

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00423/FP	Erection of 3no detached dwellings with garages following demolition of existing house and outbuildings. Formation of vehicular access onto the highway.	Trees Gosmore Road Hitchin Hertfordshire SG4 9AN

Submitted Plan Nos

3707 01A 3707 02 3707 03 3707 04 3707 05B 3707 06H 3707 07D 3707 08C 3707 09C 3707 10C
3707 11C 3707 12C 3707 13A 3707 22 3707 23

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
D4	Air quality
NE2	Landscape
NE4	Biodiversity and geological sites
SECN11	Making effective use of land
SECN12	Achieving well-designed places
SECN15	Conserve + enhance natural environment
SECN5	Delivering sufficient supply of homes
SECN9	Promoting sustainable transport
SP1	Sustainable development in North Herts
SP12	Green infrastructure, landscape and biod
SP2	Settlement Hierarchy and Spatial Distrib

SP6	Sustainable transport
SP8	Housing
SP9	Design and Sustainability
T2	Parking
T1	Assessment of transport matters

2.0 **Relevant site history**

2.1 None.

3.0 **Representations**

3.1 **Neighbours** – Seven objections and comments were received on the following grounds:

- ☐ The houses are disproportionate in size to the surrounding properties.
- ☐ Will dominate them with negative effects on the streetscape.
- ☐ Three smaller houses or only two of the three houses would be better.
- ☐ Overdevelopment of the site.
- ☐ Is the use of flat roofs to limit the height of the dwellings acceptable.
- ☐ Exacerbated by moving building line further NE and closer to Coach Drive.
- ☐ Proximity to site boundaries.
- ☐ Loss of privacy despite obscure glass. Loss of privacy from dormers.
- ☐ Overshadowing.
- ☐ Dominant visual impacts.
- ☐ More noise, disturbance and traffic from increased number of dwellings.
- ☐ Potential traffic hazard moving entrance closer to the Gosmore Road junction with Coach Drive.
- ☐ Increased threat from more traffic.
- ☐ Can the mature oak tree have a preservation order put on it.
- ☐ Loss of existing trees.
- ☐ Planting more trees would benefit the development and the environment.

- ☐ Waste and construction of the demolition of the existing property should be managed.
- ☐ The site is better suited to bungalows or chalet bungalows.
- ☐ Not opposed to a development in principle.
- ☐ Would not respect a covenant. Access should be from Gosmore Road not private road Coach Drive.
- ☐ Insufficient response to pre-application advice.

One representation was received in support, on the following grounds:

- ☐ If it can be demonstrated the proposed dwellings comply with local planning guidelines and do not significantly interfere with the existing properties that surround the plot, I see no reason not support the application as there's a need for new homes in the area.

Three comments were also received requesting Swift bricks be integrated into the development.

3.2 Highways Officer – Does not wish to restrict the grant of permission subject to the following conditions.

Should the LPA be minded to approve the application please note the above conditions and informatives. This level of development is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity, therefore; the highway authority would not wish to restrict the grant of planning permission.

3.3 Council Ecologist – Thank you for consulting me, having read through the submitted documents I am concerned at the extent of tree loss from the site. Given the site name is 'Trees' it is disappointing to see the Arboricultural Impact Assessment identify the need to remove 6 of the 24 trees to facilitate the development, thereby losing a ¼ of the trees on site.

The March 2025 Statutory Biodiversity Metric records the site as having a baseline value 0.76 Habitat Units and 0.46 Hedgerow Units. The post-development habitats of the site are valued at 0.66 Habitat Units and 0.51 Hedgerow Units. Whilst there is a gain in hedgerow units it still represents a 12.86% loss of habitat units and as such the applicant would need to source these off-site.

North Herts Local Plan policy NE4 requires 12 metres of complimentary habitat be provided around trees and hedgerows and this site clearly fails to achieve that. Whilst there is a degree of flexibility on assessing the application of the policy, a proposal such as this on a site with extensive tree cover, on the rural edge would seem cramped.

