

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01652/S73A	Variation of condition 2 (revised plans) relating to plot 2 of planning permission 24/00173/S73 granted 13.03.2024 for Variation of condition 2 (revised plans) of planning permission 23/01630/FP granted 02.11.2023 for erection of two detached dwellings (1 x 3-bed and 1 x 4-bed) including associated parking and works following demolition of existing barn. (as amended plan received 05.09.2025)	Rear Of 36 Bucklersbury Hitchin Hertfordshire SG5 1BG

Submitted Plan Nos

22178_PL01_A 22178_PL05_H _ Plot 2 22178_PL03_D

2.0 **Site History**

- 2.1 23/01630/FP - Erection of two detached dwellings (1 x 3-bed and 1 x 4-bed) including associated parking and works following demolition of existing barn – Conditional Permission
- 2.1.1 24/00173/S73 - Variation of condition 2 (revised plans) of planning permission 23/01630/FP granted 02.11.2023 for erection of two detached dwellings (1 x 3-bed and 1 x 4-bed) including associated parking and works following demolition of existing barn – Conditional Permission
- 2.2 15/00434/1 - Rebuild barn following demolition of existing to provide 1 x two-bedroom dwelling; erection of 1 x two-bedroom detached dwelling and provision of associated parking. Access through existing archway off Bucklersbury. – Conditional Permission
- 2.2.1 18/02223/S73 - Rebuild barn following demolition of existing to provide 1 x two-bedroom dwelling; erection of 1 x two-bedroom detached dwelling and provision of associated parking. Access through existing archway off Bucklersbury. Section 73 to vary condition 2 (development to be carried out in accordance with approved plans) of planning permission dated 05.05.2017 (ref. 15/00434/1) namely for: Removal of the glazed element at first floor level and enclosing of part of the proposed roof terrace; Removal of the proposed green roof and provision of a rooflight at first floor level; Removal of the glazed side panel to the front door and alterations to the design of the door; Internal reconfiguration and Removal of the PV panels from the roof. – Conditional Permission
- 2.2.2 22/02986/S73 - Variation of condition 2, 3 and 7 (amended plans, materials and landscaping as shown on amended plans 22178_PL03_A, 22178_PL04_A and 22178_PL05_A) of planning application 15/00434/1 granted 05/05/2017 for rebuild barn following demolition of existing to provide 1 x two-bedroom dwelling; erection of 1 x two-bedroom detached dwelling and provision of associated parking. Access through existing archway off Bucklersbury. – Conditional Permission
- 2.3 Various applications relating to the discharge of conditions.

3.0 **Representations**

3.1 **Neighbour Consultation** – 3x Objections from No. 1 Winchs Yard:

- Overlooking and losses of privacy.
- Noise impacts from proximity of usable floorspace.
- Non-permanent solution proposed.

- Insufficient height to mitigate overlooking concerns.
- Potential removal of screen would undo mitigation measures.
- Asks for a permanent screen to be erected should permission be granted.
- Amended plans do not overcome their objections relation to privacy and amenity.

3.1.1 1x Representation relating to issues accessing the website to view plans. Did not advise objection unless it impacted upon allocated access and parking areas for No. 36 Bucklersbury.

3.2 Environmental Health – No Objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is a new dwelling to the rear of Bucklersbury. This is adjacent to No. 1 Winch's Yard, accessed off Tilehouse Street. The site is in proximity to various Listed Buildings.

4.2 **Proposal**

4.2.1 This application seeks to vary Condition 2 of the previous planning permission 24/00173/S73 granted 2 November 2023.

4.2.2 Condition 2 relates to the approved plans of the development. This application form indicates that the following amendments are proposed:

1. Extension of the usable terraced area to the full extent of the parapet flat roof.
2. Addition of a 700mm privacy screen to the top of the 1m parapet wall along the edge of the additional terrace area.

4.3 **Key Issues**

Principle of Development:

4.3.1 The principle of the development has been established given the extant planning permission. Relevant material considerations relating to the current application are design/Conservation & Heritage and impacts to neighbour amenity.

Design and Appearance and Impact to Conservation Area:

4.3.2 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings to incorporate design that is sympathetic to the main dwelling in terms of its scale, form and orientation and does not harm the character and appearance of the locality around the site. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.

4.3.3 The enlarged balcony does not significantly alter the appearance of the dwelling, now constructed. It would result in changes out of sight from most neighbours and would not

result in changes in built form or the overall appearance of the dwelling. In design and appearance terms, this alteration is acceptable. Furthermore, it is noted that the dwelling benefits from permission for a balcony, and this seeks to enlarge the balcony. Given the previous approval, in design and appearance terms, an enlarged balcony/terrace area is not detrimental to local character. The proposed screen would alter the appearance of the dwelling, given the introduction of built form above the wall edge where previously there was none. Given the cream colour, and the traditional appearance of the boarding, I do not consider that its introduction would be detrimental to the character and appearance of the area and the setting of nearby listed buildings. Overall, the impacts to appearance are not considered to be harmful.

