HUNTINGDONSHIRE DISTRICT COUNCIL

24/02095/NMA

OFFICER REPORT

Case No: **24/02095/NMA** **Non Material Amendment**

Proposal: **Non-material amendment of 21/01420/S73 to reword Condition 6 to refer to revised Written Scheme of Investigation and rewording of Condition 17 to remove reference to BWB Remediation Report to include reference to new report prepared by Georisk Management.**

Location: **RAF Upwood Ramsey Road Bury**

Applicant: **Mr Stephen Wilkins**

Grid Ref: **527570 283603**

DESCRIPTION OF SITE AND APPLICATION

This application relates to the former RAF Upwood and Upwood Hill House site which is located between the villages of Bury and Upwood, along with strips of land either side of Ramsey Road to the east, south and southwest of the main body of the site.

This application seeks to amend the wording of 2 planning conditions on the original approval notice Ref: 21/01420/S73. Condition 6 relating to a new revised WSI for the archaeological investigation and condition 17 to change documents to allow compliance with a newly updated remediation report.

RELEVANT PLANNING HISTORY

1201274OUT: Selective demolition and clearance of existing (former defence) buildings, environmental remediation and the carrying out of employment-led mixed use development comprising about 2 hectares of employment (Use Class Order B1 uses) (including the conversion and change of use of some buildings) and residential (not more than 160 dwellings) development, together with the provision of infrastructure and the laying out of ancillary open space. (Phased Development)
Approved 07.06.2022

20/00161/REM: Reserved Matters application for the approval of layout, scale, appearance and landscaping (including the discharge of condition 20) for the development of 160 new dwellings at RAF Upwood and Upwood Hill House, Ramsey Road, Bury
Approved 02.09.2020

21/01420/S73 - Variation of condition 10 (Off-site highway works) of 1201274OUT
Approved

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
LP1: Amount of Development
LP2: Strategy for Development
LP3: Green Infrastructure
LP4: Contributing to Infrastructure Delivery

LP5: Flood Risk
LP6: Waste Water Management
LP7: Spatial Planning Areas
LP11: Design Context
LP12: Design Implementation
LP13: Placemaking
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP24: Affordable Housing Provision
LP25: Housing Mix
LP29: Health Impact Assessment
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP34: Heritage Assets and their Settings
LP36: Air Quality
LP37: Ground Contamination and Groundwater Pollution

Allocation RA8 - Former RAF Upwood and Upwood Hill House, Bury

Bury Village Neighbourhood Plan 2019-2036 (Made 19th May 2021)
G1: Definition of 'Built-Up Area' (Settlement Boundary)
G2: Comprehensive Development of Former Airfield
ISF1: Sustainable Transport
ISF2: Highway Impact

Supplementary Planning Documents:
- Huntingdonshire Landscape and Townscape Supplementary Planning Document 2022
- Huntingdonshire Design Guide Supplementary Planning Document 2017
- Cambridgeshire Flood and Water Supplementary Planning Document April 2017

CONSULTATIONS

HDC Environmental Health – The new documents have been assessed and are satisfactory to be substituted as the working documents.

Cambridge County Council: Archaeological – The new WSI is acceptable and can be used in conjunction with the condition.

REPRESENTATIONS
None received at time of determination.

SUMMARY OF ISSUES

Section 96A of the Town and Country Planning Act 1990 (as amended) allows a Local Planning Authority (LPA) to make a change to any planning permission if it is satisfied that the amendment proposed is non-material. The main issue for consideration is whether the proposed amendment can be treated as 'non-material'.

Government guidance on non-material amendments is set out in the Planning Practice Guidance. This sets out that there is no statutory definition of 'non-material' because it will be dependent on the context of the overall scheme. An amendment that is non-material in one context may be

material in another.

The proposed NMA looks to supersede old reports for new ones, bringing technical information up to date. Both consultees are satisfied and in agreement that the reports are acceptable and can be agreed.

It is not considered that the proposed amendment would represent a material change to the original permission in the context of the overall scheme and can therefore be agreed as a non-material amendment. It is not considered the amendment would impact third party interests.

*Conclusion

The proposed amendment to the road junction and landscaping adjacent to Plots 46 and 49 is considered non-material in the context of the overall scheme and accords with the provisions of Section 96A of the Town and Country Planning Act 1990 (as amended).

The decision only relates to the non-material amendment sought and this is not a reissue of the original planning permission which still stands. The two documents should be read together.

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