OFFICER REPORT

Case No: 25/01063/S73 Removal/Variation of Conditions

Proposal: Variation of Condition 2 (Plans) and 3 (Materials) of 22/02530/HHFUL.

Location: 117 High Street Earith Huntingdon

Applicant: Mr Philip Mudge

Grid Ref: 538097 274836

DESCRIPTION OF SITE AND APPLICATION

The permitted development is 117 High Street, a two-storey detached dwellinghouse located in Earith. The Earith Conservation Area (CA) is to the east and south and there is a Grade ll Listed Building in the vicinity.

The original application (22/02530/HHFUL) was for the erection of a two-storey side extension, single storey front and rear extensions and some external alterations. It was approved in April 2023.

This application is for the Variation of Condition 2 (Plans) and 3 (Materials) of 22/02530/HHFUL to amend the materials to the original dwelling and the approved extensions.

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

NATIONAL GUIDANCE

The National Planning Policy Framework (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 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 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 15th May 2019)

LP11: Design Context

LP12: Design Implementation
LP14: Amenity
LP31: Trees, Woodland, Hedges and Hedgerows
LP34: Heritage Assets and their settings

Huntingdonshire Design Guide Supplementary Planning Document (2017):
* Place Making Principles - Parts 3.7 Building Form

Earith Conservation Area Character Assessment (June 2008)

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

PLANNING HISTORY
22/02530/HHFUL - Two storey side extension, single storey front and rear extension and external alterations. - Permission

CONSULTATIONS

Earith Parish Council recommend acceptance of the variations.

REPRESENTATIONS

None received at time of determination.

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 permission.

Whilst there is a presumption in favour of sustainable development, the National Planning Policy Framework defines sustainability as having three strands - social, economic and environmental. One of the NPPF's core principles is to achieve well-designed places and it is noted that "The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

The main issues to consider in the determination of this application are:
- o Design, Visual Amenity and impact on Heritage Assets
- o Residential amenity

Design, Visual Amenity and impact on Heritage Assets

Policies LP11 and LP12 of the Huntingdonshire Local Plan to 2036 state that developments should respond positively to their context, draw inspiration from the key characteristics of its surroundings and contribute positively to the area's character and identity.

Policy LP34 states that a proposal within, affecting the setting of, or affecting views into or out of, a conservation area should preserve, and wherever possible enhance, features that contribute positively to the area's character, appearance and setting as set out in character statements or other applicable documents.

Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

117 High Street is a two-storey detached dwellinghouse in Earith and lies adjacent to the Earith Conservation Area. There is a Grade II Listed Building (107 High Street) sited approx. 48 metres to the east. This application is for the variation of Condition 2 (Plans) and 3 (Materials) of 22/02530/HHFUL).

This application seeks to vary the design of the approved extensions. The approved materials were part cladding and part sand/cement render to the extensions, and render was to cover the original building facades. The proposed materials would now be fortex cladding in slate grey for the two-storey side extension and single-storey front and rear extensions and the retention of the existing brickwork to the host dwelling and the existing white garage door is to be retained. Officers have assessed the proposed variations and consider that the changes would be sympathetic to the host dwelling and the character and appearance of the surrounding area.

The site is adjacent to the Earith Conservation Area and the nearest Grade II Listed Building is No 107 High Street which is sited approx. 48 metres to the east of the application site. The proposed variation of materials to the approved application would have a neutral effect and would not cause any detrimental harm to the character and appearance of the adjacent Conservation Area or the nearby Grade II Listed Building. The site sits back from the main High Street and there would be minimal views from within the adjacent Conservation Area.

It is considered that harm will not be caused to these designated heritage assets because the proposed changes will not have a significantly detrimental impact upon either the character and appearance of the Conservation Area, or on the setting of the listed building. The proposal, therefore, accords with policies LP11, LP12 and LP34 of Huntingdonshire's Local Plan to 2036 (2019), the NPPF (2024) and the Planning (LBCA) Act 1990 (as amended) 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 proposal concerns a change to the approved materials. There would be no change to the scale and footprint of the approved application, and it is not considered that the changes in materials would result in any detrimental impact on the residential amenity of neighbouring properties to warrant refusal of the application.

Therefore, overall, the development is considered acceptable in terms of overshadowing, overlooking, loss of privacy, loss of light and would not have a significant impact upon residential amenity. The proposal, therefore, accords with LP14 of Huntingdonshire's Local Plan to 2036 (2019) in this regard.

Conclusion
The proposed development is considered to be compliant with the relevant national and local policy as it:
* Is of an appropriate scale and design;
* Would not have a significantly detrimental impact upon the amenity of neighbours.

There are no other material planning considerations which have a significant bearing on the determination of this application.

The proposed amendment to vary conditions 2 and 3 is considered to be relatively minor in relation to the wider site and will not fundamentally change the character of the development as approved.

It is therefore recommended that planning permission be granted. All conditions imposed under parent permission 22/02530/HHFUL will be repeated where relevant as per advice in the PPG.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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CONTACT OFFICER:
Enquiries about this report to **Robyn Kerrigan**