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Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

3 September 2024

Dear Development Management,

**Retrospective Section 73 Application to Amend Approved Plans Pursuant to 22/02806/FPH
31 Priory Way, Hitchin, Herts, SG4 9BJ**

This Covering Letter relates to the accompanying Section 73 planning application which seeks to retrospectively vary the approved plans pursuant to permission 22/02806/FPH, at 31 Priory Way.

Following the grant of planning permission on 15 December 2022, building works have progressed on site. This application seeks to regularise minor alterations to the design, which reflect how the 'as built' development has deviated from the approved plans.

Existing Condition

Condition 2 (approved plans) states:

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.



The plans listed are:

- D3_000
- D3_010
- D3_011
- D3_012
- D3_020
- D3_021
- D3_110
- D3_111
- D3_112
- D3_113
- D3_120
- D3_121

Proposed Variation

No change is proposed to the text of Condition 2. It is proposed to amend the plans list to the following:

- D3_000
- D3_010
- D3_011
- D3_012
- D3_020
- D3_021
- D3_110 Rev A
- D3_111 Rev A
- D3_112 Rev A
- D3_113 Rev A
- D3_120 Rev A
- D3_121 Rev A

Planning Considerations

It is relevant to assess whether there are any net impacts to relevant planning considerations as a result of the proposed variations to the plans. The relevant planning considerations in



this instance, with reference to the officer assessment of the extant permission, are design and neighbouring amenity.

Design

The footprint, scale, material palette, and overall aesthetic of the proposed amended design remains the same as previously approved. The amendments can be summarised as follows:

- First floor rear extension, which as approved is slightly offset, is now flush with the eastern elevation of the main dwelling – a difference of about 50cm;
- Minor alterations to fenestration, with some previously approved openings removed, and others slightly changing position, shape, size and style; and
- Minor alterations to the approved dormer, with a slightly varied style of metal cladding, and slight alteration to the fenestration.

No new windows are proposed, although one window which was previously shown on the approved floor plans to the first floor west elevation, but omitted in error from the elevations, is now shown correctly on the proposed elevations. The overall amount of glazing is not materially different to that previously approved. The openings remain consistent and appropriate in their positions, design detail, and material palette, which remains streamlined, contemporary and high quality.

The minor changes to the design, as set out on the submitted plans, have no significant impact on the overall appearance of the dwelling. They do not introduce a new aesthetic, with the overall contemporary design and materials remaining appropriate, as previously assessed.

Neighbouring Amenity

As previously set out, no additional windows are proposed as part of the varied plans. The overall footprint remains as approved, and, whilst there is a slight increase in massing due to the first floor rear extension now being flush to the east elevation, this will not result in any additional overbearing impacts due to the minor nature of the increase. This elevation, at first floor, is now closer to the neighbouring boundary with no. 33 by approx. 50cm. However, it remains well set back from the property boundary, and well behind the easternmost elevation of the approved dwelling at ground floor level. This therefore does not result in any significant unacceptable impacts on neighbouring outlook.



It is noted that the Officer Report for the extant permission assessed impacts on neighbouring privacy as a result of the approved windows at the first floor east elevation, concluding that the impacts were acceptable. The proposed variation removes a window from this elevation, resulting in an overall net improvement to neighbouring privacy. The remaining window at first floor is obscure glazed.

Other Conditions

As this is a retrospective Section 73 application and development has already commenced, Condition 1 (statutory time limit) is no longer required. The variation to the proposed plans reduces the number of first floor east side elevation windows to one, and the wording to Condition 3 could be updated to replace 'windows' with 'window' for consistency.

Conclusion

The proposed variation to the plans condition pursuant to 22/02806/FPH seeks to regularise minor changes which have arisen through the build out of the permission. The amendments comprise a slight increase to the first floor rear extension, meaning the east elevation is now flush, slight variations to the fenestration (with no material change to the total amount of glazing), and minor changes to the dormer design.

These changes retain the footprint, scale, high quality material palette, and overall contemporary aesthetic which was previously assessed as acceptable. The net impacts of these amendments are negligible, with no amendments which significantly affect the overall design or neighbouring amenity. The loss of one window to the first floor east elevation is likely to result in an overall minor net improvement to neighbouring amenity at no. 33.

For these reasons, the proposed plans amendments do not result in any planning impacts which justify a departure from the previous planning assessment.

Yours sincerely,

Philippa Baruch MRTPI
Associate
Planning Insight