OFFICER REPORT

Case No: 25/02388/S73 Removal/Variation of Conditions

Proposal: Variation of condition 2 to allow for amendments to the detached garages approved under planning application 22/00793/FUL

Location: Stonely House 37 - 41 Main Road Stonely

Applicant: Mr Tom Salkield

Grid Ref: 510907 267009

DESCRIPTION OF SITE AND APPLICATION

Stonely House is a Grade II Listed Building fronting onto Main Road (B645) within the Stonely Conservation Area. The site lies at the junction of Main Road with Easton Road. It backs onto open fields but it is flanked by and lies opposite Grade II listed buildings, including 35, 47 and 49, and 52 Main Road respectively. The house is a mid-Georgian farmhouse with several later extensions to the rear. It has been vacant for some time and is in poor repair.

The site is situated in flood zone 1 and is adjacent to Grade II Listed buildings to both the north and south.

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 listed in table above) to allow for amendments to the detached garages approved under planning application 22/00793/FUL, which was for the renovation and extension of the existing listed building, demolition and reconstruction of outbuilding to rear, erection of 1 No. proposed dwelling, detached garage and associated works.

The proposed amendments relate to the replacement of an approved two storey coach house and games room to a carport. The approved garage to the adjacent plot would also be replaced by a carport.

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 safe 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)
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 Settings

Huntingdonshire Design Guide Supplementary Planning Document (2017):
* Place Making Principles – Parts 3.7 Building Form and 3.8 Building Detailing

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

PLANNING HISTORY

22/00793/FUL - 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 – Approved.
22/00794/LBC - Renovation and extension of existing Listed dwelling - Approved.
21/00100/LBC - Renovation and modification of existing listed dwelling including demolition of rear outbuilding - Withdrawn.
21/00099/FUL - Renovation and modification of existing listed dwelling including demolition of rear outbuilding. Erection of 1no. proposed dwelling & associated works - Withdrawn.
20/00124/LBC - Demolition and reconstruction of rear outbuilding of listed building and associated renovations and repairs to re-establish two attached dwellings to rear of existing house - Withdrawn.
20/00123/FUL - Demolition and reconstruction of rear outbuilding of listed building and associated renovations and repairs to re-establish two attached dwellings to rear of existing house. Erection of three new dwellings including new drive and associated landscaping and services - Withdrawn.
17/01008/LBC - Renovation and extension of existing listed dwelling, demolition of outbuilding to rear - Approved.
17/00619/FUL - Renovation and extension of existing listed dwelling, demolition and reconstruction of outbuilding to rear, erection of 1 no proposed dwelling and associated works - Approved.
1000153REP - Replacement of planning permission 0604131FUL for erection of dwelling and garage - Approved.
0604131FUL - Erection of dwelling and garage - Approved.
0601497FUL - Erection of dwelling - Withdrawn.

CONSULTATIONS

Stonely Parish Council have no comments or objections to make on the application.

HDC Conservation Team – no objections to the application. It is noted that the net result of the proposed changes would be a reduction in development within the setting of the listed building and within the conservation area. This would allow better visual permeability through the site and into the countryside beyond when compared to the permitted scheme.

REPRESENTATIONS

One objection has been received from a local resident stating the following:

- The plans for this Variation of Condition still relate to the original application.
- Plan 13 is inaccurate, it shows the garage doors in the south east, overlooking the rear garden, as in the initial application.
- Doc 09 is the original plan showing the larger building.
- The variation of the site plan does not allow a view to the open countryside, a stipulation made by HDC.
- The garage relating to the listed property is not in accord with the drive layout and should be turned through ninety degrees and positioned behind the property.
- The garage relating to the new build could again be turned through ninety degrees and positioned at the rear of the property. This layout would achieve the desired view through to the countryside beyond the build line.

Officer comment – Documents 09 and 13 are the approved plans for the original application. Document S667-G-01 presents the new proposed design for consideration.

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:

- Design, Visual Amenity and Impact on Heritage Assets
- 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.

The application site is within the Stonely 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 is for the amendment of the double garages previously approved, to single garages and adjoining car ports. This will reduce the massing, particularly for the approved garage for Stonely House, which also included a gym and first floor office/play area space. This has been reduced to a single garage and carport as for the neighbouring new dwelling. It is noted that the roof and brick materials correspond with those already approved under condition discharge application reference 25/80052/COND and are therefore accepted. The walls are to be finished in black painted timber weatherboarding, which is considered appropriate for the location and will be secured with a compliance condition.

The Conservation Team has been consulted on the proposal and has no objection to the proposed changes. It is noted that the net result of the proposed changes would be a reduction in development within the setting of the listed building and within the conservation area. This would

allow better visual permeability through the site and into the countryside beyond when compared to the permitted scheme.

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.

*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 garages for both properties are set back within the application site, adjacent to each other and furthest away from any boundaries with other neighbouring properties to either the north or south of the site. Therefore, due to their position, it is considered that there will be no significant detrimental impact upon the residential amenity of neighbouring properties.

Therefore, 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.

*Other Matters

* Unilateral Undertaking (UU) for Wheeled Bins

A Bin UU has been submitted for the provision of wheeled bins dated 22nd April 2025.

*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;
* 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 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 22/00793/FUL 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**