

DEVELOPMENT MANAGEMENT COMMITTEE 18th JULY 2022

Case No: 22/00145/S73(REMOVAL/VARIATION OF CONDITIONS)

Proposal: REMOVAL/VARIATION OF CONDITIONS 3 (MATERIAL), 4 (LANDSCAPE), 5 (LEVELS), 6 (ECOLOGY), 7 (TREE PROTECTION), 10 (ARCHITECTURAL DETAILS) TO 18/01946/FUL AS THE MAJORITY OF THE WORKS ARE NOW COMPLETE ON SITE

Location: 50 HAMERTON ROAD ALCONBURY WESTON PE28 4JD

Applicant: MR DEETH

Grid Ref: 517643 277104

Date of Registration: 24.01.2022

Parish: ALCONBURY WESTON

RECOMMENDATION – APPROVE

This application is referred to the Development Management Committee (DMC) as the Local Planning Authority's recommendation of approval is contrary to Alconbury Weston Parish Council's recommendation of refusal.

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The application site is situated to the northeast of Hamerton Road, forming part of the built up area of Alconbury Weston and located within the Alconbury Weston Conservation Area. The site is surrounded by residential dwellings to the east, south and west and beyond this is open countryside.
- 1.2 Planning permission was granted by the DMC in 2019 under application reference 18/01946/FUL for the erection of three dwellings, the change of use of stable yard to livery parking area and the construction of an extension to the access road to the proposed livery parking area.
- 1.3 This permission was subject to several conditions requiring further details of materials (Condition 3), hard and soft landscaping (Condition 4), finished floor levels and external ground levels (Condition 5), biodiversity protection and

enhancements (Condition 6), tree protection (Condition 7) and architectural details for the dwellings (Condition 10). These conditions were pre-commencement conditions meaning that details were required to be submitted and approved prior to works beginning on site.

- 1.4 The dwellings are now substantially complete on site despite the aforementioned conditions not having been discharged by the Local Planning Authority. The applicant has submitted this application under Section 73 of the Town and Country Planning Act (TCPA) 1990 to retrospectively regularise the situation.
- 1.5 Section 73 of the TCPA 1990 allows an application to be made for permission which does not comply with the conditions imposed on the original planning permission. This permits the Local Planning Authority to remove or vary conditions and add additional conditions following the grant of planning permission. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development with new, amended or removed conditions. This sits alongside the original permission, which remains intact and unamended.
- 1.6 This application seeks to vary and/or remove conditions 3 (Material), 4 (Landscape), 5 (levels), 6 (ecology), 7 (tree protection) and 10 (architectural details) of the original permission 18/01946/FUL.

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (20 July 2021) (NPPF 2021) sets out the three objectives – economic, social and environmental – of the planning system to contribute to the achievement of sustainable development. The NPPF 2021 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).'
- 2.2 The NPPF 2021 sets out the Government's planning policies for (amongst other things):
 - * delivering a sufficient supply of homes;
 - * achieving well-designed places;
 - * conserving and enhancing the natural environment;
 - * conserving and enhancing the historic environment.
- 2.3 Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.
- 2.4 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty as respects conservation

areas in exercise of planning functions. Paragraph (1) sets out that 'with respect to any buildings or other land in a conservation area... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

For full details visit the government website [National Guidance](#)

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
- LP4: Contributing to Infrastructure Delivery
 - LP5: Flood Risk
 - LP6: Waste Water Management
 - LP9: Small Settlements
 - LP10: The Countryside
 - 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
- 3.2 Supplementary Planning Guidance
- Huntingdonshire Design Guide (2017)
 - Developer Contributions Supplementary Planning Document (2011)
 - Cambridgeshire Flood and Water Supplementary Planning Document (2017)
 - Huntingdonshire Tree Guidance Note 3

For full details visit the government website [Local policies](#)

4. PLANNING HISTORY

- 4.1 18/01946/FUL – The erection of three dwellings, change of use of stable yard to livery parking area and construction of an extension to the access road to the proposed livery parking area – Approved 18th October 2019
- 4.2 20/01547/FUL - The erection of 3 detached dwellings, following the demolition of the stables and the re-use of the exercise yard associated with the disused equestrian use – Withdrawn by applicant 17th June 2021.
Part of the land subject to this application includes the stable yard which formed part of the original application which granted a change of use to a livery parking area.

5. CONSULTATIONS

5.1 *Alconbury Weston Parish Council:*

[Initial comments received 23rd February 2022]

No material observations to make on this application

[Comments received 10th March 2022]

Although the Parish Council has already submitted a no observation comment against this application, at their meeting on 7th March 2022, Councillors would like to see in the public domain a report as to why each condition is being changed and what they are being changed to, and also see a detailed report on what the applicant is not complying with. The Parish Council wish to be provided with this information.

[Comments received 31st May 2022]

Following an Extraordinary meeting of Alconbury Weston Parish Council on 30 May 2022, the Parish Council (PC) recommends that the Local Planning Authority refuse Planning Application 22/00145/S73.

The PC offers the following comments:

Condition 3 – The PC is concerned that the building materials that have been used and the finished appearance are not in keeping with the Alconbury Weston Conservation Area, in which these houses stand, notably:

- Materials are not to the required specification. i.e. doors and windows are UPVC/composite whereas they should be wood. The cladding is also not timber, it is composite
- Despite chimneys being shown on all plans submitted, including the developer's revised plans, there are no chimneys. As far as the PC is aware, all houses within the conservation area have chimneys.
- The colour of the cladding is a fashionable modern colour and is not in keeping with other properties in the Conservation Area.
- Roof tiles are not the correct colour.
- The colour of the doors and windows is not as originally specified.
- Porches are missing from the finished properties.
- The external appearance of the garages is not in keeping with the Conservation Area.

The PC objects to the removal of Condition 3, and requests that remedial action is taken to address the appearance of this development.

Condition 4 – The planning application seeks to remove Condition 4. The PC has assumed that the developer has changed his mind, as he has now submitted both hard and soft landscaping plans. The hard landscaping proposal is comprehensive, but retains the road construction that currently exists but with a different surface. This is contrary to Condition 8 and does not achieve the flood risk reduction requirements.

There is great concern within the village community that Condition 8 has not been met. We note that there has been no request to remove Condition 8, but it is unclear to the PC if there is provision for rainwater/surface water run-off as detailed in Condition 8 and it is still unclear to the PC how this condition would be met. The PC originally observed that the data used was some 20 years out of date and since that data was provided there have been several "1 in 100 year" floods. We are not clear as to the nature of the current drainage solution for this development and cannot determine if it is fit for purpose. The development seeks to barrier itself off from surrounding properties through the use of 1.8m high solid fencing, walls and some hedging inside the fencing. The PC considers that this is not in keeping with the boundaries between other properties within the conservation area, and recommends greater use of hedging, which would also contribute to flood alleviation. The PC objects to the hard landscaping proposal.

Condition 5. The PC has no access to the site to determine whether the floor level of all buildings is correct. The PC consider that it is unacceptable to remove Condition 5 and request that the planning authority determines why this condition should be removed.

Condition 6. The PC does not understand why condition 6 needs removing. The developer has submitted a Biodiversity Method Statement dated April 2022, and while the major part of the report has been undertaken by the completed development, the PC would wish to see the remaining activities completed and inspected.

Condition 7. The PC note that the Retrospective Arboricultural Impact Assessment submitted by the developer states that Condition 7 has not been met. However, the PC support the recommendation of this report that the terms of Condition 7 are applied for the 5 years following completion of the development. The PC therefore object to the removal of Condition 7.

Condition 10. The PC consider that Condition 10 is critical to the appearance of the finished properties and their blending into the conservation area. The PC note that there are some details on the plans that allude to the architectural design, but they are not sufficient to comment on. As many of these details are to be completed in the final stages of development, we cannot observe on their implementation, but would expect the developer to fulfil the requirements of Condition 10.

The PC request that you note that the meeting saw a large public participation (13 members of the parish + 2 developers), with the parish members particularly concerned about the appearance of the development where it is situated within the conservation area, and also that Parish advice has not been sought of any

significant proposed deviations from the approved planning approval before they have been carried out. The overall feelings of the parishioners' present were that the development is significantly altered from what was initially approved.

5.2 *HDC Urban Design Team:*

[Received 21st February 2022]

Amended elevation drawings should be provided as part of the S73 application to reflect the proposals as built and to regularise these changes – the latest drawings are not accurate and do not reflect the loss of window head details (plots 1 and 2), loss chimneys (plots 1, 2 and 3) and the increased eaves height and changes to the dormer windows within the rear projections (Plots 2 and 3).

C2 Materials and C10 Architectural Details

Plot 1 - dwg JPT/RHD/0121/002 (replaces approved dwg JTP/PB/0318/002 Rev B)

The proposed materials are set out on dwg JPT/RHD/0121/004 are acceptable. The introduction of the side entrance door is acceptable. The location of the white meter box is accepted. Amendments are required to introduce chimneys (2 chimneys – one on either gable) to articulate the roof line as well as window head details as per approved elevations – these are shown missing from the case officer site photos. Consider if brick slips could be used to create the appearance of window heads (C10). Details of the window reveal depth should be confirmed (C10) – these appear very shallow on the site photos and we question if window reveal depths could be increased (windows setback further) prior to the installation of the render.

