

DELEGATED FILE NOTE

CASE OFFICER: ...Ben Glover.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00636/NMA	Vary condition 25 (fire hydrants) to allow for commencement up to slab level before a scheme is agreed (as non-material amendment to outline planning permission 18/01502/OP granted on 25.07.2023).	Land Between Royston Road And Cambridge Road Barkway Hertfordshire

Submitted Plan Nos

1.0 Policies

2.0 **Site History**

- 2.1 18/01502/OP - Outline application with all matters reserved other than strategic point of access onto Royston Road and Cambridge Road for the erection of up to 140 dwellings and a new shop – Granted conditional permission on 25/07/2023.
- 2.2 24/01883/RM - Application for the approval of reserved matters comprising: details of the siting, design and external appearance of the development, and the landscaping of the site in respect of the approved outline planning permission ref: 18/01502/OP for the development of 140 dwellings and a new shop on the land between Royston Road and Cambridge Road, Barkway – Under consideration at the time of writing.
- 2.3 24/01994/S73 - Variation of wording to Condition 3 and Condition 20 of planning permission 18/01502/OP granted on 25.07.2023 – Under consideration at the time of writing.
- 2.4 24/02396/DOC - Details reserved by Condition 19 (Construction Traffic Management Plan) of outline permission application reference 18/01502/OP granted on 25.07.2023 – Details approved on 27/01/2025.
- 2.5 24/02595/DOC - Details reserved by condition 10 Part A (Archaeology) of planning permission reference no 18/01502/OP granted 25.07.2023 – Details approved on 12/02/2025.
- 2.6 24/02408/DOC - Details reserved by Condition 17 (Local Transport Plan) of outline permission application reference 18/01502/OP granted on 25.07.2023 – details approved on 12.02/2025.
- 2.7 24/02858/DOC - Details reserved by condition 25 (Fire Hydrants) of outline permission reference no18/01502/OP granted 25.07.2023 – Details refused on 12.03.2025.
- 2.8 25/00103/DOC - Details reserved by condition 24 (Phasing Plan) of outline permission reference 18/01502/OP granted 25.07.2023 – Details approved on 10/03/2025.

3.0 **Representations**

- 3.1 None.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is 7.62 ha in size and is arable land situated between Royston Road and Cambridge Road with an existing bridleway running north / south through the site.

4.2 **Proposal**

- 4.2.1 The applicant is seeking a non-material amendment to Condition 25 (fire hydrants) of planning permission 18/01502/OP to allow for commencement up to slab level before a fire hydrant scheme is agreed.

4.3 **Key Issues**

- 4.3.1 The key issue for consideration is whether the proposed amendment would constitute a material alteration to Condition 25 of the parent permission (18/01502/FP).
- 4.3.2 The parent permission under ref: 18/01502/OP has permitted outline permission for the erection of up to 140 dwellings and a new shop.
- 4.3.3 This proposal seeks to vary Condition 25 of the parent permission to allow for commencement up to slab level before a fire hydrant scheme is agreed. Condition 25, as approved under the parent permission, reads as follows:

“Prior to the commencement of development a scheme for the provision of fire hydrants serving the development is to be submitted to and approved in writing by the Local Planning Authority and the scheme is to be implemented prior to the first occupation of the first dwelling.

Reason - fire hydrants are a requirement for the development.”

- 4.3.4 It is considered that varying the condition to allow for commencement up to slab level would not have any material change to the purposes of the condition as originally intended. It is considered that this proposal is acceptable and would constitute a non-material amendment. The varied condition would read as follows:

“Prior to above slab level of the first phase of the development, a scheme for the provision of fire hydrants serving the whole development is to be submitted to and approved in writing by the Local Planning Authority and the scheme is to be implemented prior to the first occupation of the first dwelling in each phase of the development in accordance with the agreed details.

Reason - fire hydrants are a requirement for the development.”

- 4.3.4 The alteration would not materially alter the nature of the previously granted permission or the original purpose of the condition. Condition 25 is therefore amended to replacement “prior to commencement” to “

4.4 **Conclusion**

- 4.4.1 The proposed change to Condition 25 are not considered to be a 'material' alteration to the previously granted planning permission. It is therefore my view that the non-material amendment is **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: 26 June 2025	