

DELEGATED FILE NOTE

CASE OFFICER: ...Vicki Wood.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01497/FPH	First floor rear extension, replace existing front garage door with bay window to facilitate conversion of integral garage into habitable accommodation, replacement of all existing windows, erection of detached rear garden studio (as amended by plans received on 14/08/2024).	3D The Avenue Hitchin Hertfordshire SG4 9RQ

Submitted Plan Nos

030 (Garden Room) 031 (Garden Room) 001 002 003 004 005 1 of 2 006 2 of 2 007 020 021 021 (Downtakings) 022 022 (Downtakings) 023 023 (Downtakings) 024 025 026 027 028 029 (Garden Room)

1.0 **Local and National Policy**

1.1 **National Planning Policy Framework 2023 (NPPF)**

Section 2 – Achieving sustainable development

Section 12 – Achieving well-designed and beautiful places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 16 – Conserving and enhancing the historic environment

1.2 **North Hertfordshire Local Plan 2011-2031 (NHLP)**

Strategic Policies

Policy SP1 – Sustainable development in North Hertfordshire

Policy SP9 – Design and Sustainability

Policy SP13 – Historic environment

Development Management Policies

Policy D1 – Sustainable Design

Policy D2 – House Extensions, replacement dwellings and outbuildings

Policy D3 – Protecting living conditions

Policy HE1 – Designated heritage assets

1.3 **Supplementary Planning Document**

North Herts Design Guide 2011.

2.0 **Relevant Site History**

07/01151/1HH - Single storey rear extension incorporating roof terrace area; single storey front extension incorporating bay window and pitched canopy roof to facilitate conversion of existing double garage to living accommodation and single garage. Conditional Permission.

16/01410/1HH - Single storey front and side extensions. Fascia tiling to front elevation. Conditional Permission.

17/02528/1NMA - Installation of bi-fold doors to ground floor rear extension. Agreed.

3.0 **Representations**

3.1 **Press, Site and Neighbour Consultation** – One objection has been received from the owner(s)/occupier(s) of no.4 The Avenue, Hitchin which raises the following concerns:

- ☐ Detrimental effect on daylight to habitable rooms and overshadowing of private amenity space which will affect the enjoyment of their property.
- ☐ By making the property deeper this will add visual obstruction and diminish views/outlook from the property further.
- ☐ Exiting low level privacy panel at first floor level maintains daylight to their property.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 3D The Avenue is a three-storey semi-detached residential dwelling which forms half of a pair of 20th century built properties. The property itself is set back from the street frontage with the front elevation being almost level with the rear elevation of the neighbouring property to the south known as no.4 The Avenue, a much older property. Properties 3A to 3D inclusive are outside of the scope of the Article 4 Direction Order which applies to surrounding properties although they are within the Hitchin Conservation Area. Benslow Path runs along the eastern boundary of the application site.

4.1.2 The application site is within the settlement limit for Hitchin where development is generally acceptable subject to planning policy.

4.2 **Proposal**

4.2.1 The application seeks to construct a first floor rear extension, replace existing front garage door with bay window to facilitate conversion of integral garage into habitable accommodation, replacement of all existing windows and erection of detached rear garden studio (as amended by plans received on 14/08/2024).

4.2.2 The amended plans reflect a change in material and colour for the replacement of all existing windows and a correction to the height of the eastern boundary wall with Benslow Path.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the Conservation Area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

Design, Appearance and Impact on the Conservation Area:

