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Date: 13/10/2025

Dear Sir/Madam,

Application Site: Land At Turnpike Lane And Adjacent To 4 Manor Close, Turnpike Lane, Ickleford, Hertfordshire, SG5 3UZ

Description: Section 73 application seeking to vary Condition 2 attached to extant planning permission ref: 24/02563/S73

Introduction

Phase 2 Planning has been instructed on behalf of the Applicant, Troy Homes Ltd, to submit this Section 73 application for the variation of Condition no. 2 attached to extant planning permission ref: 24/02563/S73, which granted full planning permission for the construction of 8 dwellings alongside associated development.

This Addendum Letter is intended to be read in conjunction with the main Covering Letter and associated architectural drawings submitted with the Section 73 application.

Proposal Description

Planning permission ref: 24/02563/S73 consents the following development description: *"Variation of condition 2 (revised plans) of planning permission 24/01031/S73 granted for erection of eight dwellings comprising of 3 pairs of semi-detached dwellings (6 x 3-bed) and two detached 4-bed dwellings including integral garages (plots 1 and 8) with a new access spur from the Lodge Court, on-site parking, landscaping."*

Condition 2 attached to planning permission ref: 24/02563/S73 requires the approved development to comply with the approved plans as detailed on the associated Decision Notice.

Beyond the sought changes described in the main Covering Letter (the installation of air source heat pumps and minor changes to the spatial extent of private paving in the rear garden areas), it is also proposed that Condition 2 is varied in the following ways:

- Raising the finished floor levels of Plot 07 and 08, as depicted on the submitted drawings.
- Considers the detail currently reserved under Condition 20 (related to a scheme of sustainability measures).



Through this process, it is furthermore requested that the wording of Condition 20 be amended to reflect the fact that the scheme of sustainability measures have been approved via this Section 73 process. For clarity, once the Section 73 application is approved, we will remove the relevant live discharge of condition application which is seeking to discharge Condition 20 (ref: 25/01787/DOC).

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise, such a Government Policy or emerging Local Policy.

The statutory development plan for this area comprises the North Hertfordshire Local Plan 2011 to 2031, which was adopted in November 2022. It will, hereafter, be referred to as the Adopted Local Plan. The most relevant policies of the Adopted Local Plan that are relevant to the determination of this Section 73 application are considered in the 'Main Planning Considerations' section of this Covering Letter.

The National Planning Policy Framework (NPPF) forms a material planning consideration in the determination of this planning application.

Main Planning Considerations

Design and Impact on the Character and Appearance of the Area

Policy SP9 states that the Council will support new development where it is well designed and located and responds positively to its local context. Meanwhile, Policy D1 states that proposals will be supported where they respond positively to the site's local context.

The depicted drawings show the latest finished floor levels for two of the residential dwellings within the scheme (Plot 07 and Plot 08). These changes are considered to be minor in nature and will have an imperceptible impact upon the public realm when compared with the scheme approved under ref: 24/02563/S73.

Impact on Neighbouring Occupiers

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

There are no residential properties immediately to the west of the application site that would be impacted by the changes to the FFLs of Plot 07. There are residential properties to the east of Plot 08 (that are grouped around Manor Close); however, the footprint of Plot 08 is remaining in-situ and the first floor bathroom window will remain obscure glazed, meaning that the changes will not result in any adverse impacts upon these neighbouring properties.

Environmental Credentials

Policy D1 states that the local planning authority will support proposals that reduce energy consumption and waste.

The submitted Sustainability Statement scheme directly supports this policy aspiration, with the residential scheme incorporating a range of energy efficiency and renewable energy measures.

Conclusion

It is trusted that the contents of this Addendum Letter will assist the local planning authority in determining

This Section 73 application clearly demonstrates that the proposed variation of Condition no. 2 under extant planning permission ref: 24/02563/S73 will not result in any adverse planning harms, having demonstrated its acceptability in respect to design, environmental credentials, and the impact on neighbouring occupiers.

Having regard to the above, this Section 73 planning application is considered acceptable in planning terms and thus there is a compelling case for the grant of planning permission to vary Condition no. 2 as detailed. We trust that the above and enclosed detail is sufficient for the Council's prompt and full assessment of these application proposals, and we look forward to confirmation of the validation of the planning application shortly. In the interim please do not hesitate to contact me directly should you wish to discuss this matter further.

Yours sincerely

Phase 2 Planning

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Senior Planner