**Application Number: 24/02070/S73**

**TOWN & COUNTRY PLANNING ACT 1990**

**Section 73 amendment to planning permission**

Simon Richardson
GamPlan Associates
11 Rowan Gardens
Gamlingay
Cambs
SG19 3LU

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

Proposal: Variation of Condition 2 (Plans) of 24/01165/FUL.

Site address: 38 Ackerman Street Eaton Socon PE19 8HR

Applicant: AWJ Usher & Sons Ltd

in accordance with your application received on 7th November 2024 and plans (listed below) which form part of the application

| Plan Type | Reference | Version | Date Received |
|---|---|---|---|
| Elevations | 01 | | 07.11.2024 |
| Elevations | 02 | | 07.11.2024 |
| Elevations | 03 | | 07.11.2024 |
| Elevations | 04 | | 07.11.2024 |
| Floor Plan/s | 05 | | 07.11.2024 |
| Site Plan | | | 09.12.2024 |

Subject to the following condition/s.

1. Condition.
   The development hereby permitted shall be begun before 17th September 2027.

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

C. Kerr

**Clara Kerr**
**Chief Planning Officer**



Date 2nd January 2025

Huntingdonshire DISTRICT COUNCIL

Pathfinder House, St Mary's Street
Huntingdon. PE29 3TN
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2. Condition.
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.
Notwithstanding the details shown on the plans hereby approved, the use hereby permitted shall not commence, until details of the provision of bin stores for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include, siting, means of enclosure, appearance and materials where appropriate. The facilities shall be provided in accordance with the approved details before the use is commenced and shall be retained and only used as such.

Reason: To ensure appropriate provision for the secure storage of bins in accordance with Policy LP12 the Huntingdonshire Local Plan to 2036 and the Huntingdonshire Design Guide SPD 2017.

4. Condition.
Notwithstanding the details shown on the plans hereby approved, the use hereby permitted shall not commence, until details of the facilities for the provision of secure covered cycle parking for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the siting, means of enclosure, cycle rack systems where appropriate, appearance and materials. The facilities shall be provided in accordance with the approved details before the use hereby permitted is commenced and shall be retained as such.

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.

5. Condition.
The dwelling(s) 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 LP12 of the Huntingdonshire Local Plan to 2036.

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Informative: 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.

6. Condition.
Notwithstanding the provisions of Article 3 Schedule 2 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), the premises shall be used a a single dwellinghouse by a single person or by people to be regarded as forming a single household; and for no other purpose (including any other purposes in Class C3; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: The application has been assessed on its individual merits and the use of the premises for any other purpose may result in harm which would require re-examination of its impact in accordance with Policies LP12, LP14 and LP17 of the Huntingdonshire Local Plan to 2036.

7. 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 Class(es) A to H ; of Part 1; of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

Reason: In the interests of the adjacent listed building and St Neots Conservation Area and residential amenity; in accordance with Policies LP14 and LP34 of the Huntingdonshire Local Plan to 2036.

8. 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.

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9. 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 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.

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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 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.

**General Notes**

C. Kerr

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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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