Application Number: 24/02139/S73

TOWN & COUNTRY PLANNING ACT 1990

Section 73 amendment to planning permission

Mr R Swann
Swann Edwards Architecture Limited
Black Barn
Fen Road
Guyhirn
Wisbech
PE13 4AA
United Kingdom

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

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

Site address: Land Between 65 And 67 Main Street Great Gidding

Applicant: Mr J Atkins

in accordance with your application received on 18th November 2024 and plans (listed below) which form part of the application

Plan Type	Reference	Version	Date Received
Plans	PP1000		18.11.2024
Location Plan	311-p-01a		04.04.2023
Site and Block Plan	311-p-04a		04.04.2023
Site Plan	311-p-02		04.04.2023

Subject to the following condition/s.

1. Condition.
The development hereby permitted shall be begun before the 18.09.2026.

1. Reason.

C. Kerr

Clara Kerr
Chief Planning Officer

Date 8th January 2025

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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.

2. Reason.
For the avoidance of doubt to ensure that the development is carried out in accordance with the approved plans.

3. Condition.
Prior to the commencement of development above ground floor slab level, samples of the external materials (roofing, brick, rainwater goods) to be used in the construction of the proposed house shall be submitted to the Local Planning Authority for approval in writing by Local Planning Authority and thereafter the development shall be constructed with those approved materials.

3. Reason.
In the interests of visual amenity in accordance with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036.

4. Condition.
Prior to the commencement of the development hereby approved, a sample brick panel of approximately 1.00m x 1.00m shall be constructed on site showing the brick type, mortar and bonding for the external brickwork to be approved in writing by the Local Planning Authority. The external brickwork shall be completed in accordance with the approved sample panel.

4. Reason.
In the interests of visual amenity in accordance with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036.

5. Condition.
Prior to the commencement of development above ground floor slab level, detailed scale elevation and sections drawings of all proposed windows, doors and glazed screens including framing, glazing bars, lintels, sills and reveals shall be submitted to the LPA for approval in writing and thereafter the development shall be constructed in accordance with the approved details.

5. Reason.
In the interests of the character and appearance of the conservation area.

6. Condition.

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Notwithstanding the proposed flues shown on the submitted drawings, prior to the installation of any flues , detailed scale elevation drawings of the buildings and flues from all directions, including details of materials and finishes shall be submitted to the LPA for approval in writing and thereafter the development shall be constructed in accordance with the approved details.

6. Reason.
In the interests of visual amenity in accordance with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036. The current flues proposed which stand above the roof ridges of the buildings are intrusive and distracting features and should be amended so that the top of the flue is no higher than the roof ridge.

7. Condition.
No development above slab level shall take place in connection with the development hereby approved until full details of:
i. Hard landscape works, to include but not be limited to, full details of boundary treatments (including the position, height, design, material) to be erected and paved surfaces (including manufacturer, type, colour and size);
ii. Soft landscape works, to include planting plans (which show the relationship to all underground services and the drainage layout), written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants noting species, plant sizes, proposed numbers and densities, tree pit details (where appropriate) including, but not limited to, locations, soil volume in cubic metres, cross sections and dimensions;
iii. Full details of landscape maintenance regimes;
iv. An implementation programme for the landscape works;

have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out in full in accordance with the approved details.

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.

7. Reason.
In the interests of visual amenity and to enhance the character and appearance of the site in accordance with Policies LP10, LP11 and LP12 of the Huntingdonshire Local Plan to 2036.

8. Condition.
The development hereby approved shall be carried out in accordance with the submitted tree protection measures referenced East Midlands Tree Surveys Ltd., Tree Protection Plan (TPP) received by the Local Planning Authority on 4th April 2023. The tree protection measures shall be

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implemented before any equipment, machinery, or materials are brought on to the site in connection with the works, be retained intact for the duration of the construction works and only be removed or altered with the prior written approval of the Local Planning Authority.

Any trees, shrubs or hedges subject to the protection measures which die or become severely damaged 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 the Local Planning Authority gives written approval to any variation.