Plot 2 – dwg JPT/RHD/0121/003 (replaces approved dwg JPT/PB/0318/003 Rev C)

The proposed materials are set out on dwg JPT/PD/0318/003 are acceptable. The introduction of the side entrance door is acceptable. The location of the white meter box is accepted. The eaves line over the subservient rear extension is higher than approved, whilst accepted, details of the dormer window side cheeks should be confirmed (C3 vi). Amendments are required to introduce chimneys (2 chimneys – one on either gable) to articulate the roof line and accord with original approved elevations. Details of the projecting porch canopy should be provided (C3 vii). Details of the window reveal depth should be confirmed (C10) – these appear very shallow on the site photos, question if window reveal depths could be increased (windows setback further) behind the outer course of facing brick.

Plot 3 – dwg JPT/RHD/0121/004 (replaces approved dwg JTP/PB/0318/004 Rev C)

The proposed materials are set out on dwg JPT/PD/0318/003 are acceptable. The introduction of the side entrance door is acceptable. The location of the white meter box is accepted. The

revised windows proportions are accepted. The eaves line over the subservient rear extension is higher than approved, whilst accepted, details of the dormer window side cheeks should be confirmed (C3 vi). Amendments are required to introduce chimneys (2 chimneys – one on either gable) to articulate the roof line and accord with original approved elevations. Details of the projecting porch canopy should be provided (C3 vii). Details of the window reveal depth should be confirmed (C10) – these appear very shallow on the site photos, question if window reveal depths could be increased (windows setback further) prior to the installation of render.

C4 Landscape

Do not support the removal of C4 hard and soft landscape details and no justification has been provided. The arrangement of brick boundary walls and landscaped verges as set out on site plan dwg JPT/PB/0318/001 Rev F are necessary to accord with the HDC Design Guide SPD requirements for ‘public facing’ boundaries. Threshold landscaping is required to soften the appearance of the units. Detailed landscape proposals should not be left to the future homeowner and should be submitted as part of this S73 application. Landscaping should be in accordance with the recommendations set out in the PEA. We question if the S73 could change the wording of C4 from ‘no development above slab level...’ to ‘prior to occupation’ to allow the LPA to secure these landscape details.

C5 Levels

Do not support the removal of level details – these are necessary to confirm the proposed access arrangements, finished levels of thresholds, and relationship of units to the car parking spaces/driveways, gardens and the road.

C6 Ecology

Do not support the removal of this condition and no justification has been provided.

C7 Tree protection

Do not support the removal of this condition and no justification has been provided. Tree retention should be as per the AIA provided with the approval.

5.3 *HDC Conservation Team:* [Received 17 June 2022]

No objection. Conservation advice was provided in respect of the initial application 18/01946/FUL. Comments were limited to the morphology of the proposal, its layout and scale and requirement for landscaping particularly at the front of the plot. It was considered that development of the site was unlikely to cause harm to the character and appearance of the CA as the proposal created the opportunity to reinforce the street frontage, screen the bulk of Salix House and introduce additional planting and

landscaping. It was noted that this part of the conservation area has a character of more recent open grained domestic development sitting within reasonably large plots of maturing gardens set behind well kept hedgerows.

It was anticipated that the detailed aspects of the scheme would be submitted for approval prior to the development occurring, the conditions however were not discharged. The applicant has now built out the scheme in a manner not in accordance with the consent or conditions.

These comments therefore assess the impact of the as built scheme and its impact on the character and appearance of the Alconbury Weston Conservation Area. There is no conservation area character statement for Alconbury Weston.

Unit 1 will be the most prominent in the conservation area siting at the front of the site on raised ground. The building is rendered under a slate roof, regrettably the rear wing is no longer 1.5 storeys in height having been raised to 2 stories, this has had the effect of increasing the bulk of the building and negating the subservience of the wing. This has eroded the quality of the design but not to the extent that the proposal now causes harm.

The loss of the porch is a minor matter which again would have softened the front elevation but its loss does not result in harm. I understand that chimneys will be employed which will give the roof more of a traditional character.

The opportunity to control the detailing of the windows has been lost and better detailed units would have been sought, whilst this is regrettable modern windows in this part of the conservation area are not uncommon therefore it can not be said that harm is caused.

There is some minor changes to the position of windows and doors.

Units 2 and 3 sit towards the rear of the site and are more inward looking, a public footpath runs along the site so the detail of the design will again be evident. Again minor changes have occurred the most impactful being the stark colour of the pantiles (a blend would have been more appropriate) and the colour of the boarding to the wings and garages, whilst I do not object to the material the use of a blue/grey colour emphasises the uncharacteristic character of these materials, they will not weather in with age and will continue to form a contrast.

The works that have been undertaken are disappointing and result in a dumbing down of the original approved scheme. This assessment however only considers if the unauthorised works cause harm to the character and appearance of the conservation

area. In this instance the unauthorised works do not cause harm to the significance of the conservation area.

5.4 *CCC Highways*

[Received 15th June 2022]

Highways have the following comments in relation to the following conditions:

3 (Material), Not a condition requested by the Highway Authority, no comments

4 (Landscape), Not a condition requested by the Highway Authority, no comments

5 (levels), Not a condition requested by the Highway Authority, no comments

6 (ecology), Not a condition requested by the Highway Authority, no comments

7 (tree protection), Not a condition requested by the Highway Authority, no comments

10 (architectural details), Not a condition requested by the Highway Authority, no comments

5.5 *HDC Landscape Officer*

[Received 23rd June 2022]

These comments relate to the application for the discharge of condition 4 – hard and soft landscaping. The soft and hard landscape plans are located in Appendix 1 and 2 of the Landscape Specification document by Skilled Ecology, dated 25 April 2022.

I do not object to the proposals, but they are not fully in accordance with the HDC Design Guide, therefore I recommend a small number of amendments. Comments relating to the relevant part of the condition are below.

4i. Hard Landscape Works submission

- Skilled ecology drawing 'Hard Works' drawing number 1317-02, and
- MTC drawing 'Hard Landscaping Plan' drawing number 2619-06 Rev B

1. Boundary treatments – the brick wall boundary treatment to the main driveway, is welcomed, however the close boarded fencing proposed in shared driveway locations is not compliant with HDC UD design code. I recommend the sections indicated below in yellow are amended to brick walls, or post and rail fence.

2. Close boarded fencing to internal garden boundaries is acceptable.

3. The proposed hard landscape materials are acceptable – however please note that the gravel on the highways access does not accord with the CCC highways compliant tarmac shown on MTC drawing 2619-06 rev B. The hard landscape plan should be amended to ensure that both details are the same.

- 4ii. Soft Landscape Works submission
- Skilled ecology drawing 'Soft Works' drawing number 1317-01 Rev A
4. The proposed planting plan is acceptable.

4iii Landscape specification

- Skilled ecology document 'Landscape Specification' V3 dated 25 April 2022
5. Watering regimes for the new planting should be increased to weekly through the growth season – March – September inclusive.

4iv. The proposed implementation programme shown on the Soft Works plan is acceptable.

Recommendation: I have no major concerns regarding the proposals, but recommend the above amendments to ensure the design is compliant with the HDC Design Guide, consistent surface materials are shown across the highways and hard landscape plans, and to ensure that the proposed planting is able to thrive, minimising the need to replace planting at a later date.

6. REPRESENTATIONS

- 6.1 The application has been advertised by means of site and press notice, given the application would affect the setting of the Conservation Area. 24 neighbouring properties were also notified of the application by letter.
- 6.2 Comments have been received from 15 occupants of neighbouring/nearby properties, summarised as follows:
- Trees removed before construction started
 - Amount of close-boarded fencing proposed is not in keeping with the local area/landscape. All other properties on Hamerton Road have post and rail fencing and hedging to their northern boundary.
 - Materials used are not in keeping with surrounding Conservation Area
 - Condition 8 of the original permission requires that the development is carried out in accordance with the Flood Risk Assessment received on 29 May 2019. Concerns that this will not be achieved.
 - The new plans show that the driveways will all be tarmac, indicating that the water storage/release provision will not be installed (as per the approved Flood Risk Assessment)
 - Development could exacerbate existing flooding issues in the area
 - Deviances from the original approved plans
 - It is not acceptable for the developer to avoid the ecological and landscaping conditions

- Native hedge planting and landscaping not implemented
- Houses are near completion, but chimneys and porches have not been constructed
- Brick wall constructed at plot 1 which is far from the soft planted hedges shown on the original application

7. ASSESSMENT

- 7.1 The main issues to consider in the determination of this application are:
- The Principle of Development
 - Design and Visual Amenity
 - Impact on the Conservation Area
 - Impact upon Residential Amenity
 - Highway Safety
 - Biodiversity
 - Trees
 - Landscaping
 - Flood Risk
 - Other matters

Principle of Development

- 7.2 The principle of the development was established under application reference 18/01946/FUL and therefore will not be considered as part of this application. It has previously been established that the application site forms part of the built up area of the small settlement of Alconbury Weston and the development would accord with Policy LP9 of Huntingdonshire's Local Plan to 2036.
- 7.3 The proposed request for removal and/or variation of the conditions imposed on the original permission has been set out at the start of this report. All other parts of the approved development remain unamended and the previous planning permission 18/01946/FUL remains intact. In determining an application under Section 73 of TCPA 1990, officers should have regard to the development plan and all other material considerations.

