

DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02130/NMA	Amendment to wording of conditions 7,18 and 20 (as Non-Material Amendment to planning permission 23/02572/S73 granted 19.07.2024)	Land At Oakleigh Farm Codicote Road Welwyn Hertfordshire AL6 9TY

Submitted Plan Nos

19359 2000

2.0 **Relevant Site History**

- 2.1 23/02572/S73 - Variation of Condition 2 (submission of revised plans) of planning permission 20/00598/FP granted 29.09.2021 for Erection of 7 x 4-bed detached dwellings with associated detached garages, parking and amenity areas following demolition of all existing buildings and structures. Change of use of eastern section of land to paddock and alterations to existing access road (as amended by plans received 14.03.2024, 04.04.2024, 03/06/24 and 18/06/24) – Approved 19/07/24.

3.0 **Representations**

- 3.1 None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a private access road, and land that has been cleared of existing development, with planning permission for redevelopment to residential.

4.2 **Proposal**

- 4.2.1 The application proposes amendments to Conditions 7, 18, and 20 of planning permission 23/02572/S73.
- 4.2.2 The Conditions are below, with the proposed amendments to each in red:

7. No development (except demolition **and construction of the access road including vehicular access from Codicote Road**) shall commence until details of the existing and proposed ground levels and finished floor levels of the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with these approved details.

Reason: In the interests of amenity. To comply with Policy D1 of the Local Plan.

18. No development (except demolition **and construction of the access road including vehicular access from Codicote Road**) shall commence until the final design of the drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system will be based on the submitted Flood Risk Assessment, reference B02913 Rev 02, dated August 2020 prepared by Scott White and Hookins, dated 18 September 2020. The scheme shall also include:

1. Detailed infiltration testing be carried out pre-commencement in accordance with BRE Digest 365 standards at the proposed locations and depths of all SuDS features.
2. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
3. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features.
4. Provision of half drain down times within 24 hours.
5. Silt traps for protection of any residual tanked elements.
6. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
7. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

The drainage scheme shall be fully implemented prior to occupation.

Reason: To provide acceptable drainage and flood risk mitigation. To comply with Policy NE8 of the Local Plan.

20. No development (except demolition **and construction of the access road including vehicular access from Codicote Road**) shall commence until a detailed scheme for the provision of mains water services providing fire hydrants has been submitted to and approved in writing by the Local Planning Authority. No occupation of the development shall take place until the approved scheme for the provision of mains water services providing fire hydrants has been provided in full. Thereafter the fire hydrants shall be retained as approved in perpetuity.

Reason: In the interests of amenity and safety. To comply with Policy NE11 of the Local Plan.

4.3 **Key Issues**

- 4.3.1 The key issue for consideration is whether the proposed amendments would constitute a material alteration to Conditions 7, 18, and 20 of the previously granted scheme. The purpose of the conditions is considered to ensure the submission of the details of ground and floor levels of dwellings, final drainage details, and fire hydrants, prior to commencement of development (except demolition).
- 4.3.2 Adding in the wording proposed, i.e. “and construction of the access road including vehicular access from Codicote Road”, would allow for the construction of the access road before the dwellings.
- 4.3.3 The proposed amendments of the Conditions are not considered to prevent the objectives of those Conditions, would not be noticeable to neighbours, and are not considered to materially alter the nature of the previously granted permission. I am therefore satisfied that the amended scheme would be acceptable in planning terms.

4.4 **Conclusion**

- 4.4.1 The proposed changes to the scheme are not considered to be 'material' alterations to the previously granted planning permission. It is therefore my view that the non-material amendments are **AGREED**.

5.0 **Recommendation**

- 5.1 That the non-material amendment is **AGREED**.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 10 October 2024	