8. Reason.
To ensure suitable protection of the retained trees, shrubs and hedges (and if necessary their replacement) on and adjacent to the site; and in the interests of visual amenity, and to enhance the character and appearance of the site.

9. Condition.
No development shall commence until details of the foul and surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed in accordance with the approved details prior to the occupation of any part of the development hereby approved.

9. Reason.
To ensure sustainable design and use of water and to minimise the risk of flooding due to surface water run-off in accordance with Policies LP12 and LP15 of the Huntingdonshire Local Plan to 2036.

10. Condition.
The development shall be carried out in accordance with the recommendations set out in section 8 of the accompanying Phase 1 Habitat and Protected Species Survey carried out by ERAs Consultancy (dated 24th June 2022) received 4th April 2023.

10. Reason.
In the interest of conserving protected species in accordance with Policy LP30 of the Huntingdonshire Local Plan to 2036.

11. Condition.
No development above slab level shall take place until a detailed Biodiversity Enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. The details shall include but not be limited to; specification, location, timing, an implementation programme, maintenance, and monitoring. The development shall be carried out in accordance with the approved details.

11. Reason.

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To help minimise the impact of the development upon biodiversity and seek to secure a net gain in biodiversity in accordance with Policy LP30 of the Huntingdonshire Local Plan to 2036.

12. Condition.
Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting 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.

12. Reason.
In the interests of highway safety, in accordance with
Policy LP17 of the Local Plan to 2036.

13. Condition.
Prior to the first occupation of the development the proposed on-site parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and thereafter retained for that specific use.

13. Reason.
To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety, in accordance with
Policy LP17 of the Local Plan to 2036.

14. Condition.
Prior to the occupation of the development hereby permitted, full details of cycle and bin stores shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation of the development.

14. Reason.
In the interests of neighbour and visual amenity in accordance with the requirements of Policies LP12 and LP14 of the Huntingdonshire Local Plan to 2036.

15. 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;

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(iii) an assessment of the potential risks to;
a) human health,
b) property*,
c) adjoining land and
d) groundwaters and surface waters
* 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;
(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;

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(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.

15. 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 and property, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the National Planning Policy Framework.

16. Condition.
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that order with or without modification), no development within Class A (enlargement, improvement or other alteration of a dwellinghouse), B (additions etc to the roof of a dwellinghouse), C (other alterations to the roof of a dwellinghouse), D (porches) or E (buildings etc incidental to the enjoyment of a dwellinghouse) of Part 1 of Schedule 2 of the Order shall take place to the new dwelling hereby approved without the prior written permission of the Local Planning Authority.

16. Reason.
In the interests of visual amenity in accordance with Policies LP12 and LP34 of the Huntingdonshire Local Plan to 2036.

17. Condition.
The residential dwelling(s) 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.

17. Reason.
To ensure the adequate provision of accessible and adaptable dwellings in accordance with Policy LP25 of the Local Plan to 2036.

18. Condition.
The residential dwelling(s) hereby approved shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement for water efficiency, as set out in Approved Document G prior to first occupation. Such provision shall be maintained for the lifetime of the development.

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18. Reason.
To ensure the adequate provision of water efficiency methods in accordance with Policy LP12 part j of the Local Plan to 2036.

19. 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.

20. 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.

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

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22. Note to applicant.
In order to obtain an official postal address, any new buildings should be formally registered with Huntingdonshire District Council. Unregistered addresses cannot be passed to Royal Mail for allocation of postcodes. Applicants can find additional information, a scale of charges and an application form at www.huntingdonshire.gov.uk/streets-parking-transport/street-naming-and-numbering/ Alternatively, applicants can contact the Street Naming and Numbering Team on 01480 388353 or email at streetnaming@huntingdonshire.gov.uk. Please note new address cannot be assigned by the Council until the footings of any new buildings are in place.

23. Note to applicant.
With regard to the flues, these can comply with Building Regulations and be positioned so that their outlet is as high as the ridge rather than standing above it - see Building Regulations Diagram 17 Part J Building Regulations.

24. Note to applicant.
There is an associated Unilateral Undertaking (dated 12/09/23) for the payment of refuse bins provision with this planning permission.

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.

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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

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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