The submitted Preliminary Roost Assessment did not find any evidence of bats using the building so no harm to protected species is predicted. It is also noted in the DAS that wall mounted bat and bird boxes are proposed but, should the officer be minded to grant planning permission, it is recommended that these are integrated features in the built fabric of dwellings. Taking this into account the following condition is advised.

The case officer should note Biodiversity Gain condition wording should be added to the decision notice, the biodiversity gain condition is a pre-commencement condition having

its own separate statutory basis and is deemed to apply to every planning permission granted for the development of land in England. To ensure the applicant is clear about this distinction the biodiversity gain condition should not be included in the list of conditions imposed in the written notice when granting planning permission but should remain separate.

3.4 **Waste Officer** – No objections.

3.5 **Environmental Health** – No objections.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site comprises one detached two storey dwelling with a pitched roof and a detached double garage outbuilding. The site is relatively spacious, with trees and vegetation on most of its boundaries, with one more significant tree at its southern corner. The site is on a corner plot, albeit the dwelling itself is not prominent due to being obscured by trees and vegetation. The site has 1.8m high fences and a short section of wall on its boundaries, with some higher vegetation and trees interspersed along much of the boundaries. A triangular area of land and attached strips in the southern corner of the site is approx. 1m higher than the rest of the site.

4.1.2 The site is in a residential area with detached dwellings nearby, with the locality being of a more mature, spacious and sylvan character. The site is in the Hitchin settlement boundary. Opposite the site to the west is a strip of mature trees protected by Area Tree Preservation Order TPO/031, beyond which is open land of Priory Park.

4.2 **Proposal**

4.2.1 The demolition and clearance of the existing dwelling, outbuilding, hardstanding; and some fences, walls, trees and vegetation. Three new dwellings are proposed, all to be accessed from a new single access point on Gosmore Road to the south of an existing access (which would be closed off).

4.2.2 Each dwelling would have five bedrooms. The dwellings would each be two storeys with roof accommodation, with pitched and flat roofs with rear dormers. The dwellings would have small single storey projections. The dwellings would be constructed externally of red bricks and slate tiles roofs, and would be of a more traditional design with some contemporary elements.

4.2.3 The two northern dwellings would have detached double garages with pitched roofs, and the southern dwelling would have an attached double garage. Plot 1 would have its own driveway, and Plots 2 and 3 would have parking and pedestrian access from and within a communal area of hardstanding. Each dwelling would have a rear garden shed. A bin collection area for all dwellings would be near the front entrance. All the dwellings would have an air source heat pump. New hard and soft landscaping is proposed.

4.3 **Key Issues**

- 4.3.1 The key material considerations are whether the development is acceptable in principle, character and appearance, neighbour amenity, future living conditions, highways and parking, ecology, and trees and landscaping.

Principle

- 4.3.2 The site is in the settlement boundary of Hitchin. In the adopted Local Plan, Hitchin is a town under Policy SP2 where the majority of new development will be located, including residential. The proposal is considered acceptable in principle. The proposal complies with Policy SP2 of the Local Plan.

Character and appearance

- 4.3.3 The existing dwelling is not a listed building, in a Conservation Area, or an undesignated heritage asset. Ultimately there are no objections to its demolition, including its detached garage and boundary walls, as they're not considered to be of such architectural or historic merit that they should be retained.
- 4.3.4 The proposal would intensify the use and amount of development in the site from one dwelling to three, increasing the density of dwellings from the present 4.2/ha (the site area is approx. 0.23 ha) to 12.8/ha. This density increase is not however considered out of character with the locality given there are groups of dwellings with smaller plots and higher densities/ha nearby to the north and south.
- 4.3.5 The layout of the development would comprise three dwellings accessed off one main access. Most dwellings in the locality do not have shared accesses, however a short distance to the north are Nos. 1 to 17 Gosmore Road, which are all accessed off of two shared accesses, therefore the use of a shared access for the new dwellings is considered acceptable in this respect.
- 4.3.6 The existing dwelling and outbuilding have a combined footprint of approx. 163 m², a floor space of 313 m², a maximum eaves height of 5.7m, and a maximum overall height of 8.9m.
- 4.3.7 The footprint of Plot 1 with its garage would be approx. 165 m², Plot 2 and its garage would be 157 m², and Plot 3 would be 170 m². The gross floor space of Plot 1 would be 344.2 m², the gross floor space of Plot 2 would be 358 m², and the gross floor space of Plot 3 would be 382 m². The eaves height of each dwelling would be approx. 5.4m. The ridge heights of Plots 1 and 2 would be 8.7m, and the ridge height of Plot 3 would be 8.4m.
- 4.3.8 When comparing each proposed dwelling to the existing, each dwelling is comparable to the footprint and eaves and ridge height of the existing. The floor spaces of each proposed dwelling would however be notably larger than the existing, which is considered is attributable to the larger amount of first floor and roof accommodation. This design approach has however resulted in the first floors and roofs of the proposed dwellings being overall larger and more bulkier than the existing dwelling.
- 4.3.9 Each individual dwelling and double garage are considered to be of a size and bulk comparable to the existing dwelling Trees. Each dwelling would be of the same design approach, although their sizes and detailing would differ. There are no nearby dwellings

