

24th April 2023

Our ref: AW/LIV210 223029 002 20 03 23



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Hertford
SG13 8EQ

The Gatehouse
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Dear Sirs,

RE: SECTION 73 APPLICATION TO VARY CONDITION 9 OF APPLICATION REFERENCE 3/21/0909/LBC, THE GRANARY, KNIGHTS HILL

This letter concerns the variation of condition 9 relating to planning reference 3/21/0909/LBC, which was granted on 31st Oct 2022, at The Granary, Knights Hill Farm, Westmill, Buntingford SG9 9LX. The condition is replicated below:

“Prior to the commencement of any works, a detailed itemised schedule of repairs and timetable for the repairs to be undertaken shall be submitted to, and approved in writing by the Local Planning Authority and thereafter the works should be undertaken in accordance with the approved schedule and timetable, unless otherwise agreed in writing by the local planning authority.”

This application proposes the following minor change to condition 9, set out in bold below:

“Prior to the commencement of any above ground construction works, not including demolition, a detailed itemised schedule of repairs and timetable for the repairs are to be undertaken and shall be submitted to, and approved in writing by the Local Planning Authority and thereafter the works should be undertaken in accordance with the approved schedule and timetable, unless otherwise agreed in writing by the local planning authority.”

The proposed changes to condition 9 set out above are deemed necessary because the information that would be required to fulfil the current condition attached to the application would need to be provided by the chosen build contractor for the development.

It is not currently feasible to instruct a contractor until all of the conditions have been discharged, as a contractor would need to be in a position when they can get on site and start works, rather than having to wait for this condition to be discharged. By amending the condition, this would allow our client to implement the consent by demolishing the bull pens, and then continuing with the build, including instructing the works required by this condition, as and when they are ready to build out the scheme. The chosen contractor can then be instructed to produce the information required to discharge this condition at this point of the development.



Further, the specified schedule of repairs and timetable is a costly piece of work, and our client would prefer to incur these costs as and when they are ready to implement and build out the consented property with their chosen contractor.

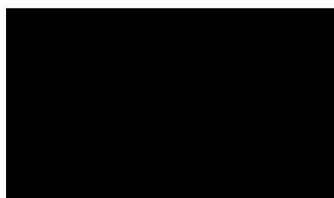
Further to the above, paragraph 56 of the NPPF states the following:

“Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.”

In light of the above, we consider that condition 9 is currently not reasonable, and therefore the amendments set out above seek to ensure that the condition is now reasonable for our client ,whilst still meeting the criteria set out above in paragraph 56.

I trust that the enclosed information is sufficient to allow this condition to be amended, however should you require any further information please do not hesitate to contact me.

Yours sincerely



Abigail Wyatt BSc (Hons)

Graduate Surveyor

Direct email: 