

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02275/S73	Variation of condition 2 of planning permission 23/02333/FPH granted 08.11.2023 for Two storey side extension to include formation of single attached garage and single storey rear extension following demolition of existing front attached garage and existing rear conservatory (renewal of planning application 20/02621/FPH granted 16.12.2020).	Wayside Kimpton Road Oakhills Welwyn Hertfordshire AL6 9NN

Submitted Plan Nos

267_PL_01 267_PL_08 Rev B 267_PL_09 Rev A

1.0 Policies

SP5 Countryside and Green Belt

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
T1	Assessment of transport matters
T2	Parking
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN14	Meeting climate change,coastal,flooding

2.0 **Site History**

- 2.1 23/02333/FPH - Two storey side extension to include formation of single attached garage and single storey rear extension following demolition of existing front attached garage and existing rear conservatory (renewal of planning application 20/02621/FPH granted 16.12.20 – Conditional Permission
- 2.2 20/02621/FPH - Two storey side extension to include formation of single attached garage and single storey rear extension following demolition of existing front attached garage and existing rear conservatory – Conditional Permission

3.0 **Representations**

- 3.1 **Site Notice and Neighbour Consultation** – None received
- 3.2 **Parish Council** – No Representation received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 Wayside comprises a detached two storey dwelling off Kimpton Road, Oakhills near to Welwyn. The site is within the Green Belt.

4.2 **Proposal**

- 4.2.1 The application proposes the variation of Condition 2 (Approved Plans) of planning permission 23/02333/FPH granted on 8 November 2023.
- 4.2.2 For the avoidance of doubt, the changes proposed with this application are:
- Omission of the rear dormer window.
 - Increase in width and height to the rear extension.

4.3 **Key Issues**

- 4.3.1 The principle of these works is already established by application ref 23/02333/FPH. Therefore, the consideration of this application is how acceptable the proposed amendments to the scheme are relative to that which was approved.

Green Belt

- 4.3.2 The previous approval concluded that the scale of enlargements was acceptable, and would not comprise inappropriate development due to compliance with exception c) under paragraph 154 of the NPPF. Having measured the plans, and estimated the original dwelling, it appears that the proposed works would comprise approximately a 61% increase over the original dwelling, or 16% over the existing dwelling. I do not consider that this would be disproportionate and would comply with Section 13 of the NPPF and Policy SP5 of the Local Plan.

Design

- 4.3.3 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. These considerations are echoed in Section 12 of the NPPF.
- 4.3.4 The changes to the design and appearances compared to the approved scheme are not considered to be significant or detrimental. Predominantly, the built form of the dwelling would remain consistent, and the removal of the rear dormer window would not be a change visible from the street scene or be to the detriment of the appearance of the main dwelling. Changes to the rear extension, to increase its height and width would also be obscured from the public realm. The increase in scale is not considered to result in disproportionate additions over and above the original dwelling, or lack suitable subservience.
- 4.3.5 The proposal is therefore deemed acceptable in design terms and in accordance with Policy D1 of the Local Plan and Section 12 of the NPPF.

Impact on Neighbours

- 4.3.6 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.

4.3.7 The proposed changes would result in a reduction in built form to the roof due to the omission of the dormer, and a change in bulk due to the increase in height and width of the rear extension. The proposal would continue to be modestly projecting beyond the rear elevation of both neighbouring properties, and therefore, the amended details are not considered to overbear or dominate either neighbouring property. Outlook, due to the insertion of the rooflight is not considered to be to the detriment of neighbouring amenities.

4.3.8 As such, the proposal will not cause unacceptable harm to living conditions, in line with Policy D3 of the Local Plan.

Biodiversity Net Gain

4.3.9 This proposal is exempt from BNG as it is a section 73 application.

4.4 Conclusion

4.4.1 The proposal is considered acceptable in planning terms and in accordance with Policies D1 and D3 of the Local Plan, as well as Section 12 of the NPPF.

4.5 Alternative Options

4.5.1 N/A

4.6 Pre-Commencement Conditions

4.6.1 N/A

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 permisison ref: 23/02333/FPH.

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 extension(s) hereby permitted shall be built in external materials to match the existing dwellinghouse unless otherwise agreed in writing by the LPA.

Reason: To protect the visual amenities of the locality and to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 28 October 2025	