OFFICER REPORT

Case No: 25/00598/S73 **Removal/Variation of Conditions**

Proposal: **Proposed erection of No. 2 dwellings and the insertion of additional vehicular and pedestrian access point following the demolition of the existing barn: Variation of condition 2 for 22/02051/FUL to amended plans for plot 2**

Location: **Former 79 Ugg Mere Court Road Ramsey St Marys**

Applicant: **Mr S Train**

Grid Ref: **525484 286678**

DESCRIPTION OF SITE AND APPLICATION

The application site comprises a parcel of land formerly containing a barn to the rear of the site, with the remainder of the site laid to grass with a gravel access off Ugg Mere Court Road. The site is located to the south of No 77 Ugg Mere Court Road in between Ramsey St Marys and Ramsey Heights.

The site is surrounded by open countryside to the east, south and west, whilst to the north is a pair of semi-detached dwellings (Nos 77 & 75 Ugg Mere Court Road). The site is located outside of the village of Ramsey St Marys and Ramsey Heights and therefore within the open countryside. Housing development within the immediate area typically comprises sporadic linear development with houses fronting either side of Ugg Mere Court Road at intervals.

The site is located in Flood Zone 2 and 3a of the Huntingdonshire Strategic Flood Risk Assessment 2024 and Flood Zone 2 and 3 of the Environment Agency's Flood Map for Planning. There are no designated heritage assets in the immediate vicinity.

Planning permission (reference 22/02051/FUL) was granted on 20th March 2023 for 'Proposed erection of No. 2 dwellings and the insertion of additional vehicular and pedestrian access point following the demolition of the existing barn.' This application seeks to vary condition 2 (approved plans) to make alterations to the approved plans for plot 2. Plot 1 appears to be complete and occupied and Plot 2 is substantially built.

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, 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 May 2019
*LP1: Amount of Development
*LP2: Strategy for Development
*LP4: Contributing to Infrastructure Delivery
*LP5: Flood Risk
*LP6: Waste Water Management
*LP9: Small Settlements
*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 Setting

Supplementary Planning Documents (SPD) and Guidance:
*Huntingdonshire Design Guide SPD (2017)
*Huntingdonshire Townscape and Landscape Assessment SPD (2022)
*Developer Contributions SPD (2011)
*Cambridgeshire Flood and Water SPD (2017)
*Huntingdonshire Tree Guidance Note 3
*Annual Monitoring Report, regarding housing land supply.

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

PLANNING HISTORY

23/80238/COND - Discharge of Conditions 3 (Materials), 4 (Architectural details), 5 (Landscaping), 6 (Contamination), 7 (Surface water drainage), 8 (Foul drainage), 9 (BMS), 15 (Access Details), 17 (Access drainage) of 22/02051/FUL - Approved

22/02051/FUL - Proposed erection of No. 2 dwellings and the insertion of additional vehicular and pedestrian access point following the demolition of the existing barn - Approved

22/01330/FUL - Proposed erection of No. 2 dwellings and the relocation of the access point following the demolition of the existing barn - Withdrawn

21/80095/COND - Conditional Information for 18/02395/FUL: C3 (Materials), C4 (Hard and Soft Landscape Works), C6 (Levels), C9 (HDMC 12) - Discharged

21/01582/S73 - Variation of condition 2 (plans) to 18/02395/FUL for Minor changes to approved plans - Granted

18/02395/FUL - Erection of No. 2 dwellings and the creation of an additional access point following the demolition of the existing barn - Granted

CONSULTATIONS

Parish Council - No comments received.

Anglian Water - We have reviewed the submitted documents with the variation of condition and there are no drainage related documents therefore we are unable to make comments on the above application.

HDC Conservation - No comments.

Environment Agency - No objection. Our comments for application 22/02051/FUL remain valid. We have no additional comments to make in respect to the variation.

HDC Environmental Health - No objections to this proposal with regard to environmental health matters. The land has already been assessed for potential contamination under the former planning consent 22/02051/FUL.

HDC Urban Design - Minor amendments are recommended to the design of the hipped roof and the arrangement of doors and windows to reduce the perceived gable depth of the dwelling, reinforce the traditional appearance of the unit and break up the blank south facing gable.

CCC Highways - I can see no difference in relation to the access for plot 2 from previous application 22/02051/FUL only the design of the building appears to have been altered. Given the above I would reiterate the original comments and conditions requested.

REPRESENTATIONS

None received.

SUMMARY OF ISSUES

The main issues to consider in the determination of this application are:

- Principle of development
- Design, Visual Amenity and Impact on the Character and Appearance of the Area
- Residential Amenity
- Highway Safety and Access
- Biodiversity
- Flood Risk and Drainage
- Other matters

*Principle of development

The proposed amendments are set out above and all other parts of the development remain unchanged and therefore the previous planning permission remains 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 (Approved Plans) through the submission of amended drawings.