Design, Visual Amenity and Impact on the Conservation Area

- 7.4 Policies LP11 and LP12 of Huntingdonshire's 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. Furthermore, Policy LP34 of the Local Plan states that proposals in a Conservation Area should preserve, and

wherever possible enhance the area's character, appearance and setting.

- 7.5 Condition 3 of 18/01946/FUL required the applicant to provide details of external materials to be submitted and approved by the Local Planning Authority (LPA) prior to any development being carried out above slab level. This required further details of external materials such as the proposed brick, render, cladding and roof tiles. Furthermore, condition 10 of 18/01946/FUL required architectural details, such as window and door reveals and cills, location and colour of meter boxes, flues and vents, to be submitted and approved prior to development above slab level. The applicant has now retrospectively provided full details of materials and architectural details under this section 73 application.
- 7.6 The plans originally approved stated that the proposed external materials for plot 1 would comprise grey slate roof tiles, monocouche render finish and white timber windows. It was proposed that plots 2 and 3 would have soft red pantile roof tiles, timber windows and the rear projections would be finished in natural stained timber weatherboard. Plot 2 was proposed to have a cream buff brick finish, whereas plot 3 would have a similar render finish to plot 1. The main departures from the previously proposed materials are the cream UPVC windows seen on all plots instead of timber frames and the use of red concrete interlocking tiles and composite cladding in a grey/blue colour on the rear projections of plots 2 and 3. Composite cladding has also been used on the detached garages for all plots. The Parish Council have objected to the materials used and consider that the finished appearance of the development is not in keeping with the Alconbury Weston Conservation Area.
- 7.7 The Conservation Team have assessed the impact of the as-built scheme, in particular the materials used, and its impact on the character and appearance of the Alconbury Weston Conservation Area. It should be noted that there is no conservation area character statement for Alconbury Weston. Having regard to the character and appearance of the surrounding area, there are a variety of materials used on dwellings, including render, red and buff brick and roof tiles are predominantly red, brown or slate. There are also examples of both timber and upvc windows in vicinity of the site.

- 7.8 Plot 1 is the most prominent in views from the Conservation Area. Whilst it is set back significantly from Hamerton Road, it sits on slightly higher ground and is visible from the vehicular access and the adjacent Public Right of Way (reference 8/3) which runs along the eastern part of the site. Comments from the Conservation Team in respect of materials on plot 1 focus on the use of modern UPVC windows. It is noted that similar windows are not an uncommon feature in this part of the conservation area and as such, UPVC windows used on all plots is not considered to be harmful to the character or appearance of the Alconbury Weston Conservation Area.
- 7.9 With regard to plots 2 and 3, the Conservation Team have commented on the stark colour of the red concrete interlocking tiles used. Furthermore, the blue/grey colour of the composite cladding used on the rear projections as well as the garages on all plots. It is acknowledged that the colour of the materials is uncharacteristic of the conservation area and concerns have been raised that these will not weather in with age. Plots 2 and 3 and the garage of Plot 1 are not prominent in views from the street scene, being set further into the site behind Plot 1. This therefore minimises the impact from the street scene. The Conservation Team have not objected to the materials used as harm is not caused to the character, appearance or the significance of the surrounding Conservation Area. It should also be noted that HDC's Urban Design Team consider that the materials used are acceptable.
- 7.10 The submitted plans also show minor alterations to the size and positioning of windows and the pitch of the rear projections with dormer windows on plots 2 and 3 have also been altered when compared to the original approved plans. This reflects what has been built on site. The Conservation Team consider that the now two storey rear projection, as opposed to the one and a half storey projection previously approved, increases the bulk of the building and reduces the subservience of this feature. However, this is not to an extent that would be detrimental to the scheme or contrary to Policies LP11, LP12 or LP34 of the Local Plan.
- 7.11 It should also be noted that the submitted plans show two chimneys on either side of plots 1, 2 and 3, and plots 2 and 3 are shown to have a pitched roof front porch feature. It is the applicants intention to construct these in due course, hence they are shown on the submitted plans but are not yet visible on site. The Urban Design Team consider that the chimneys are an

essential design feature to articulate the roof line. Furthermore, the Conservation Team consider that this would give the roofs a more traditional character and the porches would soften the front elevation of plots 2 and 3. A condition is recommended to ensure that the porches and chimneys are installed in accordance with the submitted plans and within a suitable timeframe, to ensure the development achieves a high standard of design.

- 7.12 Officers acknowledge that the quality of the approved development has been affected by the use of less sympathetic materials and finishes. However, it is not considered that the changes have materially diminished the quality of the development between permission and completion to such an extent which would warrant refusal of the application. It is recommended that condition 3 be amended to ensure that the design of the development is carried out and retained in accordance with submitted details. It is also recommended that condition 10 be removed as architectural details have either been provided as part of the application or can be seen on site and these are satisfactory. For the avoidance of doubt, these details are secured through the approved plans condition.

Impact upon Residential Amenity

- 7.13 Policy LP14 of Huntingdonshire's 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.
- 7.14 In the Officer Report for 18/01946/FUL, it was concluded that the development would not lead to a significant loss of amenity to the adjoining properties. However, it was considered that a full landscaping scheme including details of boundary treatment should be conditioned to provide effective screening and retain the private residential amenity of neighbouring properties. Condition 4 requiring hard and soft landscaping details was not discharged before development commenced.
- 7.15 A full landscaping scheme has been submitted as part of this application which includes details of boundary treatments. Appendix 2 of the Landscape Specification document by Skilled Ecology shows that boundary treatment between the proposed dwellings and existing dwellings to the east and west of the site comprises brick walls, 1.8 metre close boarded fencing and hedging. It is acknowledged that some of the hard boundary

treatment has already been constructed on site. This is considered sufficient to protect the privacy of existing and future occupants.

- 7.16 A further condition was also imposed requiring details of finished floor levels and external ground levels, in the interests of residential amenity. Condition 5 required details of levels, however, this was not discharged. This has now been provided under this current application (drawing 2619-06 Rev B – Hard Landscaping Plan). Furthermore, as the dwellings are substantially built the finished floor levels and ground levels can be seen on site and Officers are satisfied that these are acceptable and do not give rise to residential amenity issues.
- 7.17 It is recommended that the wording of condition 4 be amended to ensure that the landscaping is carried out and retained in accordance with the submitted Landscape Specification by Skilled Ecology (dated 25 April 2022). Officers do not feel that it is necessary for condition 5 concerning finished floor and external ground levels to be reimposed on this application, given that the levels as seen on site are satisfactory. For the avoidance of doubt, drawing 2619-06 Rev B which provides details of levels across the site will be included in the approved drawing list. With the above, it is considered that the development would not have any unacceptable adverse impacts on residential amenity, in accordance with Policy LP14 of Huntingdonshire's Local Plan to 2036.

Highway Safety

- 7.18 The development is served by an existing access which the Highway Authority raised no objection to under the original application. No amendments are proposed to this access or the site layout in terms of parking and turning arrangements. The Highway Authority have raised no objection to this current application. As such, the development is not considered to have an adverse impact upon highway safety. The proposal therefore accords with Policies LP16 and LP17 of Huntingdonshire's Local Plan to 2036 in this regard.

Biodiversity

- 7.19 Policy LP30 of the Huntingdonshire Local Plan advises that all development provides a net gain in biodiversity where possible, and that this should be appropriate to the scale, type and location of development.

- 7.20 A Preliminary Ecological Appraisal (PEA) was submitted under application reference 18/01946/FUL which was considered acceptable by the Wildlife Trust. The PEA set out that the site was of limited ecological interest but set out a number of recommendations, enhancements and precautionary measures. Condition 6 was imposed on the original permission requiring the submission and approval of a Biodiversity Method Statement (BMS) which expands on the recommendations in the PEA. This condition was not discharged prior to the commencement of development.
- 7.21 This application is supported by a BMS produced by Skilled Ecology Consultancy Ltd (dated April 2022) which provides details of precautionary measures and enhancements including the installation of 3 bird boxes, 3 bat boxes, planting of native hedging and a wildlife sensitive lighting design. The submitted details are considered to be acceptable to ensure no net loss in biodiversity. It is therefore recommended that the wording of condition 6 be amended to ensure that development is carried out and retained in accordance with details contained in the BMS.
- 7.22 Subject to condition the development is considered acceptable providing a net gain in biodiversity is achieved as required by Policy LP30 of Huntingdonshire's Local Plan to 2036 and the NPPF 2021.

Trees and Landscaping

- 7.23 Policy LP31 of Huntingdonshire's Local Plan to 2036 requires proposals to demonstrate that the potential for adverse impacts on trees, woodland, hedges and hedgerows has been investigated and that a proposal will only be supported where it seeks to conserve and enhance any existing tree, woodland, hedge or hedgerow of value that would be affected by the proposed development.
- 7.24 An Arboricultural Impact Assessment was submitted with the original application 18/01946/FUL which set out that 12 trees, 2 tree-groups and 1 shrub-group were to be removed as part of the development. These were low value trees and Officers raised no objection to this. Condition 7 was imposed requiring the submission and approval of a Tree Protection Plan prior to the commencement of any development, clearance or preparatory works on site. This was to ensure that retained trees were suitably protected during construction, in the interests of visual

amenity. This condition was not discharged by the Local Planning Authority.

