

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02702/S73	Variation of Condition 2 (plans) and removal of Condition 8 (Access Details) of planning permission 23/01154/FP granted on 22.08.2024 for Erection of one detached 4-bed dwelling following demolition of existing dwelling (amended by plan received 30/11/23).	Chez Nous Harveys Hill Lane Luffenhall Stevenage Hertfordshire SG2 7PX

Submitted Plan Nos

BAR-005 Location Plan

CGB1	Rural Areas beyond the Green Belt.
CGB4	Exist buildings in the RA Beyond GB
D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
D4	Air quality
HE1	Designated heritage assets
NE2	Landscape
NE4	Biodiversity and geological sites
T1	Assessment of transport matters
T2	Parking
SECN11	Making effective use of land

SECN12	Achieving well-designed places
SECN15	Conserve + enhance natural environment
SECN16	Conserve + enhance historic environment
SECN9	Promoting sustainable transport
SP13	Historic environment
SP12	Green infrastructure, landscape and biod
SP6	Sustainable transport
SP9	Design and Sustainability
SP5	Countryside and Green Belt
T2	Parking
T1	Assessment of transport matters

2.0 **Site History**

- 2.1 23/01154/FP - Erection of one detached 4-bed dwelling following demolition of existing dwelling (amended by plan received 30/11/23) – Conditional Permission
- 2.1.1 25/01339/DOC - Details reserved by condition 11(Biodiversity Net Gain) of planning permission reference no 23/01154/FP granted 22.08.2024. – Approval of Details
- 2.1.2 25/01337/DOC - Details reserved by condition 5 (Landscape Details) of planning permission reference no 23/01154/FP granted 22.08.2024. – Approval of Details
- 2.1.3 25/01201/DOC - Details reserved by condition 3 (Materials) of planning permission reference no 23/01154/FP granted 22.08.2024. – Approval of Details
- 2.1.4 25/01338/DOC - Details reserved by condition 8 (Access details) of planning permission reference no 23/01154/FP granted 22.08.2024. - Refusal

3.0 **Representations**

3.1 **Neighbour Consultation** – None received.

3.2 **Environmental Health** – No Objection.

3.3 **Ecology** – No comments.

3.4 **Highways** –

November 2025 – Objection, recommends refusal. Seeks the submission of a speed survey.

January 2026 – Does not wish to restrict grant of permission. Seeks confirmation that the following shall be implemented:

- The transition to 1:20 occurs within the site as proposed.
- Surfacing is in a bound material to prevent erosion and maintain traction.
- Drainage measures are implemented to prevent surface water discharge onto the highway.
- These measures align with inclusive design principles and mitigate risk for all users.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is a parcel of land off Harveys Hill Lane, Luffenhall. It is within the Rural Area Beyond the Green Belt.

4.2 **Proposal**

4.2.1 This application seeks to vary Conditions 2 and 8 of the previous planning permission 23/01154/FP granted on 22.08.2024.

4.2.2 Condition 2 relates to the approved plans of the development. This seeks to alter the Block Plan layout within the site.

- 4.2.3 Condition 8 relates to the submission of access details. This condition is to be removed with the condition details provided upfront. Condition 9 will be retained to ensure these details be implemented prior to first occupation.

4.3 **Key Issues**

- 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 and impact to neighbour amenity and the Highways impacts.

Design and Appearance:

- 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 proposed changes to the driveway layout are modest, and are similar to the previously approved layout scheme. I consider that these changes are suitably sympathetic to the setting of the approved dwelling, and would not detract from the surrounding street scene and area.
- 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 The changes to the site layout and the submission of the highways details are not considered to result in significant harm by reason of a loss of light, from dominance, or from overlooking as a result of a change in levels. No neighbour objections were received.
- 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.

Highways and Parking:

- 4.3.8 The altered site layout would continue to allow for a suitable level of parking for a dwelling of the size approved. Highways initially objected, seeking the submission of a speed survey, and following receipt of this speed survey and its findings, withdrew their objection. This is subject to the development being undertaken subject to certain parameters. I consider it is prudent to secure the provision of an Aco drain to the drive as requested by Highways. In the round, the highways impacts are acceptable.

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 begun before the expiration of 3 years from the date of the original planning permission ref: 23/01154/FP.

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.

3. The development shall proceed in accordance with details approved by Discharge of Condition applications 25/01201/DOC or any subsequent Discharge of Condition Application pursuant to this condition.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

4. Prior to occupation, the new dwelling shall incorporate an Electric Vehicle (EV) ready domestic charging point.

Reason: To contribute to the objective of providing a sustainable transport network and

to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality. To comply with Policy D4 of the Local Plan.

5. The development shall proceed in accordance with details approved by Discharge of Condition applications 25/01337/DOC or any subsequent Discharge of Condition Application pursuant to this condition.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

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, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

7. Any contamination encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.

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. To comply with Policy NE11 of the Local Plan.

8. A means for capturing surface water within the access way shall be implemented prior to the first occupation of the dwelling hereby approved. The method of capturing surface water shall stop any runoff from reaching the public highway from the entrance to the dwelling.

Reason: To ensure satisfactory access into the site and footway is safe, suitable, and sustainable for all highway users and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2. To comply with Policy T1 of the Local Plan.

9. Prior to the first occupation/use of the development hereby permitted the vehicular access, visibility splays, etc shall be installed in accordance with the approved detailed technical plans and thereafter retained and maintained at all times at the position

shown.

Reason: To ensure satisfactory access into the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018). To comply with Policy T1 of the Local Plan.

10. Prior to the occupation of the development, the Biodiversity Enhancement Opportunities set out in Table 6 of the submitted Preliminary Roost Assessment (date 12/10/23), and the Recommendations and Enhancements in the Bat Emergence and Re-Entry Surveys Report (date 30/07/24), shall be fully implemented and retained thereafter.

Reason: To provide compensatory habitats and biodiversity enhancements. To comply with Policy NE4 of the Local Plan.

11. The development shall proceed in accordance with details approved by Discharge of Condition applications 25/01339/DOC or any subsequent Discharge of Condition Application pursuant to this condition.

Reason: To provide biodiversity net gain. To comply with Policy NE4 of the Local Plan.

Biodiversity Net Gain

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

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.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 15 January 2026	