OFFICER REPORT

Case No: 25/00456/S73 Removal/Variation of Conditions

Proposal: Variation of condition 4 (Hours of Operation) to allow for extended opening hours of the office building to two evenings per month and every Saturday for 21/01141/FUL as amended by 22/00160/S73

Location: Little Paxton Parish Council 38 High Street Little Paxton

Applicant: Mrs Gellatly

Grid Ref: 518894 262918

DESCRIPTION OF SITE AND APPLICATION

The application site is Little Paxton Village Hall Car Park. It lies within Flood Zone 1 and there are no other constraints relevant to the site.

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

Application number 21/01141/FUL approved the erection of a Parish Council office building with associated public toilet. A S73 application (22/00160/S73) was approved in May 2022 to extend the opening hours of the public toilet from 8am to 8pm seven days per week.

This application seeks to further vary Condition 4 (hours of operation) of 21/01141/FUL as amended by 22/00160/S73 in order to extend the operating hours of the office and associated sections of the building to 9pm for two evenings per month for meetings and to permit the use of the space on Saturdays to support local events on the playing field, including storage and other temporary support.

Condition 4 of planning application 21/01141/FUL, as amended by 22/00160/S73 states:
The hours of occupation/operation of the office and associated sections of the building hereby approved shall not exceed:
07:30 - 18:00 each day Monday to Friday None on Saturday's, Sundays, bank and public holidays.
This is with the exception of the public toilet which shall operate between the hours of 08:00 - 20:00 seven days per week (inclusive of bank and public holidays).
The hours of operation shall not exceed these limits without first obtaining the written consent of the Local Planning Authority

The original application (21/01141/FUL) was for a Parish council office building with public toilet, which allowed the hours of operation to be from 7.30am to 6pm Monday to Friday.

It is noted that all consultees and neighbours have been reconsulted during the lifetime of the application, as it was considered that the original description did not correctly describe the current proposal.

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)

LP2: Strategy for Development
LP7: Spatial Planning Areas
LP14: Amenity
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP22: Local Services and Community Facilities

Supplementary Planning Documents:

Huntingdonshire Design Guide Supplementary Planning Document (2017)

RELEVANT PLANNING HISTORY

21/01141/FUL - Parish Council office building with public toilet – permission granted 20.10.2021
22/00160/S73 - Variation of condition 4 (Hours of Operation) for 21/01141/FUL to extend the opening hours of the public toilet – permission granted 20.05.2022
22/80027/COND - Conditional Information for 22/00160/S73: C6 (Tree Protection Measures) – discharged 23.09.2022
23/01800/NMA - Non Material Amendment for the Removal of roof lights on 21/01141/FUL as amended by 22/00160/S73 – consent granted 10.11.2023

CONSULTATIONS

Little Paxton Parish Council were consulted but no representations have been received at the time of determination. This is likely to be for probity reasons as the Parish Council are the applicants.

HDC's Environmental Health Team - no objection. Noise implications related to the extended opening hours have been considered, as the building is located close to residential dwellings. It is proposed that Saturday from 7:30 to 18:00 and evening meetings vacated by 22:30 to ensure vehicles are driven away by 23:00 is acceptable. The two evening meetings must not include Saturdays, Sundays, bank and public holidays. Any alterations to these times would require re-consultation.

Officer comment: The comments above are noted. The Parish Council has requested the additional opening hours of the two evenings to 9pm and Saturdays 8am - 6pm, therefore the suggested times are acceptable.

CCC Highways Department – no objection. It is noted that the proposal is not considered to have any adverse impact upon the operation of the highway network. The extension of the operation hours is unlikely to result in a significant increase in vehicle movements.

REPRESENTATIONS

One response received from the property adjacent to the building, with comments summarised below:

- Clarification is sought as to which building the application refers to – the Village Hall or the Council Office?
- No objection to the use of the Council Office for 2 evening meetings per month.
- Time frame requested for Saturday use
- Concern that the council office has already reduced parking in the Playing Field car park, which parking impacting residents of The Rookery. The Council has not consulted with residents and made no provision to ensure that traffic does not increase further.
- Application form states food and equipment will be stored 'on site' – please confirm whether this will be inside the building.

Officer comment – The comments are noted. The application form states that the application relates to the use of the office building, not the village hall. Similarly, the application form states that the opening of the building on a Saturday will provide support to local events by allowing temporary storage of food and equipment, which confirms that the office building facilities will be used and therefore food storage will be inside the building. Clarification has been sought from the agent regarding the opening hours required on a Saturday and these will be confirmed by condition.

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 consent.

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 Parking Provision, Highway Safety and Impact on Residential Amenity

* Parking Provision, Highway Safety and Impact on Residential Amenity

This application seeks to amend the opening hours of the to extend the operating hours of the office and associated sections of the building to 9pm for two evenings per month for meetings and to permit the use of the space on Saturdays to support local events on the playing field, including storage and other temporary support. This will allow the office building to better support local events by providing temporary storage for food and equipment.

The Environmental Health Officer has been consulted and has considered the proposal, and the noise implications related to the extended opening hours, as the building is located close to residential dwellings. It is proposed that Saturday openings from 7:30 to 18:00 and evening meetings to be vacated by 22:30 to ensure vehicles are driven away by 23:00 is acceptable. The comments from a neighbouring residential property are noted. The required opening hours on a Saturday have been confirmed by the applicant as being from 8am until 6pm, in line with recommendations from the Environmental Health Officer. These will be secured by condition.

Cambridgeshire County Council Highways Department has been consulted on the proposal and has no objections. They have concluded that the extension of the operation hours is unlikely to result in a significant increase in vehicle movements. Further, it is noted that properties close to the Parish Council office have driveways that provide off-street parking for the individual properties. In addition, it is worth noting that the office opening will be supporting local events, not creating them. It should also be recognised that the surrounding area hosts a GP Surgery, the Village Hall itself (which is presumably used occasionally for evening events), a play areas and tennis courts.

Therefore, it is considered that the public benefit of opening the office on a Saturday to provide supporting facilities for community events will outweigh any potential detrimental impact on the availability of street parking spaces in the area. Whilst it is acknowledged that there may be an impact on on-street parking in the area, it is considered that this impact would not result in a significant detrimental impact on the amenity of the neighbouring properties such to warrant refusal of the application.

Therefore, overall, it is considered that the proposal accords with Policy LP14 of Huntingdonshire's Local Plan to 2036 in this regard.

CONCLUSION

The proposed development is compliant with the relevant national and local policy as it:

* Would not have a harmful impact upon residential amenity;
* Would not have a harmful impact upon parking provision and highway safety within the local 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 4 is considered relatively minor in relation to the wider scheme 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 21/01141/FUL as amended by 22/00160/S73 and 23/01800/NMA 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.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to **Olivia Manton**