

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02847/NMA	To change the wording of planning condition 17 (as non-material amendmen to planning permission reference 20/01714/FP granted on 14.06.2021).	Site Of Former Foundation House Icknield Way Letchworth Garden City Hertfordshire SG6 1UD

Submitted Plan Nos

FHL-KSA-XX-XX-D-A-002U

1.0 Policies

2.0 **Site History**

- 2.1 20/01714/FP: Erection of 57 dwellings comprising of 18 x 1-bed apartments and 39 x 2-bed apartments including provision of car parking with all associated ancillary and landscaping works following demolition of existing office building (Amended by plan received 17.09.20) Granted 2/3/ 2021

3.0 **Representations**

- 3.1 Herts Highways: Advise that after discussions with planning officer they are happy to agree to the change in wording of condition 17.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a college with sports pitches to the rear.

4.2 **Proposal**

- 4.2.1 The application proposes the following amendment (in red type) to Condition 17 of original planning permission 20/01714/FP:

17. Prior to the first occupation of the 19th Unit in the development hereby permitted any disused accesses shall be closed and the footway shall be reinstated along the frontage of the site to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction. Reason: To ensure construction of a satisfactory access and in the interests of highway safety and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

4.3 **Key Issues**

- 4.3.1 The key issue for consideration is whether the proposed amendments would constitute a material alteration to Condition 17 of the previously granted scheme.
- 4.3.2 Hill are the Main Contractor constructing this 100% Affordable Housing scheme on behalf of First Garden Cities Homes. The units are ready to be occupied, however, due to the delays to the S278 Highways Agreement , occupation by new residents is being delayed.

The purpose of the condition is considered to ensure that works to the access are undertaken satisfactorily. Adding in the wording proposed would potentially allow completion of the works whilst not delaying occupation, while still allowing the LPA in consultation with the County Council highways authority control over any works proposed.

Herts County Council Highway who imposed the condition do not raise any objections to the variation in wording to condition 17.

- 4.3.3 For the reasons above I consider that the proposed alterations would not materially alter the nature of the previously granted permission. I am therefore satisfied that the amended scheme would be acceptable in planning terms. Condition 17 is therefore amended as above.

4.4 **Conclusion**

- 4.4.1 The proposed changes to the scheme are not considered to be 'material' alterations 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: 8 December 2025	