OFFICER REPORT

Case No: 25/01086/S73 Removal/Variation of Conditions

Proposal: Variation of Condition 2 (Plans) of 23/01651/LBC.

Location: 5 Earning Street Godmanchester Huntingdon

Applicant: Mr Charles Looker

Grid Ref: 524845 270368

DESCRIPTION OF SITE AND APPLICATION

5 Earning Street is Grade II Listed Building located in the Godmanchester Conservation Area. Historic England's the Listing describes the building as dated to 1625, 2 storeys, timber-framed (exposed on the street front), tile roof; rectangular plan with gabled cross wings at north and south ends. Whole upper storey to street front projects and gable of north cross wing also projects. Series of blocked original windows on ground floor and one on floor above.

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

The application is for the Variation of Condition 2 (Plans) of 23/01651/LBC, which was for replacement windows. The windows date from the 1980s, and are soft wood storm-proof windows with new windows copying Georgian sashes and simple flush closing casement windows with glazed Fineo slim double-glazing.

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)
LP34: Heritage Assets and their Settings

Godmanchester Neighbourhood Plan 2017 - 2036 (2017)
GMC10: Promoting Godmanchester's History and Heritage
GMC11: Ensuring development maintains and enhances the character of the Town and reflects its heritage and history
GMC12: Protecting and celebrating our heritage

Godmanchester (Earning Street) Conservation Character Area (July 2003)

Huntingdonshire Design Guide Supplementary Planning Document (2017):
* Place Making Principles – Part 3.8 Building Detailing

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

PLANNING HISTORY

1400450LBC - Take down and rebuild as Section A of kitchen garden wall. Re-point and repair Sections B and C. Approved.
1400449FUL - Take down and rebuild as Section A of kitchen garden wall. Re-point and repair Sections B and C. Approved.
21/00369/LBC - Replacement of back door. Approved.
22/00814/LBC - Install a total of 23 solar panels on four different parts of the roof of a stable block within the curtilage of listed buildings and in a conservation area. Withdrawn.
22/01222/HHFUL - Install a total of 23 solar panels on four different parts of the roof of a stable block within the curtilage of listed buildings and in a conservation area. Withdrawn.
23/01651/LBC - Replacement Windows. Approved.

CONSULTATIONS

Godmanchester Town Council - no objections to the variation of the condition, as long as the Conservation Officer is happy with the proposed change.

HDC Conservation Team – no objections to the application. It is noted that the changes concern the glazing details for two modern French doors and their replacement with the revised glazing will still be an enhancement.

REPRESENTATIONS

No objections 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 principle of a dwelling on the site has been approved through the grant of permission of application 22/00793/FUL for the renovation and extension of existing listed building, demolition and reconstruction of outbuilding to rear, erection of 1 No. proposed dwelling, detached garage and associated works. The main issues to consider in the determination of this application therefore are whether the amended scheme in acceptable in terms of:

o Design, Visual Amenity and Impact on Heritage Assets

*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.

The application will impact a Listed Building that is within the Godmanchester (Earning Street) Conservation Area and within the curtilage of a listed building.

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.

Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Para. 212 of the NPPF set out that ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’. Para. 213 states that ‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification…’

Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.

The Council will consider the significance of a designated heritage asset and where there is less than substantial harm, this will be weighed against the public benefits of the proposal. Where there

is deemed to be substantial harm, then the proposal would need to achieve substantial public benefits to outweigh that harm.

The proposal concerns changes to the glazing details for two pairs of French doors.

The Conservation Team has been consulted on the proposal and has no objection to the proposed changes. It is noted that the changes concern the glazing details for replacing two pairs of French doors, W1 and W2. Both pairs of existing French doors are modern and their replacement with the revised glazing will still be an enhancement.

Therefore, it is considered that the scale, bulk and design of the development complements the host building and would not harm the general character of the area.

Officers have given special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area and the setting of the Listed Building. 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.

*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 harmful impact upon the character and appearance of the area.

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

The proposed amendment to vary condition 2 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 the previously approved application reference 23/01651/LBC will be repeated, where relevant and amended to compliance conditions where the conditions have been discharged, 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 **Olivia Manton**