in the locality of a design exactly like those proposed, however the designs of nearby dwellings vary (including Trees), and some have features and materials similar to elements of the proposed dwellings.

- 4.3.10 The exception to that is the use of flat crown roofs for the main roofs of each dwelling, as nearby dwellings have wholly pitched roofs for their main roofs. The flat crown roof areas of the proposed dwellings are however relatively small and would not be considered to appear obviously as flat crown roofs and would not be prominent in the street scene. Therefore the use of the proposed crown roofs are considered acceptable.
- 4.3.11 The proposal will redevelop the site to provide three new dwellings, two more than the existing site. The area covered by buildings will increase from the present 163 m² to 492 m². The site has an area of approx. 2308 m², therefore the % of the site covered by buildings will increase from 7% to 21.3%. When including proposed hard surfaces as well as new buildings, the proposed development would cover 977 m² and 42.3% of the site.
- 4.3.12 The amount of new development will therefore be considered to appear significantly greater than the existing. This will be exacerbated by the large size and bulk of each roof of the dwellings, and by each dwelling having a double garage with a pitched roof.
- 4.3.13 The distance of the present dwelling and outbuilding from the site boundaries is smallest at 3.7m from the north boundary, 13.3m from the front boundary, and from the SE and NE boundaries varies from 14.9m to 28.8m, therefore the existing dwelling sits comfortably in the site with the site having a spacious feel and character.
- 4.3.14 The proposed development would be 0.8-1m from the north boundary, 6.5m to 10.5m from the front boundary, 8.9m to 12.1m from the NE boundary, predominantly from 3.5m to 9m from the SE boundary, and 15.3m from the south corner of Plot 3 south to the southern corner area of the site.
- 4.3.15 Within the site, Plot 1 would be approx. 1.4m from its garage, Plots 1 and 2 would be 3.1m from each other, Plot would be 3.6m from its garage, and the Plot 2 garage would be 1m from Plot 3.
- 4.3.16 The proposed development would, when taking into account the above, occupy more of the existing site, have greater size and bulk, be closer to the site boundaries and more visible due to this and proposed tree removals, and the dwellings and garages would be close together within the site.
- 4.3.17 The overall visual impacts of the proposed amount of development would be considered that much of the site would be developed and built on, with little space between the dwellings and site boundaries and trees, new development significantly intruding into the open southern and eastern parts of the site, and Plot 1 with its garage appearing to 'wrap around' neighbouring dwelling Holmacott to the NW.
- 4.3.18 These impacts would be compounded by each dwelling having larger bulkier roofs (due to the amount of accommodation proposed within them) than other nearby dwellings, which are more modest two storey dwellings, bungalows or chalet bungalows. While a single dwelling on the site with such a roof form could most likely be accommodated comfortably, putting three such dwellings close together on this site and closer to the site

boundaries etc. is considered to result in an amount, size and scale of development that would appear visually dominant and cramped within the site, and out of character with the more modest scale of dwellings and more spacious character of the locality.