- 7.25 This application is accompanied by a 'Retrospective Arboricultural Impact Assessment' produced by Skilled Ecology Consultancy Ltd (dated 12th April 2022). The report provides a review of the impact on trees from the works carried out to date. It sets out that there has been removal of trees at a neighbouring site (by persons unknown) outside of the application site, but all retained trees on site are not thought to have been adversely affected by the development. Furthermore, the submitted Landscape Specification by Skilled Ecology (dated 25 April 2022) sets out that thirteen new trees will be planted, in addition to new shrubs and hedges.
- 7.26 Officers are satisfied that existing trees have not been adversely affected by the development and additional tree planting will enhance the character and appearance of the site. It is therefore recommended that parts of condition 7 be reworded to ensure that development accords with the 'Retrospective Arboricultural Assessment', however this condition will continue to stipulate that should any new or existing trees, shrubs or hedges die or become damaged within five years from completion of construction, these must be replaced by the landowner/applicant.
- 7.27 The Landscape Officer has reviewed the submitted landscape specification and has raised no objection to the proposed hard and soft landscape details, landscape specification or implementation programme, subject to minor changes to proposed boundary treatments and watering regimes. As previously mentioned in Paragraph 7.17 of this report, it is recommended that the wording of condition 4 be amended to ensure that the landscaping is carried out and retained in accordance with the submitted Landscape Specification by Skilled Ecology (dated 25 April 2022), within an appropriate timescale. With the above, it is considered that the proposal accords with Policy LP31 of the Local Plan.

Flood risk

- 7.28 The majority of the application site is in Flood Zone 1 as confirmed by the Strategic Flood Risk Assessment 2017, which means it has a low probability of flooding. Under the original application 18/01946/FUL it was deemed that there would be no significant additional surface water run-off impacts due to the

lack of additional hardstanding. It should be noted that part of the southern section is located within Flood Zone 2 due to the close proximity of the Alconbury Brook on the southern section of Hamerton Road; however, there is no built form approved or proposed in this location.

- 7.29 A Flood Risk Assessment (FRA) was submitted as part of the original application and this set out that on site surface water storage would be provided to ensure that there would be no increased flood risk downstream towards Alconbury Brook. This would be achieved by providing a vortex control/ hydrobrake chamber and using porous surfacing on driveway areas.
- 7.30 The Parish Council and several objectors have concerns that condition 8 has not been met as it is not clear if provision has been made for rainwater/surface water run-off as set out in the FRA. It is acknowledged that drawings initially submitted as part of this application stated that the driveway areas would be tarmac and there was no mention of the surface water storage being installed beneath the driveway, contrary to the approved FRA and Condition 8. Officers discussed this with the applicant during the course of the application and detailed plans of the flood mitigation measures as described in the original FRA have now been provided. Namely, a hydrobrake flow control system and permeable driveway materials.
- 7.31 The applicant has not applied to amend condition 8, however Officers recommend that this condition be reworded to ensure that the flood mitigation measures are installed in compliance with the submitted details and within a suitable timeframe. Subject to this the development would accord with Local Plan policy LP15 and the aims of the Cambridgeshire Flood and Water Supplementary Planning Document.

Other matters

- 7.32 An application under Section 73 of the TCPA 1990, if approved, has the effect of the issue of a new, separate planning permission. Consequently, the conditions applied to the previous permission to which this application relates must be reviewed and added to any approval of this application where these would pass the tests of conditions set out in paragraph 56 of the National Planning Policy Framework 2021.
- 7.33 There is no requirement to stipulate when the development shall be begun, as development has already commenced on site. The

list of approved drawings will be amended to include the drawings submitted as part of this application. Conditions 3 (materials), 4 (landscape), 6 (ecology), 7 (tree protection) and 8 (flood mitigation) will be reworded as discussed in this report. It is recommended that conditions 5 (levels) and 10 (architectural details) be removed as full details have been provided as part of this application and considered acceptable. Condition 9 which requires the development to meet the requirements of M4(2) 'accessible and adaptable' and retained as such will be reimposed. An additional condition is recommended to ensure that the proposed porches and chimneys are installed within a suitable timeframe, to ensure the development achieves a high standard of design.

Planning Balance and Conclusion

7.34 Paragraph 135 of the National Planning Policy Framework 2021 states that local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme. Officers have acknowledged that the materials used in the construction of the dwellings are less sympathetic than those originally proposed. However, the Conservation and Urban Design teams have not identified any harm to the character and appearance of the Alconbury Weston Conservation Area. Officers are also satisfied that high quality landscaping and biodiversity net gain can be achieved, and the development would not give rise to adverse neighbour amenity impacts or increase the risks of flooding. On balance, the development is consistent with the Development Plan when taken as a whole and is acceptable. There are no other material planning considerations which have a significant bearing on the determination of this application.

8. RECOMMENDATION - APPROVAL subject to conditions to include the following

- Approved plans
- Materials as shown on plans
- Implementation of landscaping scheme
- Implementation of biodiversity enhancements/precautionary measures
- Tree protection/replacement
- Implementation of flood mitigation measures
- Compliance with 'accessible and adaptable' requirements
- Installation of chimneys and porches (with details agreed in advance)

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CONTACT OFFICER:

Enquiries about this report to **Lucy Pateman Senior Development Management Officer** – lucy.pateman@huntingdonshire.gov.uk

From: developmentcontrol@huntingdonshire.gov.uk
To: [DevelopmentControl](#)
Subject: Comments for Planning Application 22/00145/S73
Date: 23 February 2022 15:01:26

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 23/02/2022 3:01 PM from Miss Charlotte Copley.

Application Summary

Address:	50 Hamerton Road Alconbury Weston Huntingdon PE28 4JD
Proposal:	Removal of conditions 3 (Material), 4 (Landscape), 5 (levels), 6 (ecology), 7 (tree protection), 10 (architectural details) to 18/01946/FUL as the majority of the works are now complete on site
Case Officer:	Theresa Nicholl

[Click for further information](#)

Customer Details

Name:	Miss Charlotte Copley
Email:	parishclerk@alconburywestonparishcouncil.co.uk
Address:	37 Station Road, Ramsey, Huntingdon PE26 1JB

Comments Details

Commenter Type:	Town or Parish Council
Stance:	Customer made comments neither objecting to or supporting the Planning Application
Reasons for comment:	
Comments:	Alconbury Weston Parish Council has no material observations to make on this application.

Kind regards

From: developmentcontrol@huntingdonshire.gov.uk
To: [DevelopmentControl](#)
Subject: Comments for Planning Application 22/00145/S73
Date: 10 March 2022 13:34:50

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10/03/2022 1:34 PM from Mrs Alison Brown.

Application Summary

Address:	50 Hamerton Road Alconbury Weston Huntingdon PE28 4JD
Proposal:	Removal of conditions 3 (Material), 4 (Landscape), 5 (levels) ,6 (ecology), 7 (tree protection), 10 (architectural details) to 18/01946/FUL as the majority of the works are now complete on site
Case Officer:	Theresa Nicholl

[Click for further information](#)

Customer Details

Name:	Mrs Alison Brown
Email:	parishclerk@alconburywestonparishcouncil.co.uk
Address:	46 Oakdale Avenue, Peterborough PE2 8TA

Comments Details

Commenter Type:	Town or Parish Council
Stance:	Customer made comments neither objecting to or supporting the Planning Application
Reasons for comment:	
Comments:	Although the Parish Council has already submitted a no observation comment against this application, at their meeting on 7th March 2022, Councillors would like to see in the public domain a report as to why each condition is being changed and what they are being changed to, and also see a detailed report on what the applicant is not complying with. The Parish Council wish to be provided with this information.

Kind regards

From: mark.waring@alconburywestonparishcouncil.co.uk
To: [DevelopmentControl](#)
Cc: april.stone@alconburywestonparishcouncil.co.uk; "[Cllr Jane Baker](#)"; [Cllr Karen Brine](#); "[Cllr Neil Morton](#)"; "[Cllr P Baker](#)"; "[Cllr Paul Harper-Harris](#)"; [Parish Clerk](#)
Subject: Planning Application 22/00145/S73 - Alconbury Weston Parish Council Comment
Date: 31 May 2022 19:58:11

Following an Extraordinary meeting of Alconbury Weston Parish Council on 30 May 2022, Alconbury Weston Parish council make the following comments on Planning Application 22/00145/S73: Removal of conditions 3 (Material), 5 (levels), 6 (ecology), 7 (tree protection), 10 (architectural details) to 18/01946/FUL at 50 Hamerton Road, Alconbury Weston.

