

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01675/S73	Variation of Condition 2 (First floor window height) of planning permission reference 23/02373/FPH granted on 04/09/2024 for Two storey rear extension, single storey front and side extension, erection of front porch with ridge roof to link to garage and alterations to fenestration. Rear raised patio area and steps (as amended by plans received 27th June 2024 and 29th July 2024).	10 Whitethorn Lane Letchworth Garden City Hertfordshire SG6 2DN

Submitted Plan Nos

A106 Rev 2 DP 1128/03

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
SECN12	Achieving well-designed places

2.0 **Site History**

- 2.1 **23/02373/FPH** - Two storey rear extension, single storey front and side extension, erection of front porch with ridge roof to link to garage and alterations to fenestration. Rear raised patio area and steps (as amended by plans received 27th June 2024 and 29th July 2024).

Conditional Permission

3.0 **Representations**

- 3.1 **Site Notice and Neighbour Consultation** – None received

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a detached property occupying a spacious plot on the north side of Whitethorn Lane, Letchworth. The site benefits from an existing access onto the highway and a large front and rear garden.

4.2 **Proposal**

- 4.2.1 The application proposes the variation of Condition 2 (First floor window height) of planning permission reference 23/02373/FPH granted on 04/09/2024 for Two storey rear extension, single storey front and side extension, erection of front porch with ridge roof to link to garage and alterations to fenestration. Rear raised patio area and steps (as amended by plans received 27th June 2024 and 29th July 2024).

- 4.2.2 For the avoidance of doubt, the changes proposed with this application are a increase in height of the first floor side window by 0.15m.

4.3 **Key Issues**

- 4.3.1 The principle of these works is already established by application ref: 23/02373/FPH. Therefore, the consideration of this application is how acceptable the proposed amendments to the scheme are relative to that which was approved.

Design

- 4.3.2 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. Policy D2 of the Local Plan states that planning permission for house extensions will be granted if the extension is sympathetic to the existing house in height, form, proportions, roof type, window details, materials; the orientation of the main dwelling and if it does not dominate adjoining properties. These considerations are echoed in Section 12 of the NPPF.
- 4.3.3 The proposed changes to this scheme are limited to the increase in height of a single first floor window to serve a bedroom by 0.15m. The window is located in the same position as per the previously approved plans, would be the same materials and have the same number of glazing bars. It is considered that this extent of change is a modest increase and is wholly acceptable.
- 4.3.4 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

- 4.3.5 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.
- 4.3.6 The proposed change to the scheme only seeks to increase the size of the first floor side facing window by 0.15m. This window as approved faces No.8 Whitethorn Lane which has existing side facing windows serving habitable rooms facing the application site, this neighbour is a reasonable distance away and the views from this first floor window are screened in the majority, such that it was not considered that there would be any significant or material harm to amenity in terms of loss of privacy and overlooking. With this slight increase in the height of the window, there would be no significant increase in harm to amenity that would warrant an objection on this basis.
- 4.3.7 As such, the proposal will not cause unacceptable harm to living conditions, in line with Policy D3 of the Local Plan.

Biodiversity Net Gain

- 4.3.8 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 grant of planning application 23/02373/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 central windows at first floor level serving the two en-suites on the rear elevation of the development hereby permitted shall be permanently glazed with obscure glass and be non-opening below 1.7m above finished floor level.

Reason: To safeguard the privacy of the occupiers of the adjacent dwelling and to comply with Policy D3 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  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 11 August 2025	