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 Character and Appearance of the Area

Policies LP11 and LP12 of Huntingdonshire's 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.

The amendments to Plot 2 to change the footprint from an L-shape to a square footprint with a deeper plan form by infilling over the single storey dining / utility is acceptable. No changes are proposed to the eaves and ridge height or the facing materials. HDC's Urban Design Officer has raised concerns in relation to the roof form, the revised porch and fenestration on the front elevation and the blank side south facing gable now proposed. A dwelling has been constructed to the south of Plot 2 (pursuant to application reference 24/01128/FUL) which obscures the south elevation of Plot 2 in views from Ugg Mere Court Road given its siting further forward in its plot. It is not considered the revised roof form, porch or blank south elevation would appear prominent within the street scene or detrimental to the character and appearance of the area.

Overall, the proposed amendments to the design and layout of the development are acceptable. Conditions 3, 4 and 4 on the original permission required details of materials, architectural details and landscaping which have been discharged under 23/80238/COND and it is recommended that these conditions be reimposed but amended to ensure compliance with the approved details. The proposal is considered to accord with Policies LP11 and LP12 of the Huntingdonshire Local Plan to 2036, the Huntingdonshire Design Guide (2017) and the NPPF (2024).

*Residential Amenity

Policy LP14 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of a proposed development and maintained for users and occupiers of neighbouring land and buildings. The proposed amendments do not otherwise change the nature of the development in comparison to the approved application, with only minor changes to the design of Plot 2 proposed. The amended plans have removed all windows on the south elevation which ensures no overlooking or loss of privacy to the newly constructed dwelling to the south (pursuant to application reference 24/01128/FUL). It is not considered the amendments to the roof form or porch would give rise to material adverse impacts on this dwelling, or Plot 1 to the north.

Overall, it is not considered the proposed amendments to the design of the buildings would materially alter the impacts of the development on neighbour amenity. The proposal is considered to accord with Policy LP14 of the Local Plan.

*Highway Safety, Access and Parking Provision

Policies LP16 and LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.

The proposal retains the level of parking approved within the site and would not otherwise alter the access arrangements or materially change the level or type of vehicle movement associated with the development. The Highway Team at Cambridgeshire County Council has raised no objections to the proposed amendments, subject to the conditions on the original permission being reimposed. The proposal therefore remains in accordance with policies LP16 and LP17 of the Local Plan.

*Biodiversity

Policy LP30 of the Local Plan requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible. Subject to conditions being reimposed ensuring compliance with the previously submitted Preliminary Ecological Appraisal and the Biodiversity Method Statement approved under 23/80238/COND, it is considered the proposal complies with Policy LP30 of the Local Plan and the NPPF 2024.

*Flooding and Drainage

Policy LP5 of the Local Plan states that a proposal will only be supported where all forms of flood risk have been addressed. The proposed amendments do not alter the assessment on flood risk carried out under the original application and set out in the related officer report (reference 22/02051/FUL). Details of surface and foul water drainage have been approved under 23/80238/COND and it is recommended that those conditions are amended to ensure compliance with the approved details. The proposal would comply with Policies LP6, LP12 and LP15 of the Local Plan in this regard.

*Other matters

An application under Section 73 of the Town and Country Planning Act 1990, if approved, has the effect of the issue of a new, separate, planning permission. Consequently, the conditions applied to the previous permission to which this application relates must be reviewed and added to any approval of this application where they would pass the tests of conditions set out in paragraph 56 of the NPPF.

Condition 1 (time limit) will not be reimposed as the original permission has already been implemented with the construction of Plot 1. The list of approved drawings will be varied to include the amended drawings and the wording of condition 2 (approved plans) will remain to ensure the development is carried out in accordance with the approved plans list. Details for conditions 3, 4 and 5 (materials, architectural details and landscaping) have been approved under 23/80238/COND and these can be amended to compliance conditions. Condition 6 (contamination) parts A, B and D have been discharged under 23/80238/COND and the condition wording will be amended accordingly. Conditions 7, 8, 9 and 10 in related to drainage and ecology will be amended to compliance conditions as outlined earlier in the report. Conditions 11, 12, 13, 14 and 16 are highways compliance conditions and will be reimposed. Condition 15 can be removed as the applicant confirmed under 23/80238/COND that there was no ditch to the front of the site as stated by the condition. Condition 17 (access drainage) will be amended to comply with the details approved under 23/80238/COND. Condition 18 and 19 require windows to be obscure glazed and will be reimposed. The wording of condition 19 will be updated to refer to the new drawing for Plot 2 submitted under this application.

*Conclusion
Having regard to national and local planning policies, and having taken all relevant material considerations into account, it is recommended that application should be approved for the proposed amendments. It is recommended that the wording of all conditions on the original application be replicated on this application under section 73 of the Town and Country Planning Act 1990, excluding those conditions which will be amended as outlined within this report.

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CONTACT OFFICER:
Enquiries about this report to **Lucy Pateman**