- 4.3.2 Within a Conservation Area, the Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72 of the Listed Building and Conservation Areas Act (1990). Furthermore, Section 16 of the NPPF sets out guidance relating to sustaining and enhancing heritage assets. In this regard, Policy HE1 of the NHLP is consistent with the NPPF.
- 4.3.3 When considering the impact of proposed development on the significance of a designated heritage asset (such as a Conservation Area), the NPPF notes that great weight should be given to the asset's conservation; the more important the asset, the greater the weight should be.
- 4.3.4 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Section 12 – Achieving well-designed and beautiful places). Paragraph 131 of the NPPF states that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable communities”*. In this regard, Policy D1 and D2 of the North Hertfordshire Local Plan are consistent with the objectives set out within the NPPF.
- 4.3.5 To the front elevation of the dwelling, the application proposes to replace the existing mono-pitched projection including the garage door with a new full width bay window with central modified timber clad panel and irko fins to either side which would project slightly beyond the window frames. The roof would be constructed using a zinc material finished in pigmento red. The proposed works would provide for additional habitable accommodation. Given that the property is of a relatively modern construction, set back from the highway with alterations having already taken place which disrupted the original symmetry of the pair of properties, I am satisfied that the impact of the proposed change to the character and appearance of the Hitchin Conservation Area will be minimal with no significant visual harm to the streetscene and is acceptable.
- 4.3.6 The proposed rear elevation would see the removal of the first-floor terrace and the construction of an extension. The extension would have the same width as this existing terrace with an increase in height from 1.7m being the height of the existing privacy screen to 2.3m. The roof form would match that of the proposed roof to the ground floor front extension and would extend slightly above the eaves height of the neighbouring roof slope. Openings would comprise of three slimline aluminium or timber windows recessed into the rear elevation whilst the surround would be a zinc pigmento red with a glazed/spandrel panel below. The extension would be similar to that approved to the attached neighbour no.3C There would be some visibility of the rear extension from Benslow Path to the east however this would have no greater impact than the existing roof terrace. I consider the proposed extension to be acceptable in terms of design, scale and massing.
- 4.3.7 In addition to the above, the application would see the replacement of all existing windows with either aluminium or timber in a dark red RAL colour. It is noted that the attached property benefits from a dark, almost black colour to its window frames and whilst these appear out of character with the majority of properties in The Avenue, the four properties have a much more modern appearance to them and the RAL colour

proposed would, in my view, sit comfortably against the existing external finish of the dwelling and is acceptable.

- 4.3.8 At the end of the rear garden the proposal would involve the demolition of an existing timber garden shed, removal of the raised patio and a small apple tree and the construction of a detached garden studio. The proposed garden studio would extend for the full width of the northeastern boundary having a total height of 2.5m. The proposed external finish would be a stained larch cladding with the roof form matching those of the extensions to both the front and rear of the dwelling with the addition of a sedum roof. Openings would comprise of slimline aluminium windows with a single aluminium glazed doorway and a 'secret' double doorway formed within the larch cladding. The height of the garden studio would exceed the height of the existing boundary fence with the attached neighbour and would sit below the existing boundary wall and trellising with Benslow Path. The rear garden of the property remains of an adequate size and the design and scale is acceptable.

Impact on Neighbouring Properties:

- 4.3.9 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the NHLP.
- 4.3.10 An objection has been received from no.4 The Avenue details of which have been provided for at para 3.1. In terms of concern raised around the loss of sunlight to habitable rooms, 3D is separated from no.4 by Benslow Path and is set back from the footprint of no.4 quite considerably to the extent that the front elevation of 3D is almost level with the rear elevation of no.4. Whilst there may be some impact to rear windows and amenity space of no.4 this is unlikely, in my view, to result in a material loss of natural light to habitable rooms and private amenity space that would impact exiting residential amenity to any significant extent and is acceptable.
- 4.3.11 No objection has been received from the attached neighbour no.3C or Wilton Lodge to the rear which in my view would be unaffected by the proposed development.

Highways and Parking:

- 4.3.12 The loss of the garage would mean the loss of one car parking space, however two off-street car parking spaces remain to the front of the dwelling which is acceptable.

Environmental Implications:

- 4.3.13 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the North Herts Local Plan, which sets out that development proposal should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.
- 4.3.14 The proposed development, would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF and Policy D1.

Biodiversity Net Gain (BNG)

4.3.15 This is a householder application which is exempt from BNG legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4.3.16 Despite being exempt, the application seeks to install a sedum roof above the proposed garden studio in an attempt to replace the loss of some green space and an apple tree.

4.4 **Conclusion**

4.4.1 The proposed development is considered acceptable and in accordance Policies SP1, SP9, SP13, D1, D2, D3 and HE1 of the NHLP 2011-2031 and Sections 2, 12, 14 and 16 of the NPPF 2023.

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 this permission.

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.

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 Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 19 September 2024	