**Application Number: 25/00318/FUL**

**TOWN & COUNTRY PLANNING ACT 1990**

**Planning Permission**

Mr Lee Bevens
L Bevens Associates Architects Ltd
The Doghouse
10 Cricketers Way
Chatteris
PE16 6UR

Huntingdonshire District Council in pursuance of powers under the above Act, hereby **GRANT PERMISSION** for:

Proposal: Erection of 3-bedroom chalet style dwelling with associated parking including demolition of existing double garage.

Site address: Land West Of 1 Hammond Way Somersham

Applicant: Mr Rob Millward UMO Properties

in accordance with your application received on 20th February 2025 and plans (listed below) which form part of the application

| Plan Type | Reference | Version | Date Received |
|---|---|---|---|
| Location and Site Plan | CH24/LBA/677/EX-1-100 | | 20.02.2025 |

C. Kerr

Clara Kerr
Chief Planning Officer


Date 16th April 2025

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|---|---|---|---|
| Site Plan | CH24/LBA/677/FP-1-100 | Rev A | 15.04.2025 |
| Tree Protection Plan | Tree Protection Plan | | 20.02.2025 |
| Elevations | CH24/LBA/677/FP-1-102 | | 20.02.2025 |
| Plans | CH24/LBA/677/FP-1-101 | | 20.02.2025 |

Subject to the following condition/s.

1. Condition.

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

2. Condition.

Notwithstanding details required under any other condition of this permission, the development hereby permitted shall be carried out in accordance with the approved plans listed in the table above.

Reason: For the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. Condition.

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The materials to be used in the external construction of the development, hereby permitted, shall be as detailed in the submitted application form received by the Local Planning Authority (LPA) on the 20th of February 2025 and as shown on the approved plans listed in the table above unless otherwise agreed in writing by the LPA.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area in accordance with Policies LP11 and LP12 of the Huntingdonshire Local Plan to 2036.

4. Condition.

All hard and soft landscape works shall be carried out and maintained in accordance with the details shown on approved plan reference number CH24/LBA/677/FP-1-100 Rev A received by the Local Planning Authority on the 15th of April 2025. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place during the current or next planting season.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies LP11, LP12 and LP30 of the Huntingdonshire Local Plan to 2036.

5. Condition.

The development, hereby permitted, shall not be occupied until the window serving the bathroom, in the north facing roof plane has been fitted with obscured glazing (meeting as a minimum Pilkington Standard

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level 3 or equivalent in obscurity) and is fixed shut or has restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent roof. The glazing shall thereafter be retained in accordance with the approved details.

Reason: To prevent overlooking of the adjoining properties and to secure the long term amenity of future occupiers of the dwelling in accordance with Policy LP14 of the Huntingdonshire Local Plan to 2036.

6. Condition.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Schedule 2 Part 1 Classes A or B of the Order ("The enlargement, improvement or other alteration of a dwellinghouse" and The enlargement of a dwellinghouse consisting of an addition or alteration to its roof") shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

Reason: To prevent overlooking of adjacent dwellings and prevent development which could be overbearing or cause loos of light in order to secure a high degree of residential amenity in accordance with Policy LP14 of the Huntingdonshire Local Plan to 2036.

7. Condition.

The cycle storage facilities hereby approved and shown on approved plan CH24/LBA/677/FP-1-100 Rev A received by the LPA on the 15th of April 2025 shall be implemented in accordance with the approved plans before the development to which it relates is occupied or the use commenced and shall be retained and only used as such.

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Reason: To ensure appropriate provision for the secure storage of bicycles to encourage sustainable travel in accordance with Policies LP12, LP16 and LP17 of the Huntingdonshire Local Plan to 2036 and the Huntingdonshire Design Guide SPD 2017.

8. Condition.

Notwithstanding any other permissions required, prior to the first occupation of the development (or prior to the commencement of the first use) the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site in accordance with Policy LP17 of Huntingdonshire's Local Plan to 2036.

9. Condition.

Prior to the first occupation of the development (or prior to the commencement of the proposed use) visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted Drawing No. CH24/LBA/677/FP-1-1-100 Rev A.

The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety in accordance with Policy LP17 of the Huntingdonshire Local Plan to 2036.

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10. Condition.

The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent surface water discharging to the highway in accordance with Policies LP15 and LP17 of Huntingdonshire's Local Plan to 2036.

11. Condition.

The existing access to the double garage to 1 Hammond Way shall be permanently and effectively closed and the footway shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority within 28 days of the bringing into use of the new access.

Reason: In the interests of highway safety in accordance with Policy LP17 of the Huntingdonshire Local Plan to 2036.

12. Condition.

No development shall commence until a Biodiversity Net Gain Plan has been submitted to and approved in writing by the Local Planning Authority demonstrating a scheme for biodiversity net gain to achieve 10% biodiversity net gain (BNG). These details shall include:

a) A Biodiversity Net Gain Plan Template which provides details on how the development will achieve 10% biodiversity net gain (BNG). The details shall include but not be limited to; net gain strategy,

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irreplaceable habitats, on-site habitat enhancements, off-site habitat enhancements, statutory biodiversity credits and trading summary;

b) A Biodiversity Method Statement which provides details of how the recommendations contained in the submitted Preliminary Ecological Appraisal with BNG Version 1 prepared by by Samsara Ecology dated February 2025 and received by the Local Planning Authority on the 20th of February 2025 will be carried out. The details shall include but not be limited to; specification, location, timing, an implementation programme.