Alconbury Weston Parish Council objects to the proposed Removal of planning conditions to Planning Application 18/01946/FUL, that was approved on 18th October 2019, which were submitted as Planning Application 22/00145/S73 on 24th January 2022. **Alconbury Weston Parish Council recommends that you refuse Planning Application 22/00145/S73.**

The Parish Council (PC) offers the following comments:

- Condition 3. The PC is concerned that the building materials that have been used and the finished appearance are not in keeping with the Alconbury Weston Conservation Area, in which these houses stand, notably:
 - Materials are not to the required specification. i.e. doors and windows are UPVC/composite whereas they should be wood. The cladding is also not timber, it is composite
 - Despite chimneys being shown on all plans submitted, including the developer's revised plans, there are no chimneys. As far as the PC is aware, all houses within the conservation area have chimneys.
 - The colour of the cladding is a fashionable modern colour and is not in keeping with other properties in the Conservation Area.
 - Roof tiles are not the correct colour.
 - The colour of the doors and windows is not as originally specified.
 - Porches are missing from the finished properties.
 - The external appearance of the garages is not in keeping with the Conservation Area.The PC objects to the removal of Condition 3, and requests that remedial action is taken to address the appearance of this development.
- Condition 4. The planning application seeks to remove Condition 4. The PC has assumed that the developer has changed his mind, as he has now submitted both hard and soft landscaping plans. The hard landscaping proposal is comprehensive, but retains the road construction that currently exists but with a different surface. This is contrary to Condition 8 and does not achieve the flood risk reduction requirements. There is great concern within the village community that Condition 8 has not been met. We note that there has been no request to remove Condition 8, but it is unclear to the PC if there is provision for rainwater/surface water run-off as detailed in Condition 8 and it is still unclear to the PC how this condition would be met. The PC originally observed that the data used was some 20 years out of date and since that data was provided there have been several "1 in 100 year" floods. We are not clear as to the nature of the current drainage solution for this development and cannot determine if it is fit for purpose. The development seeks to barrier itself off from surrounding properties through the use of 1.8m high solid fencing, walls and some hedging inside the fencing. The PC considers that this is not in keeping with the boundaries between other properties within the conservation area, and recommends greater use of hedging, which would also contribute to flood alleviation. The PC objects to the hard landscaping proposal.
- Condition 5. The PC has no access to the site to determine whether the floor level of all buildings is correct. The PC consider that it is unacceptable to remove Condition 5 and request that the planning authority determines why this condition should be removed.

- Condition 6. The PC does not understand why condition 6 needs removing. The developer has submitted a Biodiversity Method Statement dated April 2022, and while the major part of the report has been undertaken by the completed development, the PC would wish to see the remaining activities completed and inspected.
- Condition 7. The PC note that the Retrospective Arboricultural Impact Assessment submitted by the developer states that Condition 7 has not been met. However, the PC support the recommendation of this report that the terms of Condition 7 are applied for the 5 years following completion of the development. The PC therefore object to the removal of Condition 7.
- Condition 10. The PC consider that Condition 10 is critical to the appearance of the finished properties and their blending into the conservation area. The PC note that there are some details on the plans that allude to the architectural design, but they are not sufficient to comment on. As many of these details are to be completed in the final stages of development, we cannot observe on their implementation, but would expect the developer to fulfil the requirements of Condition 10.

The PC request that you note that the meeting saw a large public participation (13 members of the parish + 2 developers), with the parish members particularly concerned about the appearance of the development where it is situated within the conservation area, and also that Parish advice has not been sought of any significant proposed deviations from the approved planning approval before they have been carried out. The overall feelings of the parishioners' present were that the development is significantly altered from what was initially approved.

Cllr Mark S Waring
Chair
Alconbury Weston Parish Council

Development Management Committee



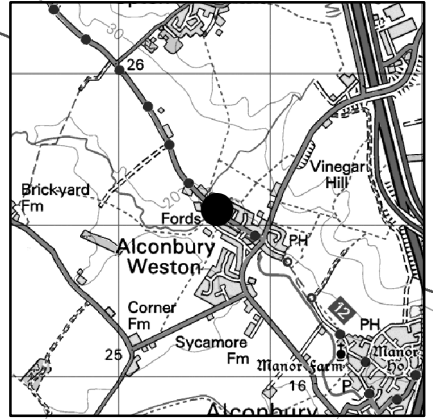
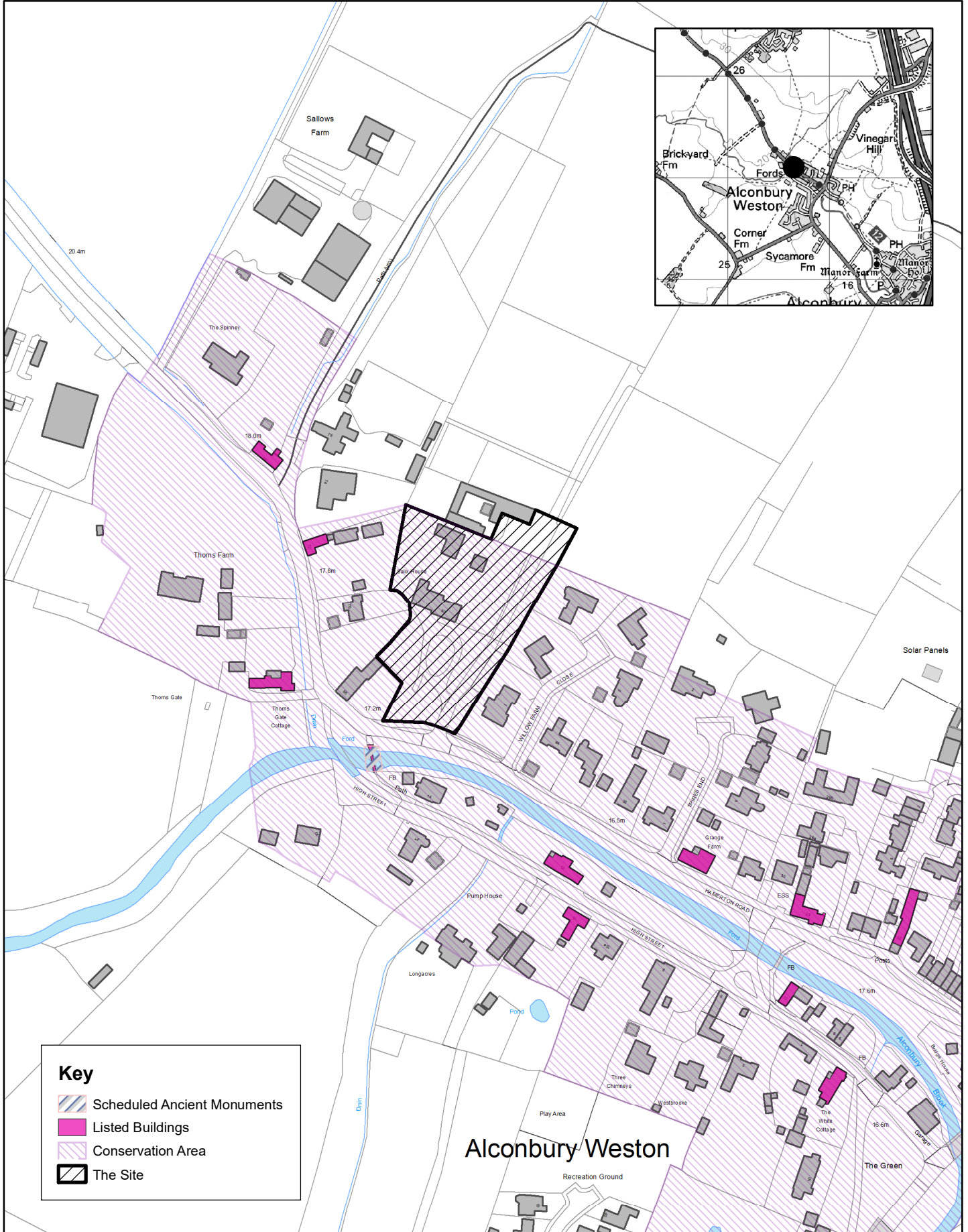
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Application Ref:22/00145/S73

Date Created: 04/07/2022

Location: Alconbury Weston

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Key

- Scheduled Ancient Monuments
- Listed Buildings
- Conservation Area
- The Site

Alconbury Weston

NOTES -

Site and Finished floor level

The proposed finished floor level of the house will be set 150mm above mean ground level in its proposed location, and the garage will be set at 75mm above the mean ground level in its proposed location. All levels around the site will follow the existing contours of the ground.

FFL's

As shown on the drawings.