- 4.3.4 The proposed development is therefore considered to be in compliance with Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

- 4.3.5 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.6 It is noted that neighbour objections have been received citing amenity concerns as their primary reason for objection. Proposed is a screen 0.7m in height, or 1.7m in height above the floor level of the terrace. It would cover the depth and surround of the balcony to the end closest to No. 1 Winchs Yard. Given the opaque nature of the screen, and its height and depth along the boundary, I consider that it would suitably mitigate overlooking or a sense of overlooking created by the enlarged terrace space. Predominantly, the existing arrangement is detrimental to the use of this garden space and the rooms to the rear of No. 1 Winchs Yard. The introduction of the screen would cause some dominance to these windows and garden space owing to the introduction of bulk above the level of the wall. This is acknowledged, however, given the light colour proposed, I do not consider that this introduction would be significantly overbearing. Light loss would arise, particularly in the mornings, however, the position of the screen, marginally to the north would suitably mitigate this loss, and any other light would be reflected and conducted down from the screen and into this garden space. The proximity of usable floor area would increase noise levels adjacent to No. 1 Winch's Yard, and this is acknowledged, however, the screen would not feature any gaps or slats, and therefore can mitigate noise impacts. Environmental Health have not objected following receipt of additional information on the plans, with previous concerns advising that they would support a screen whereby slats were proposed. A solid screen is considered to mitigate acoustic impacts to these neighbours, and potentially provide some respite compared to the original layout whereby no screen was proposed but a raise terrace, albeit with a reduced depth, was granted permission. Overall, impacts to amenity are considered to be acceptable.
- 4.3.7 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Other Matters:

- 4.3.8 Given the proposed siting of the screen, it is considered that the condition requiring obscure glazing to 'Bedroom 1' should be dispensed with. The screen would mitigate the view into the rear doors/window serving No. 1 Winchs Yard. Views would continue to be gained up towards the first-floor window at No. 1 Winchs Yard, however, I do not consider that this view would be unacceptably harmful to the amenity of this neighbouring occupier.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 **Alternative Options**

- 4.5.1 None applicable.

5.0 **Recommendation**

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

1. 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.

2. The materials used on the development shall be in accordance with the details submitted and approved under LPA ref 18/0673/DOC and shall be implemented on site, subject to the following exceptions:

- The approved Marley Eternit Cedral Lap Cladding shall be C50 (black) in colour.
- The lean-to element on Plot 02 shall be covered by an interlocking roof tile similar in appearance to the approved clay roof tiles.

The above details shall be implemented on site unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interest of design and visual amenity.

3. Details of the on-site storage facilities for waste including waste for recycling submitted to and approved by the local planning authority as part of LPA reference

18/02692/DOC shall be implemented on site prior to first occupation of the dwellings hereby approved. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity.

4. The development shall proceed in accordance with details approved by Discharge of Condition applications 18/02693/DOC, 18/02903/DOC, 18/02922/DOC, 18/02923/DOC.

Reason: Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

5. The landscaping details approved as LPA reference 18/02694/DOC shall be implemented on site. The only exceptions to this are:

- The green roof and hedging to the flat roof/terrace of Plot 02 shall be omitted.
- Additional planting shown on plan 22178_PL03C shall be implemented on site.
- The access road shall be constructed from porous tarmac.

6. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

7. The noise mitigation measures submitted with 15/00434/1 and detailed in Section 4.3 of Report Reference 14258-003 Revision A by Philip Acoustics dated January 2017, shall be implemented prior to the first occupation of the dwellings. Once implemented, the scheme of measures shall be maintained in accordance with the approved details.

Reason: To protect the residential amenities of future residents.

8. Each residential property shall incorporate an Electric Vehicle (EV) ready domestic charging point installed in accordance with the following specification. The necessary

certification of electrical installation shall be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Reason: In order to mitigate the impact upon local air quality from the development.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended, no development as set out in Classes A to E inclusive of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area.

10. Prior to first occupation, each dwelling shall be provided with at least 1x Sheffield Cycle Loop.

Reason: To ensure that a suitable level of cycle parking is provided in accordance with the Parking at New Developments SPD.

11. Prior to the first occupation of the dwelling, the screen, 0.7m in height from the wall edge, and as shown on plan PL 05 H, received 05 September 2025 shall be erected on site, and shall be permanently retained in perpetuity. Should the screen fall down or fall into a state of disrepair, it shall be re-instated within 1 calendar month to the same height and shall be retained in perpetuity.

Reason: To preserve the amenity of neighbouring occupiers, to comply with Policy D3 of the North Herts Local Plan 2011-2031.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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.

Informative/s:

1. EV CHARGING POINT SPECIFICATION INFORMATIVE:

Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments).

- o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed determination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
- o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 7 October 2025	

