

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01547/S73	Variation of condition 2 (revised plans) of planning permission 25/00700/FPH granted 01.05.2025 for two storey side extension following removal of existing shed alterations to rear conservatory to include pitched roof and insertion of rooflights. Alterations to fenestration.	94 Swinburne Avenue Hitchin Hertfordshire SG5 2QZ

Submitted Plan Nos

Location Plan HM-24663-02-Rev A_Proposed Floor Plans and Elevations

1.0 Policies

2.0 Site History

- 2.1 **25/00700/FPH** - Two storey side extension following removal of existing shed alterations to rear conservatory to include pitched roof and insertion of rooflights. Alterations to fenestration. – Conditional Permission
- 2.2 **21/03062/FPH** - Retention of decking area adjacent to rear, above ground pool and erection of a wooden gate/fence to front drive – Conditional Permission

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – None received

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 No. 94 comprises a semi-detached two storey dwelling off Swinburne Avenue, Hitchin.

4.2 **Proposal**

4.2.1 The application proposes the variation of Condition 2 (revised plans) of planning permission 25/00700/FPH granted on 1 May 2025.

4.2.2 For the avoidance of doubt, the changes proposed with this application are:

- Alterations to fenestration to side elevation.
- Increase in ground floor depth to principal elevation including a pitched roof.

4.3 **Key Issues**

4.3.1 The principle of these works is already established by application ref: 25/00700/FPH. Therefore, the consideration of this application is how acceptable the proposed amendments to the scheme are relative to that which was approved.

Design

4.3.2 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. These considerations are echoed in Section 12 of the NPPF.

4.3.3 The proposed amendments would broadly retain the existing appearance of the extension, previously approved. The enlarged projection to the principal elevation would be visible but is not considered to detract from the appearance of the dwelling owing to its sympathetic built form and scale of development. Alterations to fenestration would not detract from the appearance of the dwelling or the extension due to the modest nature of this alteration.

4.3.4 The proposal is therefore deemed acceptable in design terms and in accordance with Policy D1 of the Local Plan and Section 12 of the NPPF.

Impact on Neighbours

4.3.5 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.

4.3.6 The proposed alterations would modestly enlarge the built form at ground floor level, however, given the lack of windows at ground floor level at the neighbouring dwelling, I do not consider that this enlargement would be to detriment of the amenities afforded to

neighbouring dwellings. There would be a reduction in window openings when compared to the approved scheme, and therefore, I do not consider that there would be privacy concerns from the amended scheme. No neighbour objections were received.

- 4.3.7 As such, the proposal will not cause unacceptable harm to living conditions, in line with Policy D3 of the Local Plan.

Biodiversity Net Gain

- 4.3.8 This proposal is exempt from BNG as it is a section 73 application.

4.4 **Conclusion**

- 4.4.1 The proposal is considered acceptable in planning terms and in accordance with Policies D1 and D3 of the Local Plan, as well as Section 12 of the NPPF.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 N/A

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions.

1. The development hereby permitted shall be begun before the expiration of 3 years from the grant of planning application 25/00700/FPH.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The extension(s) hereby permitted shall be built in external materials to match the existing dwellinghouse unless otherwise agreed in writing by the LPA.

Reason: To protect the visual amenities of the locality and to comply with Policies D1

and D2 of the North Hertfordshire Local Plan 2011 to 2031.

Biodiversity Net Gain

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 21 July 2025	