

DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00398/FPH	Installation of front horizontal sliding driveway gates and front pedestrian gate.	16 Priory Way Hitchin Hertfordshire SG4 9BL

Submitted Plan Nos

IHL25 PW01 IHL25 PW 2 SK1 IHL25 PW 03

1.0 Policies

D1 Sustainable design

D3	Protecting living conditions
D2	House exts, replcmnt dwellings outbuild
SECN12	Achieving well-designed places
SECN9	Promoting sustainable transport
SP6	Sustainable transport
T2	Parking
T1	Assessment of transport matters
SP9	Design and Sustainability

2.0 **Site History**

- 2.1 23/00924/S73 - Variation of condition 2 (revised plans PL07D) of planning permission 21/03472/FP granted 29.04.2022 for erection of one detached 6-bed dwelling following demolition of existing dwelling, to add boundary wall, railings and gates – Refused for:
1. The proposed development by reason of its size, scale and design would not be in keeping with the prevailing character of the street scene and would be harmful to its character and appearance. The proposal would not comply with Policy D1 of the Local Plan and Section 12 of the NPPF.

Appeal dismissed 18/10/24.

- 2.2 21/03472/FP - Erection of one detached 6-bed dwelling following demolition of existing dwelling (as amended by plans received 23/03/22 and 25/03/22) – Approved 29/04/22.

3.0 **Representations**

- 3.1 **Highways Officer** – Recommends that permission be refused for the following reasons:

The provision of gates in a close proximity to the highway boundary as shown on the submitted plans is likely to result in vehicles parking and stopping indiscriminately whilst the gates are being operated, creating hazard to traffic using the adjacent public highway. This would be prejudicial to general provisions of highway safety and convenience. Contrary to the Hertfordshire Transport Policies/Guidance, the NPPF and policies contained in the LTP4. Hence refusal is recommended.

(Full comments on file).

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a detached two storey dwelling with a pitched roof on a corner plot. The site is in a residential area comprised of detached dwellings.

4.2 **Proposal**

- 4.2.1 The erection of a sliding gate for vehicular access, a personnel gate, and a fixed panel, at the front of the site. The gates and panel would be metal finished in grey powder coating.

4.3 **Key Issues**

- 4.3.1 The key material considerations are design, neighbour amenity, and highways and parking.

Design

- 4.3.2 The proposal follows previous application 23/00924/S73 that was recently dismissed at appeal. That dismissed application proposed gates that would be approx. 1.3m to 1.4m high; and a wall that would be approx. 2.1m at its highest to the tops of its piers, 1.2m to the railings, and 1.7m to the top of the railings. The wall and gates would've extended around the whole front boundary of the site.
- 4.3.3 The new 2025 application proposes the gates and panel to be 1.6m high, between poles 1.75m high. The gates and panel would be in front of the driveway and a small part of the boundary between the driveway and neighbouring dwelling No. 14.
- 4.3.4 Comparing the present scheme with the dismissed scheme, the present scheme would have slightly higher gates but would be of a much smaller scale in terms of the amount of development on the front boundary of the site.

- 4.3.5 The Inspector in dismissing the 2023 appeal was considered to be primarily concerned with the wall that was proposed and its urbanising effects, and did not raise specific concerns relating to the gates.
- 4.3.6 The current proposal would leave most of the front boundary of the site more open with a low hedge. The design of the gates and panel would allow for views through them, and would not be much higher than the gates of the 2023 application. The visual impacts on the locality would therefore be much less than those of the 2023 application, and the proposal is not considered harmful to the character and appearance of the locality. The design is therefore acceptable. The proposal complies with Policies D1 and D2 of the adopted Local Plan, and Section 12 of the NPPF.

Neighbour amenity

- 4.3.7 The proposal will be of a small size and height that will be obscured from the closest dwelling by an existing boundary, and will not appear overbearing or cause loss of light. Impacts on amenity are acceptable. The proposal complies with Policy D3 of the adopted Local Plan and Section 12 of the NPPF.

Parking and highways

- 4.3.8 The main gate would be a sliding gate that will not reduce the area for parking, and the personnel gate will have a small opening area at one edge of the driveway which will not affect parking in the site. Impacts on parking are acceptable.
- 4.3.9 The County Highways Officer has objected to the proposal, on the basis that the proposed gate will not be 6m back from the highway boundary or the back of the footway to avoid waiting vehicles obstructing traffic, cycles and footway users passing the site. The CHO considered this is likely to result in vehicles parking and stopping indiscriminately whilst the gates are being operated, creating hazards to traffic using the adjacent public highway, being prejudicial to general provisions of highway safety and convenience.
- 4.3.10 It was noted that there were no highway officer objections to the 2023 application, however the gates proposed there were inward opening swing gates and are considered to be materially different to the sliding gates now proposed. The proposal is not considered acceptable due to its impacts on highway safety. The proposal does not comply with Policy T1 of the Local Plan and Section 9 of the NPPF.

4.4 **Conclusion**

- 4.4.1 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 proposed development by reason of its design and siting would be prejudicial to highway safety and convenience. The proposal does not comply with Policy T1 of the adopted Local Plan, and Section 9 of the NPPF.

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.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 25 April 2025	