Gates

No gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority

Materials -

See separate Drawings for plots 1, 2 & 3 materials

Footpaths and patio - Marshalls, standard 600m x 600mm slabs, Buff

Condition 4 -

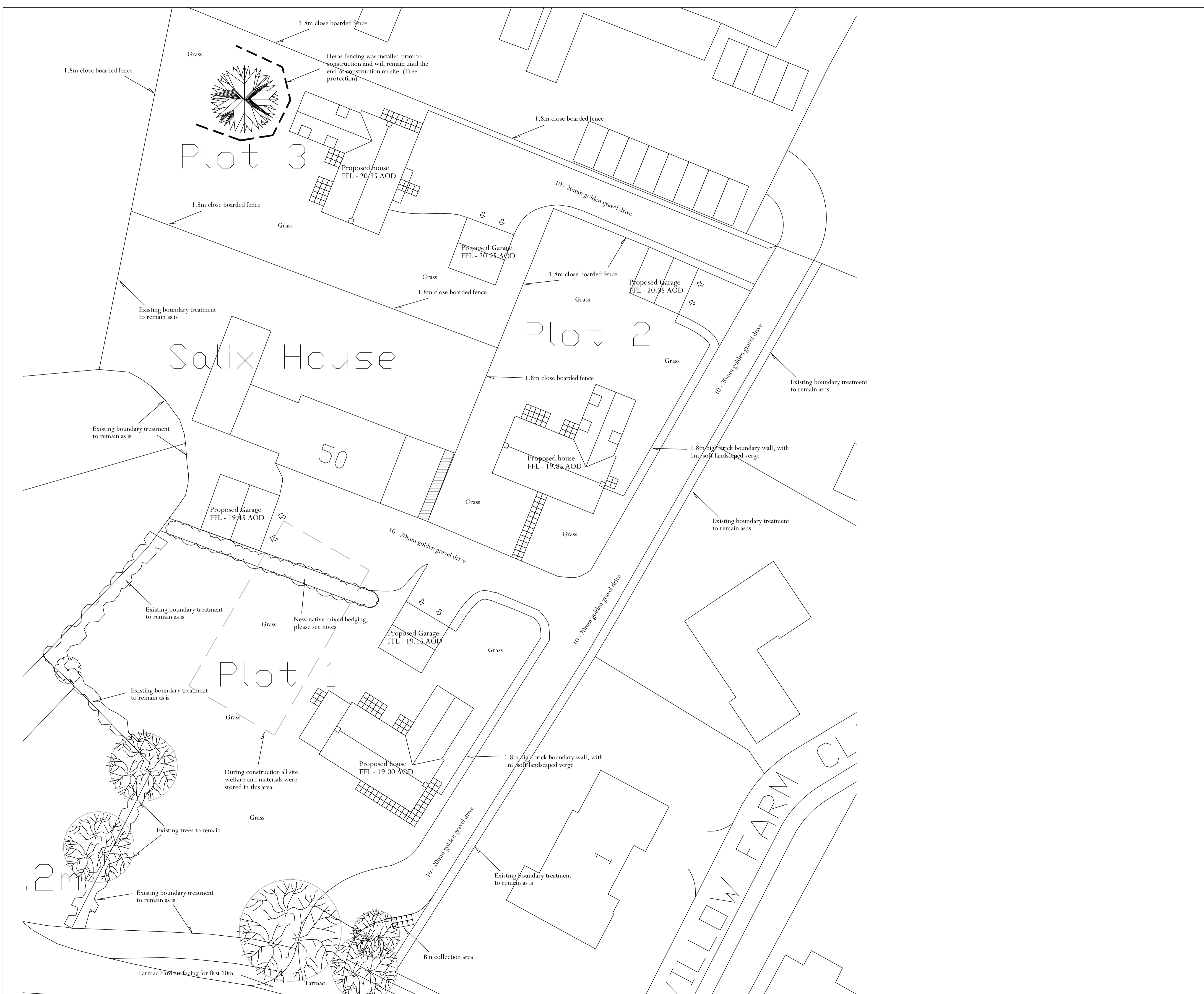
Please see accompanying information from Skilled Ecology and MTC Engineering

Condition 6 -

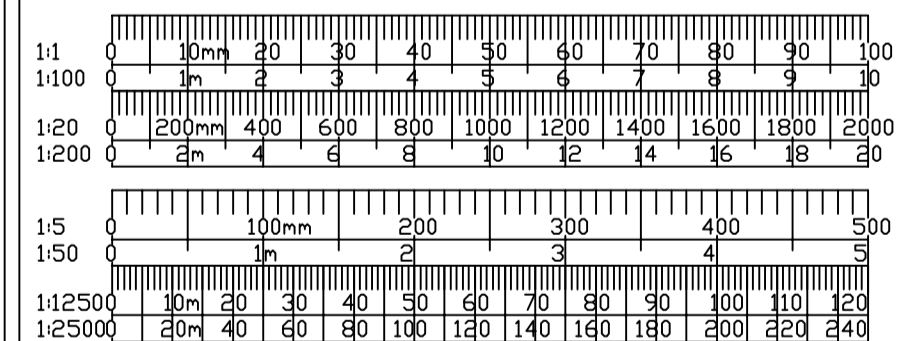
Please see accompanying information from Skilled Ecology

Condition 7 -

Please see accompanying information from Skilled Ecology



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Drawing Title -
PROPOSED BLOCK PLAN AND SITE PLANS