c) A management and monitoring plan for on-site and off-site biodiversity net gain including 30 year objectives, management responsibilities, maintenance schedules and a methodology to carry out monitoring in years 2, 5, 10, 20 and 30 from commencement of development, to ensure the BNG is progressing towards achieving its objectives;

d) How contingencies and/or remedial action will be identified, agreed with the Local Planning Authority and implemented where the plan is not meeting the BNG requirements. The development shall be carried out in accordance with the approved details. Reason: To ensure the conservation and enhancement of biodiversity and delivery of 10% Biodiversity Net Gain (BNG). To ensure the habitats and hedgerows formed are maintained for at least 30 years in accordance with Policy LP30 of the Huntingdonshire Local Plan to 2036 and Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Reason: To ensure the conservation and enhancement of biodiversity and delivery of 10% Biodiversity Net Gain (BNG). To ensure the habitats and hedgerows formed are maintained for at least 30 years in accordance with Policy LP30 of the Huntingdonshire Local Plan to 2036 and Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

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13. Condition.

The development hereby permitted shall be carried out in accordance with the submitted tree protection plan received by the Local Planning Authority on the 20th of February 2025 . The measures shall be implemented prior to the commencement of any development, demolition, clearance or other preparatory operations including excavations and shall be retained intact for the duration of the construction works.

Any trees, shrubs or hedges covered by the protection measures which die or become severely damaged within five years from the completion of the construction works shall be replaced with trees, shrubs or hedge plants of similar size and species.

Reason: To safeguard the retained trees, shrubs and hedges on and adjacent to the site and in the interests of visual amenity, and to enhance the character and appearance of the site in accordance with Policies LP12 and LP31 of the Huntingdonshire Local Plan to 2036.

14. Condition.

The dwelling hereby permitted, shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(2) 'accessible and adaptable' (or replacement standard), prior to occupation. Such provision shall be maintained for the lifetime of the development.

Reason: To ensure the unit is accessible and adaptable in accordance with Policy LP25 of the Huntingdonshire Local Plan to 2036.

15. Condition.

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The dwelling hereby permitted shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement for water efficiency, as set out in Approved Document G (or replacement standards) prior to first occupation. Such provision shall be maintained for the lifetime of the development.

Reason. In accordance with Policy LP12j of the Huntingdonshire Local Plan to 2036.

16. Note to applicant.

Statement as to how the Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner on seeking solutions:

When an application is received, planning conditions will be used where they can make a development acceptable.

A clear reason for refusal identifies the specific reasons why the development is unacceptable and helps the applicant to determine whether and how the proposal can be revised to make it acceptable.

In relation to this application, it was considered and the process managed in accordance with the National Planning Policy Framework 2024.

17. Note to applicant.

Huntingdonshire District Council became a Community Infrastructure Levy (CIL) Charging Authority on 1st May 2012. The Council is obliged to collect the levy from liable parties in instances where development received planning permission on or after 1st May 2012. It is important that liable parties (usually

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developers or landowners) are correctly identified to the Council as early as possible. For more details on CIL, the developments the charges will apply to, how much the charge will be and the process involved, including the developers or landowners legal responsibilities, the CIL pages on the Council's website at www.huntingdonshire.gov.uk should be referred to. It should be noted that all development which creates one or more dwellings will be liable to be charged irrespective of the floor space charge. However, developments which create less than 100 square metres of new floor space and do not involve a dwelling or dwellings, will be exempt from CIL and will not be charged.

18. Note to applicant.

A fee is payable for each "request" when submitting details pursuant to a condition or conditions of this permission that require(s) details to be submitted to and approved by the Local Planning Authority (ie details submitted under Article 21 of the Town and Country Planning ( General Development Procedure) Order). Further details on what constitutes a "request" can be found in the "Guidance Note - Fees for confirmation of compliance with condition attached to a planning permission". The appropriate fee can be found in the "Planning Fees Form". Both documents can be viewed via www.huntsdc.gov.uk .

19. Note to applicant.

The person carrying out building work must inform the building control body that the optional requirement for Water Efficiency (As set out in Approved Document G) and M4(2) applies.

20. Note to applicant.

This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.



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Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

21. Note to applicant.

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Huntingdonshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

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Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

The permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

NOTES

**Rights of Appeal under the Town and Country Planning Act, 1990 Section 78**

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant permission subject to conditions, he/she may appeal to the Secretary of State responsible for planning within;

- **Six months from the date of this decision notice.**

Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Alternatively all forms can be downloaded from their website www.planning-inspectorate.gov.uk. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless



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there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the Development Orders and to any directions given under the Orders. He does not, in practice, refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State responsible for planning and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act, 1990.

**Claiming Compensation**

In certain circumstances, a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

## Street Naming and Numbering

In order to obtain an official postal address, any new buildings should be formally registered with Huntingdonshire District Council. Unregistered addresses cannot be passed to Royal Mail for allocation of postcodes. Applicants can find additional information, a scale of charges and an application form at:

www.huntingdonshire.gov.uk/streets-parking-transport/street-naming-and-numbering/

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Alternatively, applicants can contact the Street Naming and Numbering Team on 01480 388153 or email streetnaming@huntingdonshire.gov.uk. Please note new address cannot be assigned by the Council until the footings of any new buildings are in place.

**General Notes**

This decision notice does not convey any approval or consent which may be required under any enactment, bye-law or regulation other than Section 57 of the Town and Country Planning Act 1990.



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