DELEGATED FILE NOTE

CASE OFFICER: ...Kate Poyser.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00441/S73	Variation of condition 2 (development built in accordance with approved plans) of planning permission 17/01422/1HH granted permission 28/07/2017 to facilitate raising eave height and pull out overhang of flat roof over single storey rear extension together with changes to rear first floor windows and front windows and doors	14 East Street Lilley Luton Hertfordshire LU2 8LW

Submitted Plan Nos

HET 1499/10 HET 1499/11

1.0 Policies

LP2	Green Belt

LP16	Areas of Archaeological Significance
LP28	House Extensions
LP30	Replace or Extension Dwellings Countrysi
LP57	Residential Guidelines and Standards
SECT9	Promoting Green Belt Land
SECT11	Conserving and enhancing natural environ
SECT12	Conserving and enhancing historic enviro
XSP5	Countryside and Green Belt
XCGB4	Existing Rural Buildings
XD2	Hse Extns,Replacement Dwells,Outbuilding
XD3	Protecting Living Conditions
XNE3	The Chilterns (AONB)
XHE1	Designated Heritage Assets

2.0 **Site History**

2.1 17/01422/1HH Single storey rear extension. Planning permission granted.

3.0 **Representations**

3.1 Conservation Officer – no comments received.

3.2 Lilley Parish Council – no comments received.

3.3 Local Residents – neighbours have been notified, but no comments received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 14 East Street is an end of terrace property within Lilley Conservation Area. 15 East Street is the adjoining residential property. An access drive serving several properties lies to the northwest, beyond which is The Cottage. The village of Lilley lies within an AONB.

4.2 **Proposal**

4.2.1 This proposal is a variation to the 2017 permission for a single storey rear extension. The amended scheme shows the height of the flat roof to be raised by 0.4 metre to 3.2 metres and the roof to continue beyond the extension by 0.2 metre to form a canopy. Please see drawings.

4.3 **Key Issues**

4.3.1 The key planning considerations relate to the alterations and the effect upon:

- Neighbouring residential amenity
- Character and appearance of the conservation area.

4.3.2 The small increase in roof height and the distance to The Cottage is such that the amended scheme would have no significant effect on the occupiers' living conditions.

4.3.3 15 East Street has an existing rear extension. I consider the proposed height of this flat single storey roof and the canopy would not have a significant effect on the living conditions of this neighbouring property.

4.3.4 The property lies within the conservation area. Considering its location at the rear of the property and the relatively small increase in roof height, I consider the amended scheme would not have a significantly greater impact on the conservation area then the approved scheme. The proposal would, therefore, preserve the character and appearance of Lilley Conservation Area.

4.4 **Conclusion**

4.4.1 There are no sustainable planning objections to raise to the proposal. The variation of Condition 2 should be allowed under Section 73 of the Town and Country Planning Act 1990.

5.0 **Recommendation**

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 date of this permission.

   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.

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 22 June 2018	