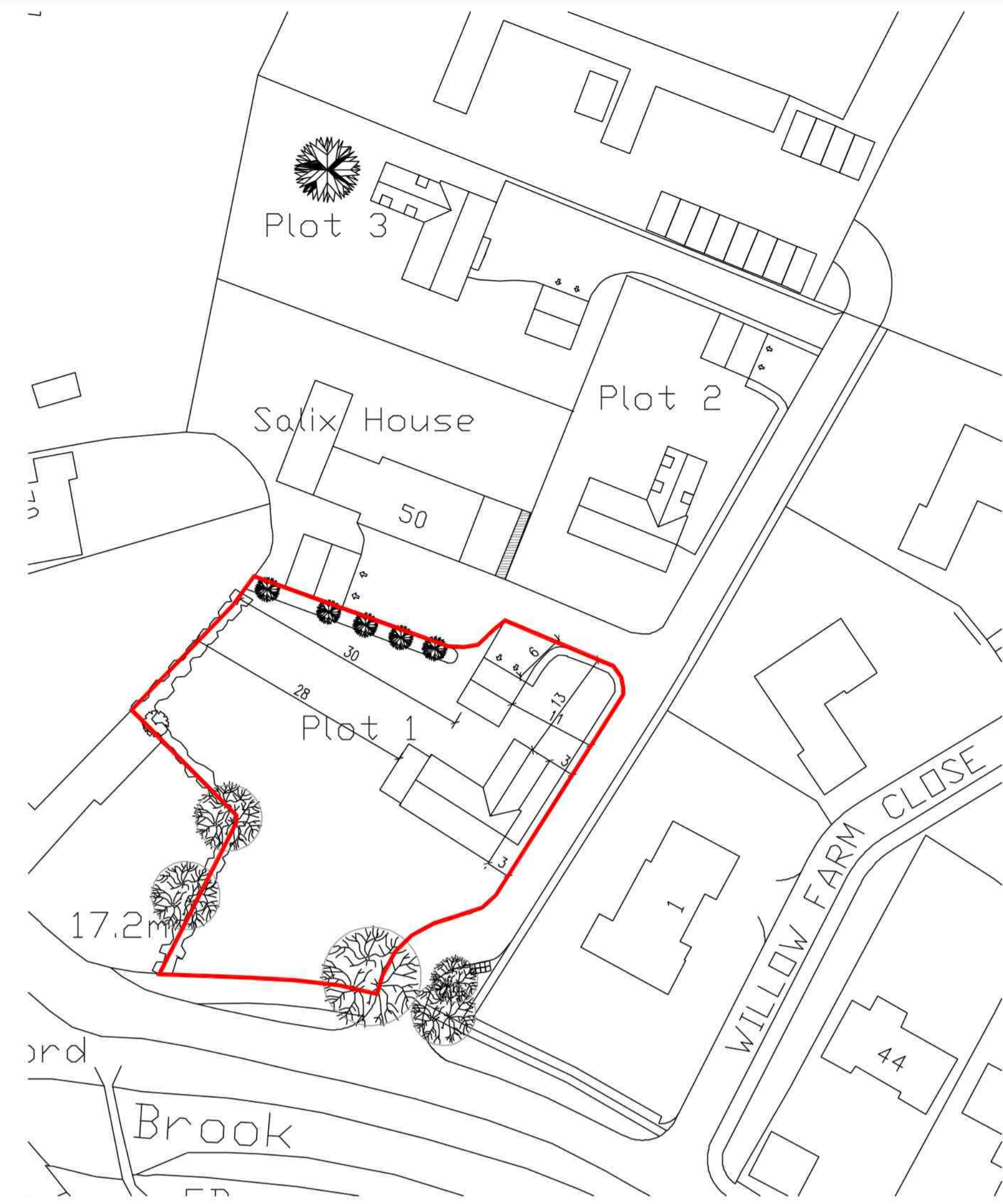
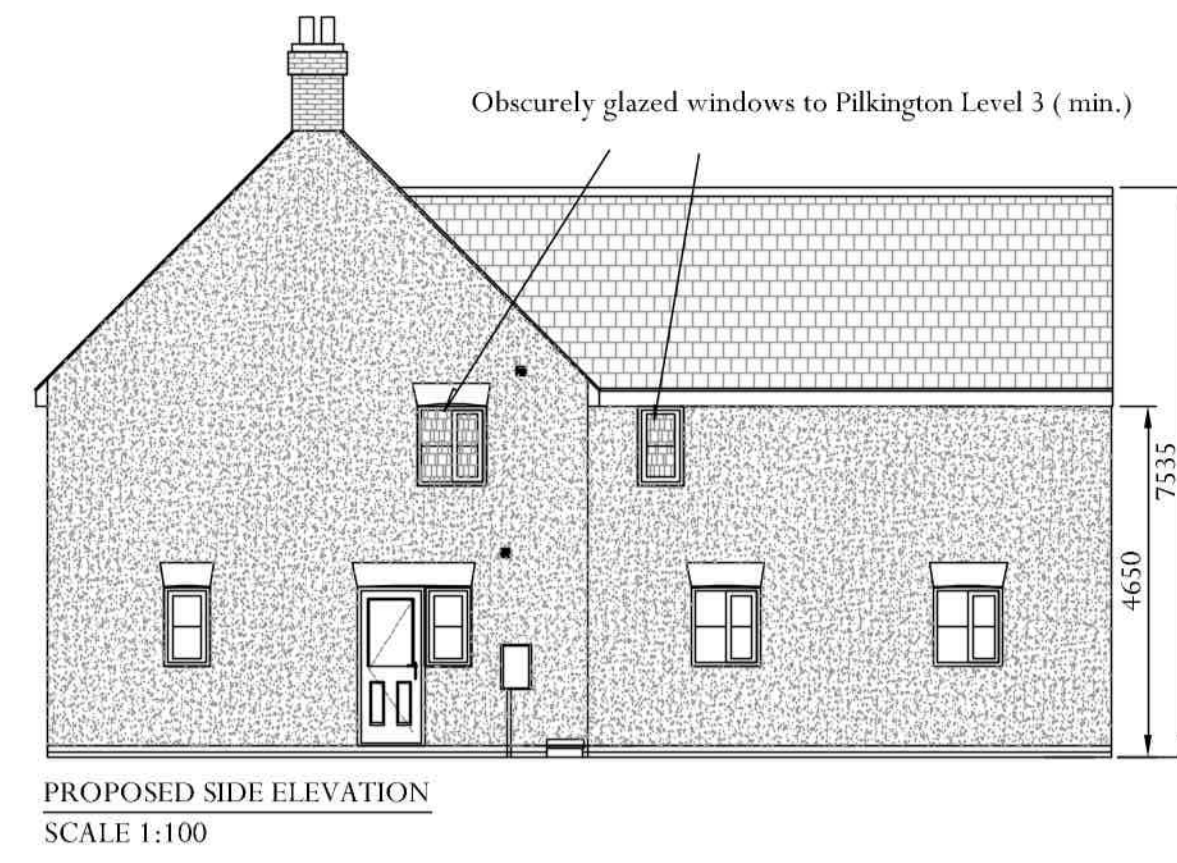
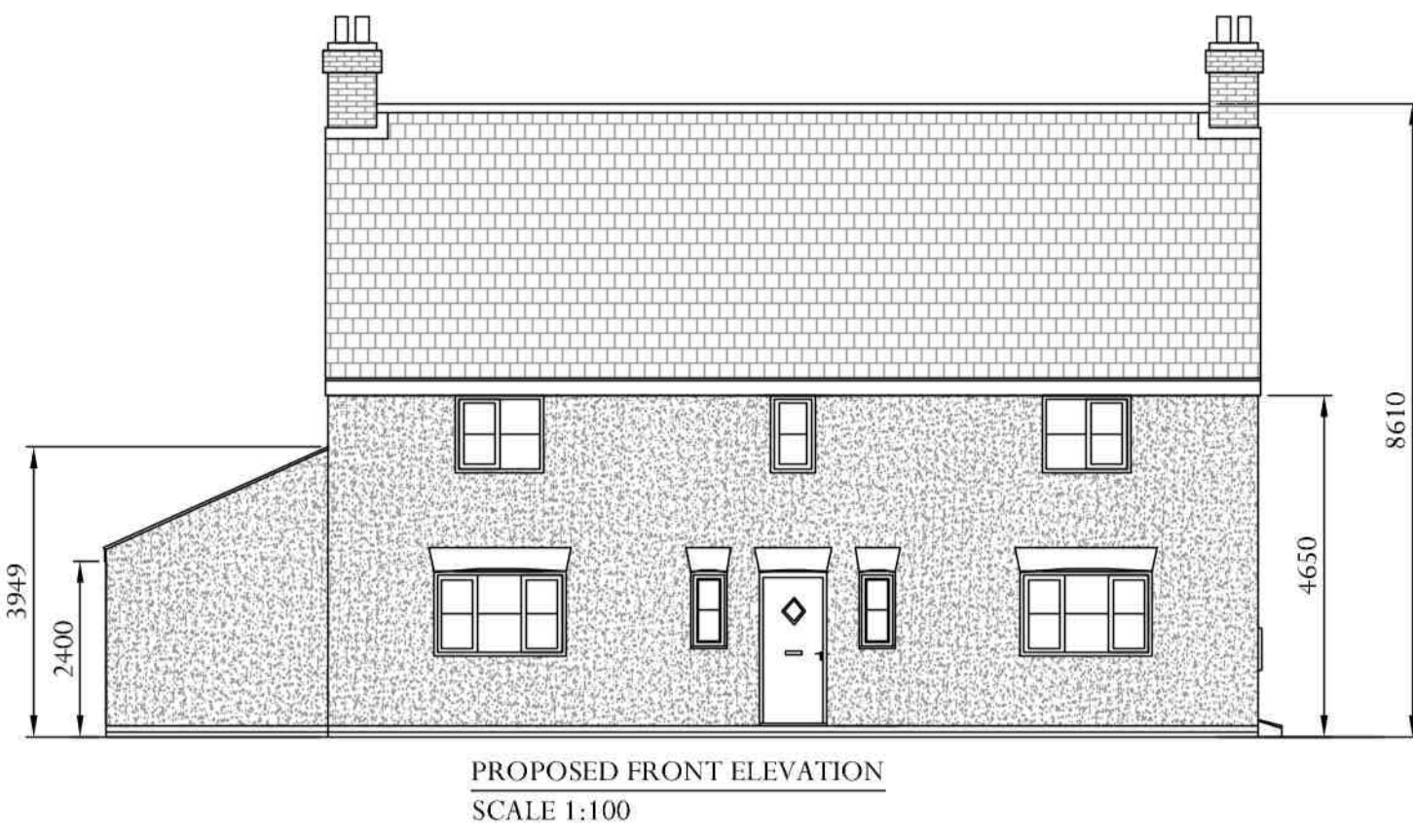
Client - RHD Homes
Address - Salix House, Hamerton Road, Alconbury Weston

Scale - 1/200 Date - JAN 21

Dwg. No. - JPT/RHD/0121/001 Rev. C

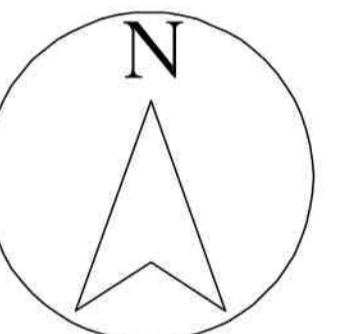
Notes :

1. All dimensions in millimetres unless otherwise stated.
2. All windows and doors to have a reveal of 30mm

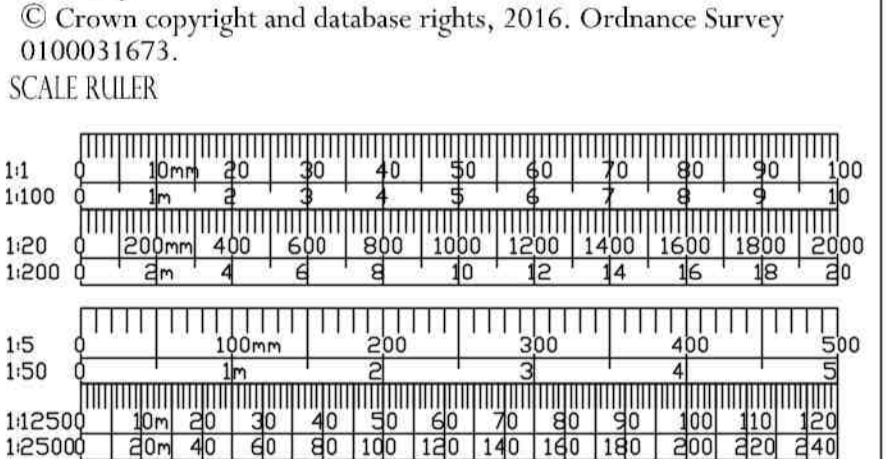


Proposed Materials

- Grey spanish slate tiled roof
- Weberal M monocouche render finish to walls in Ivory
- Clotted cream coloured, UPVC double glazed units for windows and doors
- Clotted Cream composite front door
- Soffits and Fascias in Anthracite Grey UPVC
- Rainwater gutters and downpipes in black UPVC
- Electric Meter box as shown in white
- Gas meter box (low level) as shown in brown
- External vents in cream colour



