTACT OFFICER:
Enquiries about this report to **Charlotte Dew**