



PETER GEORGE TOWN PLANNING

A: Peter George Town Planning, Nine Hills Road, Cambridge, CB2 1GE



22 May 2026

Development Control
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth Garden City
SG6 3JF

Dear Sirs

**Section 73 Planning Application: Downs Barns, Ashwell Road, Bygrave, Baldock,
SG7 5EE**

Section 73 Application: Variation of Condition 11 (removal of permitted development rights) of planning permission 25/01672/S73 granted on 13/08/2025 for the erection of four link-detached three-bedroom dwellings with garaging following the demolition of the existing commercial storage buildings

Introduction

Peter George Town Planning has been instructed by Mr J Northern to submit a planning application under Section 73 of the Town & Country Planning Act 1990 for the proposed variation of condition 11 of planning permission ref. 25/01672/S73. The purpose of this letter is to set out the planning case for the proposed variation of condition.

The application is supported by:

- This covering letter
- Duly completed and signed application form and ownership certificate
- Fee of £699.



Background

Planning permission (ref. 21/02687/FP) was granted in December 2021 for a row of three terraced properties following the demolition of the now demolished commercial storage building. A subsequent planning permission (ref. 22/01410/FP) was granted in August 2022 for a revised link-detached version of the scheme.

A subsequent planning permission (ref. 24/00151/FP, appeal ref. APP/X1925/W/24/3347012) was granted at appeal for the erection of a fourth dwelling to the previously approved scheme for three link-detached dwellings. This permission was subsequently varied by planning permission ref. 25/01672/S73 which sought to slightly increase the distance between plots 3 and 4; otherwise, the scheme was largely as per that allowed at appeal.

Proposal

Planning permission ref. 25/01672/S73 was granted subject to 11 conditions. Condition 11 states:

“Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no development as set out in Classes A, B, C and E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the local planning authority.”

Our client seeks a variation to Condition 11 to omit reference to Class C, such that the condition would instead read as follows:

“Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no development as set out in Classes A, B, and E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the local planning authority.”



Planning Discussion

Condition 11 was justified by the Council as being necessary in order to retain control over development that would otherwise constitute permitted development, in the interests of the character and appearance of the area and neighbouring residential amenity.

As set out above, our client seeks a minor variation to the condition to allow for the potential exercise of permitted development rights under Class C (other alterations to the roof of a dwellinghouse) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 ("the Order").

In our view, the scope of Class C of the Order is sufficiently narrow such that any development undertaken pursuant to this Class is highly unlikely to result in a fundamental alteration to the overall design or appearance of the approved dwellings. Furthermore, given the relationship between the proposed dwellings and neighbouring residential properties, it is similarly unlikely that operations falling within Class C would result in material harm to the living conditions of neighbouring properties.

Accordingly, it is considered that reinstating Class C permitted development rights would have minimal bearing on the matters that Condition 11 was intended to control. The condition would otherwise continue to operate as intended insofar as it would retain control over the broader forms of development ordinarily permitted under Classes A, B and E.

Moreover, whilst Green Belt policy was not cited as part of the justification for imposing Condition 11, it is relevant to note that development permitted under Class C would not facilitate enlargement of the approved dwellings. As such, there is no Green Belt policy basis upon which to reasonably object to the proposed variation of condition.

Conclusion

For the reasons set out above, it is considered that the proposed variation of condition would not conflict with the original purpose of Condition 11. The scope of Class C of Part 1, Schedule 2 of the Order is sufficiently limited to ensure that any development carried out



pursuant to this Class would be unlikely to materially affect the approved scheme in terms of either visual impact or relationship with neighbouring properties.

Accordingly, it is respectfully requested that planning permission be granted for the proposed variation of condition.

Please contact me if you require any further information in order to determine the application.

Yours sincerely,

Tom Donovan BA (Hons) MA MRTPI, Director

PETER GEORGE TOWN PLANNING