

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01438/FP	First floor rear extension to create a self-contained one-bedroom flat to include installation of external staircase.	101 Pixmore Avenue Letchworth Garden City Hertfordshire SG6 1QX

Submitted Plan Nos

SAR-P001 SAR-P002 SAR-P003

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
SECN12	Achieving well-designed places
SP1	Sustainable development in North Herts

SP2 Settlement Hierarchy and Spatial Distrib

SP9 Design and Sustainability

SPDVP Vehicle Parking at New Development

T1 Assessment of transport matters

T2 Parking

2.0 **Site History**

2.1 **16/00099/1** Two storey side extension to provide first floor 1 bed flat and additional ground floor retail area. Erection of external staircase to existing side elevation. Widening of existing vehicular access and ancillary works following demolition of existing single storey rear element. **CONDITIONAL PERMISSION**

2.2 **19/01754/FP** Erection of a single storey building to facilitate two self contained one bedroom flats, shop storage area and to bin storage buildings following demolition of existing detached garage. **REFUSED**

2.3 **19/02850/FP** Ground floor rear extension to create one self-contained one bedroom flat, shop storage area and bike storage building following demolition of existing storage building. **Conditional Permission**

3.0 **Representations**

3.1 **Herts Highways** – Recommendation Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

3.2. **Environmental Health –**

Noise: The site is adjacent to a service and repair garage which has potential to create noise. However, the southern elevation of the proposed first floor extension has a blank

wall except for one small window serving the bathroom. Additionally, no complaints have been received from the existing nearby residents. I therefore have no objections on this basis. However, please see the recommended Informative

Contaminated Land: No objections

Local Air Quality: No objections.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 101 Pixmore Avenue is a two storey building with a retail shop at ground floor and 1 residential flat at ground floor and 2 residential flats at first floor.

4.1.2 The property is located within a residential area on the west side of Pixmore Avenue next door to Top Gear Autocentre.

4.2 **Proposal**

4.2.1 Planning permission is for the erection of a first floor rear extension to create a self-contained one-bedroom flat to include installation of external staircase.

4.2.2 Materials will match those of the main building – brick facing walls, UPVC windows and doors and interlocking concrete tiles to the roof.

4.3 **Key Issues**

4.3.1 Having regard to the relevant planning policy, the representations received and my visit to the site I consider the key issues in the determination of this application to be the following:

- The principle of development
- Design and Appearance
- Living Conditions for the existing and proposed occupiers
- Highway issues and Parking

Principle

4.3.2 The site is located within the Settlement of Letchworth where Local Plan Policy SP2 supports the development of housing within the settlement boundary. Development of the site for housing would therefore be supported in principle under Policy SP2. National and local planning policies seek to increase housing densities in urban areas as far as this is consistent with the principles of good design and place making. As such, the site is considered sustainable and appropriate in principle for development to meet the majority of the development needs of the District in accordance with Policy SP2 of the Local Plan. As such, there are no objections to the broad principle of development in this location.

Design and Character of the Area

- 4.3.3 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 Herts Local Plan are consistent with the objectives set out within the NPPF.
- 4.3.4 Policy D1 of the North Herts Local Plan sets out that planning permission will be granted for development proposals that respond positively to the site’s local context, create or enhance the public realm, and reduce energy consumption and waste.
- 4.3.5 The proposed first floor extension to create a self contained one bedroom flat with existing rear amenity space to be for the proposed dwelling and location of a bike store.
- 4.3.6 The proposed addition will have a ground to ridge height of 7.96 metres, and a ground to eaves height of 5.08 metres, in line with the existing two storey section of the building. The proposed materials will match those of the main building – brick facing walls, UPVC windows and doors and interlocking concrete tiles to the roof.
- 4.3.7 The proposed flat has only 2 small windows that serve the bedroom and the kitchen lounge/diner and the door on the rear elevation. I am concerned in the lack of access to natural light. There are large trees on the rear boundary which may cause overshadowing and reduce the amount of natural light into the flat. No windows are proposed on the side elevations.
- 4.3.8 The proposed extension would see the existing building have a greater depth at first floor and have a greater impact on the neighbouring properties given its blank flank wall at a height of 5 metres in close proximity of the shared boundary.
- 4.3.9 Given the above, the proposals would fail to meet the criteria for good design as required by Policy SP9 and Policy D1 of the Local Plan.

Neighbour amenity

- 4.3.10 The objectives of the NPPF seek to ensure that developments secure a high standard of amenity for existing and future occupiers (Section 12 – Achieving well-designed and beautiful places). This principle is reflected in the provisions set out in Policy D2 and D3 of the North Herts Local Plan.
- 4.3.11 Policy D3 of the North Herts Local Plan sets out that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.
- 4.3.12 No neighbouring representations have been received. The key issue for consideration is the impact that the proposed development would have on the living conditions of the adjacent properties.

