

Chris Carter
Assistant Director (Planning)

Reply To: address as below
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Ms H Greenhalgh
60 High Street
Wimbledon
London
SW19 5EE

28 November 2022

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order
2015

Dear Ms Greenhalgh,

Application Reference: 6/2021/1649/NMA

Planning Portal Reference: PP-09782978_VAR

Proposal: Non-material amendment to change the shape of the turning head near Plot 6 and the erection of a gate to the property at Plot 6

Location: 36 The Ridgeway Cuffley Potters Bar EN6 4AX

I refer to the above application received by the Council on the 26 August 2022 seeking permission for a non-material amendment to permission reference: 6/2021/1649/VAR.

Section 96A of the Town and Country Planning Act 1990 (as amended) enables a Local Planning Authority to make changes to any planning permission relating to land in their area if they are satisfied that the change is not material. In deciding whether a change is material, a Local Planning Authority must have regard to the effect of the change on the planning permission as originally granted.

The proposed main changes, as shown on the submitted plans, can be summarised as the following:

- Modification to the end of the internal road layout to change it to a hammerhead design with alterations to landscaping.
- Plot size of House 6 increased to accommodate additional land for front garden.
- Addition of a private sliding gate into the parking area of Plot 6.

You have submitted the following documents:

- Proposed Access Gates Site Plan – PD401
- Proposed Comparison Site Plan – PD402/B

- Proposed Block Plan – PD403
- Plot 6 Proposed Gate Plan and Elevation – PD404
- Highways Technical Note from Transport Planning Associates (project reference 2206-026-00/TN/02A) dated August 2022
- NMA Planning Statement dated 25 August 2022

The planning statement for this application states that the proposed revisions are not material to any development plan policies or conditions attached to the original planning permission, save for condition 22. However, this does not address the following two conditions:

6. All hard and soft landscaping shall be carried out in accordance with the approved plans and details:

- *Drawing LLD2306-LAN-DWG-100/Rev 01 - Hard and Soft Landscape General Arrangement Plan*
- *Drawing LLD2306-LAN-DWG-200 - Detailed Planting Plans*
- *Drawing LLD2306-LAN-DWG-201- Detailed Planting Plans*
- *Drawing LLD2306-LAN-DWG-202- Detailed Planting Plans*
- *Drawing LLD2306-LAN-DWG-203- Detailed Planting Plans*
- *Detailed Plant Schedule and Specification*
- *Hard and Soft Landscape Specification*
- *Email dated 14th July 2021 clarifying the rear decking at each property will be 150mm below the internal finished floor level*

As approved by Welwyn Hatfield Council 15 July 2021 under application 6/2020/1673/COND.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005 and the NPPF.

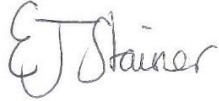
10. Before the development hereby approved is first occupied, all on site vehicular areas shown on plan PD100 Rev B shall be accessible, surfaced and marked in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

REASON: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

The proposed amendments may have a material effect on the quality of the approved development and highway safety due to the changes to the design and layout, as well as result in conflicts with the approved conditions. Additional information was requested on 11th October 2022 (including a landscaping plan) to allow these matters to be fully considered. Further follow-up requests were then made on 24th October 2022 and 10th November 2022 as the information had still not been provided. As I am not in receipt of this information, I am unable to conclude that the proposed works would be non-material and subsequently this application is refused. A new non-material amendment application which includes the required information, a new planning application or a variation of condition of the original application would therefore be required if your clients wish to pursue the amended scheme.

Should you require any clarification regarding the contents of this letter, please do not hesitate in contacting me at e.stainer@welhat.gov.uk and I will be pleased to advise you further.

Yours sincerely,

A handwritten signature in black ink that reads "E. J. Stainer". The signature is written in a cursive style with a horizontal line underlining the first name.

Ms Emily Stainer

Senior Development Management Officer