OFFICER REPORT

Case No: 25/01096/S73 Removal/Variation of Conditions

Proposal: Variation of Condition 2 (Plans) and 3 (Materials) of 23/00700/FUL.

Location: Needingworth Bowls Club Overcote Lane Needingworth

Applicant: Susan Preston

Grid Ref: 534362 271974

DESCRIPTION OF SITE AND APPLICATION

The application site is Needingworth Bowls Club, comprising of a large bowling green and associated single storey ancillary structures located in a residential area within Needingworth. The site falls within Flood Zone 1 of the Environment Agency's Flood Map for Planning, with no other constraints relative to the site.

Permission was granted in July 2023 for the removal of the existing temporary portacabins and replacement with a single storey timber framed structure.

This application seeks permission to vary condition 2 (approved plans) and condition 3 (materials).

Officers have scrutinised the submitted details 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, beautiful and 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)

LP2: Strategy for Development

LP9: Small Settlements
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP17: Parking Provision and Vehicle Movement
LP22: Local Services and Community Facilities
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows

Huntingdonshire Design Guide Supplementary Planning Document (2017):

* Place Making Principles parts 3.7 Building Form and 3.8 Building Detailing.

Huntingdonshire Landscape and Townscape SPD (2022)

The National Design Guide (2021)

* C1 - Understand and relate well to the site, its local and wider context
* I1 - Respond to existing local character and identity
* I2 - Well-designed, high quality and attractive
* B2 - Appropriate building types and forms
* N3 - Support rich and varied biodiversity
* H1 - Healthy, comfortable and safe internal and external environment

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

RELEVANT PLANNING HISTORY

9401318FUL - Erection of replacement club house (Permission)

0703733FUL - Siting of portable building for use as a changing room (Permission)

0901613FUL - Single storey side extension to existing clubhouse (Permission)

1300074S73 - Variation of condition 1 of planning application 0703733FUL to enable use as a changing room for further 5 years (Permission)

23/00700/FUL - Remove existing temporary portacabins and replacing with a single storey timber framed structure. (Permission)

CONSULTATIONS

Needingworth Parish Council - Support the application.

REPRESENTATIONS

None received at the 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 are relevant conditions 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. All conditions imposed in permission reference 23/00700/FUL will be repeated, apart from those to be varied or which have been discharged.

Condition 2 of permission reference 23/00700/FUL reads:

"The development hereby permitted shall be carried out in accordance with the approved plans listed in the table above."

Condition 3 of permission reference 23/00700/FUL reads:

"The materials to be used in the development hereby permitted shall be as detailed within section 9 of the submitted application form received by the Local Planning Authority on the 26th of May 2023 and as shown on the approved plans listed in the table above."

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

*Design and Impact upon the Character of the area
*Residential Amenity

*Design and Impact upon the Character of the Area

In terms of Condition 2 and the amended plans submitted, it is noted that the proposed building is to be in the same location as that approved under the previous permission granted under planning reference 23/00700/FUL, and replaces the existing temporary buildings on the site. In terms of the proposed footprint, this is smaller in scale than previously approved. Additionally, there is a decrease in the maximum ridge height of the building from 3.1 metres to approximately 2.5 metres. It is not considered that this alteration would result in any detrimental impact on the character or appearance of the area due to a decrease in the scale and footprint of the building, and so is acceptable in this regard.

In terms of Condition 3 and the appearance of the building, it is noted by officers that the alteration of external materials from plasticoated sheet metal to wood cladding, with the proposed building to be altered to a pre-made log cabin rather than a wooden framed structure, would result in the building appearing to be more temporary in nature than that previously approved under reference 23/00700/FUL. Whilst a permanent structure would be preferable for the LPA, officers consider the change acceptable due to the location of the proposed building and existing character and appearance of the surrounding area. The wooden appearance of the building relates positively to the existing clubhouse on the application site, and by virtue of its location has minimal views from the public realm. Further, it is noted that dwellings to the rear of the application site could erect temporary outbuildings of similar design and appearance through the utilisation of Permitted Development rights. Noting the close proximity of the proposed outbuilding to the rear of the gardens of these dwellings, and considering this fallback position, it is determined that the alteration in materials and consequently the appearance of the building would not have a significantly detrimental impact on the character of the area.

Overall, on balance, having regard to the above assessment on design and character of the surroundings, the proposed amendments are considered to be acceptable in terms of design, visual amenity and character and therefore accord with Policies LP11 and LP12 of the Local Plan to 2036.

*Residential Amenity

It is considered that the proposed alterations, when having regard to the separation distances and relationships with adjacent dwellings, alongside being smaller in scale in terms of the proposals originally approved under reference 23/00700/FUL, will not have a detrimental impact on residential amenity and complies with Policy LP14 of the Local Plan to 2036.

CONCLUSION

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

*It is acceptable in terms of design and visual amenity;
*Would not have a detrimental impact upon the designated heritage assets;
*Would not cause adverse residential amenity impacts.

The proposed variation to Condition 2 and Condition 3 of permission reference 23/00700/FUL are considered relatively minor in relation to the wider scheme and will not fundamentally change the nature of the development given permission.

It is therefore recommended that planning permission be granted.

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CONTACT OFFICER:
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