- 4.3.13 The proposed extension would remove the existing rear windows to the existing flat at first floor which facilitate a bedroom and lounge/diner and kitchen area. This rear elevation is westerly facing. Two new windows on the side elevations have been proposed, although there are already windows on these flank elevations, the new windows especially on the northern flank could cause additional issues with overlooking on the neighbour at No.99 Pixmore Avenue as there will have sight lines to the rear garden.
- 4.3.14 The staircase to the proposed flat would also be located on the rear elevation and is situated next to the ground floor bedroom and bathroom which may cause noise issues with people coming and going to the upstairs flat.
- 4.3.15 The proposed extension would be highly visible from the rear garden of No.99 Pixmore Ave and given its height and depth would appear over dominant and overbearing to No.99.
- 4.3.16 The proposed dwelling, by reason of its siting and layout would appear as a discordant and cramped development appearing dominant to the neighbouring property at No 99 and reduce the light into the existing first floor flat and create additional overlooking with the introduction of windows on the northern flank with sight lines to the No.99 garden.

Future living conditions

- 4.3.17 The proposed scheme to a 1 bed property. Policy D1 e) of the Local Plan states that residential schemes must meet or exceed the nationally described space standards, these standards being the 'Technical housing standards' dated March 2015. When assessed against those standards, the internal floor space of the proposed dwelling would be approx. 59 m², which exceed the minimum 50 m² for a two person, one bedroom, one storey dwelling in Table 1 of the standards. The proposal would comply with this part of the standards, and therefore complies with Policy D1 of the Local Plan and over comes the previous reason for refusal.

Highways and Parking

- 4.3.17 Policy T1 of the North Herts Local Plan states that "*planning permission will be granted provided that... development would not lead to highway safety problems or cause unacceptable impacts upon the highway network*".
- 4.3.18 Policy T2 states that "*planning permission will be granted provided that... proposal have regard to relevant Supplementary Planning Documents*".
- 4.3.19 The Council's minimum parking standards are for one parking space for dwellings with one bedroom, the plans have shown two existing cars parking spaces presumably for the existing flats and no additional spaces provided. There are no restrictions on Pixmore Avenue for parking of vehicles and given the location within walking distance to the town centre and bus stops I believe the lack of an additional space would not have a detrimental impact on local highway. Cycle storage would be provided as shown on the

plans . The highways officer has not objected, and there will no adverse impacts on the public highway.

Environmental Implications:

- 4.3.19 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, and the Sustainability SPD which set 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.
- 4.3.20 The proposed development, by virtue of its limited scale in general terms together with the sustainable location 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

- 4.3.21 The applicant has confirmed that the site would not require BNG as development is subject to the de minimis exemption as the proposed development does not impact a priority habitat and does not propose to alter the existing footprint of the building. Only minimal associated external alterations are proposed (creation of an external access staircase)

4.4 Conclusion

- 4.4.1 The proposal would deliver one additional dwelling which will help boost the supply of housing land as encouraged by Section 5 of the NPPF. However, this provision is of very minor benefit in terms of housing supply and is afforded limited weight in the planning balance.
- 4.4.2 The benefits associated with the proposed development would include modest economic benefits of employment during construction and purchase of materials. These benefits are afforded limited weight by reason of the size of the development scheme. It could also be considered that the new dwelling would increase use and sustainability of surrounding infrastructure. Again, by reason of the limited size of the development, limited benefits are considered to arise. In terms of social benefits, the proposal would deliver a small dwelling that could meet the needs of the community, although the provision of a single dwelling in this regard would be a limited social benefit.
- 4.4.3 In environmental terms, whilst the dwelling would be located in a sustainable urban area, the proposal would result in significant harm to the character and appearance of the area as identified above, by reason of its design, the small plot size and the contrived form of development. The proposal is of a poor design that would not respond positively to local context and would therefore be contrary to Policies SP9 and D1 of the Local Plan and Section 12 of the NPPF. It is considered that this should be awarded significant weight in the planning balance.

- 4.4.4 Moreover, as set out above, the proposed dwelling would result in materially adverse harm to the reasonable living conditions and well-being of neighbouring dwellings given it siting along the shared boundary. This is deemed contrary to Policy D3 of the Local Plan and Section 12 of the NPPF. This should be given significant weight in the planning balance.
- 4.4.5 Overall, it is considered that the proposed development would conflict with Policies SP9, D1 and D3 of the Local Plan and Section 12 of the NPPF. These conflicts are not outweighed by the very modest benefits associated with this proposal when weighed in the planning balance against the policy framework as a whole
- 4.4.6 In the absence of material planning reasons to the contrary it is my view that planning permission is REFUSED.

5.0 Recommendation

5.1 That planning permission be REFUSED for the following reasons:

1. The proposal would result in an overdevelopment of the site and a consequent adverse impact on the character and appearance of the area. The proposals would be contrary to the provisions of Section 12 of the NPPF and Policies SP9 and D1 of the Local Plan.
2. The proposed development is likely to result in an adverse impact on existing residents amenity as a result of the overbearing impact of the proposed accommodation, overlooking / loss of privacy and noise and disturbance from the associated residential use and reduced access to light would create a substandard form of accommodation for existing occupiers and future occupiers. The proposal would fail to meet the requirements of Policy SP9 and Policies D1 and D3 of the Local Plan.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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Signed  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 23 July 2025	