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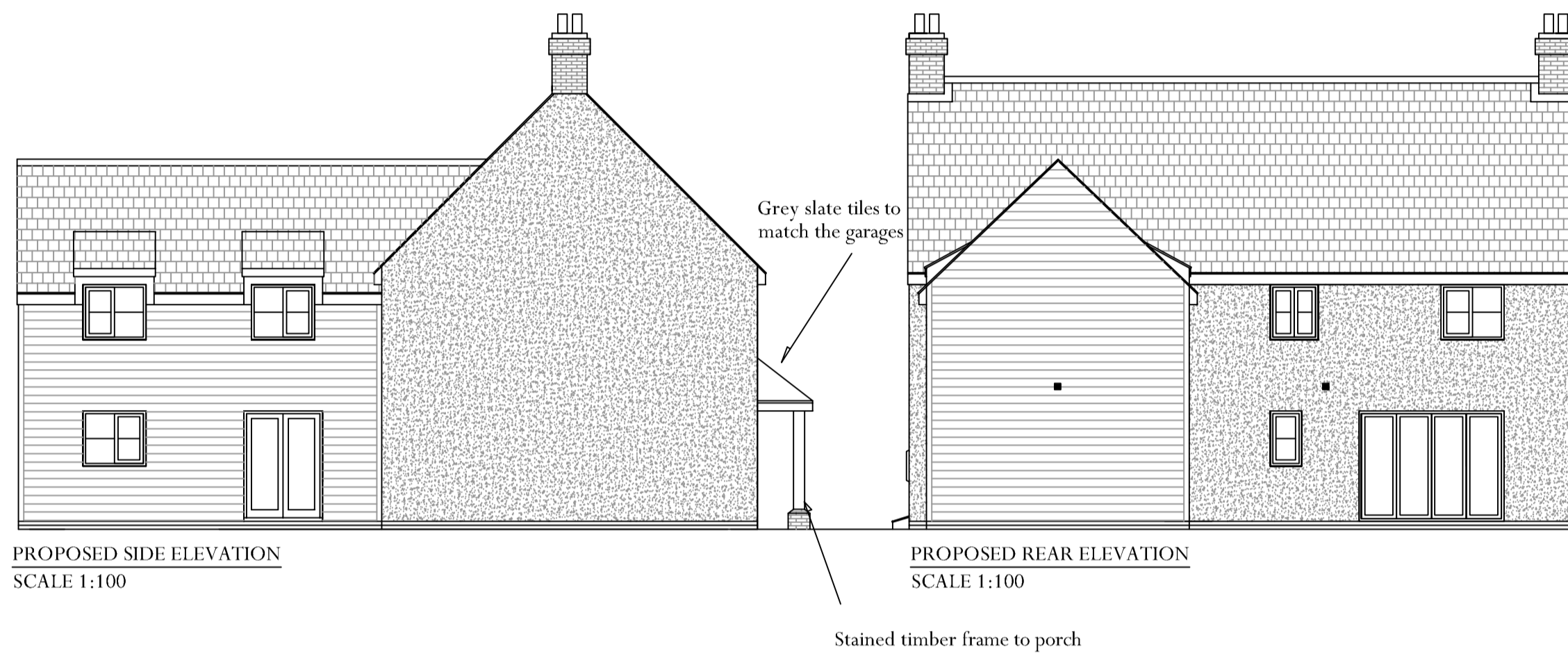


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Drawing Title -
Plot 1 - Elevations
Client - RHD Homes
Address - Salix House, Hamerton Road, Alconbury Weston
Scale - As shown at A1 Date - JAN 21
Dwg. No. - JPT/RHD/0121/002 Rev. C

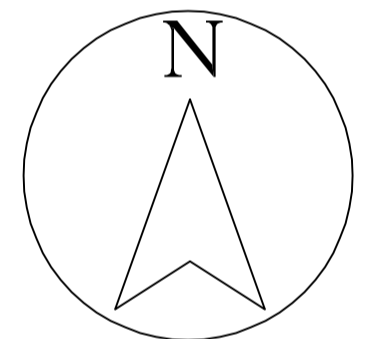
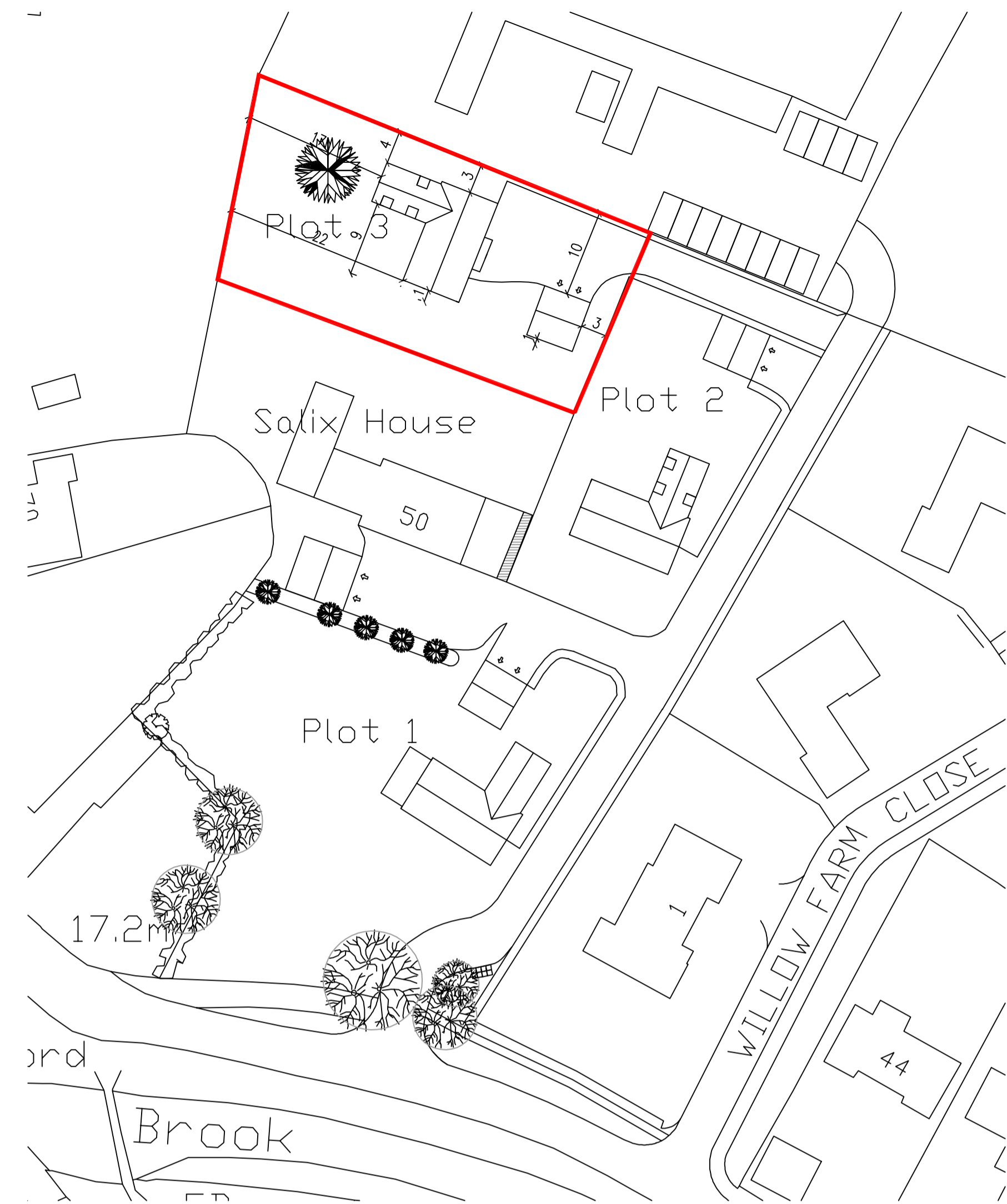
Notes :

1. All dimensions in millimetres unless otherwise stated.
2. All windows and doors to have a reveal of 30mm



Proposed Materials

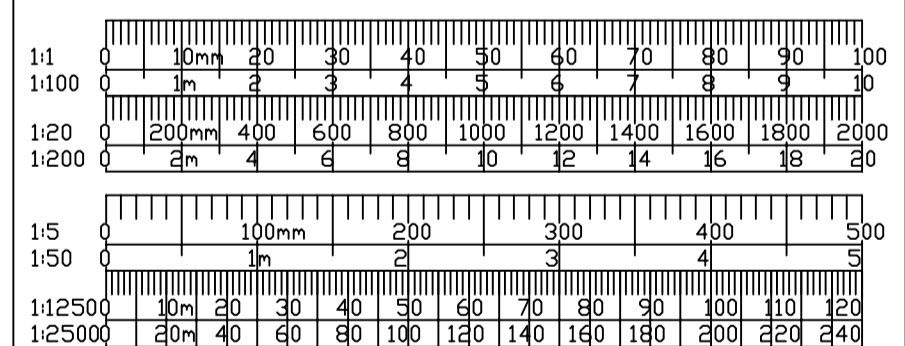
Marley double roman, red, concrete interlocking tiles
Weberal M monocouche render finish to walls in Ivory with James Hardie Cladding in the colour Pearle Grey to the rear sections
Clotted cream coloured, UPVC double glazed units for windows and doors
Clotted Cream composite front door
Soffits and Fascias in Anthracite Grey UPVC
Rainwater gutters and downpipes in black UPVC
Electric Meter box as shown in white
Gas meter box (low level) as shown in brown
External vents in Cream or Grey, to match external wall colour



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Drawing Title -

Plot 3 Elevations

Client - RHD Homes

Address - Salix House, Hamerton Road, Alconbury Weston

Scale - As shown at A1

Date - JAN 21

Dwg. No. - JPT/RHD/0121/004

Rev. C