- 4.3.19 The new dwellings would also appear significantly closer to the SE boundary of the site with Coach Drive than Trees; Nos. 6, 8a, and 8 Coach Drive, and dwellings on the other side of Coach Drive opposite the site and to the NE. It's considered that this would breach the building line from Trees to No. 6, and more significantly harmfully erode the more spacious character of the area around the junction of Coach Drive and Gosmore Road.
- 4.3.20 For the reasons above, the proposal is not considered acceptable due to its amount, size, scale, siting and design. The proposal does not comply with Policy D1 of the Local Plan, and Section 12 of the NPPF.

Neighbour amenity

- 4.3.21 Only two dwellings share a boundary with the site, which are Holmacott off Gosmore Road to the NW, and No. 8 Coach Drive to the NE. There are also five dwellings opposite the SE site boundary on the east side of Coach Drive.
- 4.3.22 The proposed dwellings would be approx. 17m minimum from the curtilages of the dwellings on the other side of Coach Drive (with the garages for Plots 2 and 3 being slightly closer). While the proposed development will be visible from the opposite Coach Drive dwellings, due to the above distances and additional tree screening, the development would not cause harmful overbearing impacts, loss of privacy, loss of light or other amenity.
- 4.3.23 Turning to the first dwelling that adjoins the site, Holmacott (H) off Gosmore Road, Plots 2 and 3 and the Plot 2 garage are considered to be sufficiently far away from H to not harm its amenity.
- 4.3.24 The south side elevation of H contains two first floor windows under its gable end, and a ground floor window under the roof of a smaller rear projection. The Plot 1 garage would be near the first floor windows, however the impacts of the garage are not considered harmful as one of the first floor windows is a high level window which would provide limited views of the garage. The other first floor window is obscure glazed, which will also limit views and impacts of the proposed garage. The proposed garage is not therefore considered harmful to H.
- 4.3.25 The ground floor side window of H is clear glazed, however outlook and light from it are presently substantially restricted by a nearby 1.8m high boundary wall. Due to this, it's not considered that Plot 1 and its garage will adversely affect that ground floor side window.
- 4.3.26 The garage of Plot 1 will not affect the rear elevation and garden of H. The rear elevation of H has a first floor window in the middle of its gable end, and additional ground floor openings north of the first floor window. The Plot 1 dwelling will be largely oblique from the first floor window, and will not be harmful to the room it serves.

- 4.3.27 The Plot 1 dwelling would be visible from the closest rear ground floor window of H, however this would relate to a small single storey rear projection to Plot 1 which would have a flat roof and would be approx. 6m from that window and oblique, therefore it's not considered that Plot 1 would be harmful to the rear elevation openings of H. Plot 1 would have similarly limited impacts on the rear garden of H, and would not be harmful to it. Impacts on the amenity of Holmacott are considered acceptable.
- 4.3.28 The other adjoining dwelling is No. 8 Coach Drive to the NE, who have also objected to the application, including that harm will be caused to their amenity from dominance, overbearing impacts, overlooking, and loss of light.
- 4.3.29 The Plot 1 garage, the Plot 2 garage, and Plot 3, would be sufficiently from No. 8 to not cause harm to its amenity. No. 8 is a bungalow in an 'L' shape, which doesn't have openings on its closest side wall to the site, although it does have numerous openings on its inner SW and SE elevations. The main private garden area of No. 8 is also accessed from its SW and SE elevations and openings.
- 4.3.30 The Plot 1 dwelling would essentially face the side elevation of No. 8 with some overlap on each side. The rear of Plot 1 would be approx. 11.8m to 13.9m from the boundary with No. 8, and a minimum of 15.3m from the side of No. 8. Due to these distances and the siting of Plot 1 mainly facing the outer SW side wall of No. 8, Plot 1 will not be visible from the inner SE side wall of No. 8; and at 31.5m from the inner SW wall of No. 8 would be too far from that elevation to cause harm to its openings.
- 4.3.31 The Plot 1 dwelling would be more visible from the rear garden of No. 8, however the 13.9m distance of the two storey part of it from the boundary is considered reasonable and quite typical of the distance from the rear of a dwelling to its rear boundary. Existing and proposed trees and planting would further obscure Plot 1 from the garden of No. 8. It's not considered that Plot 1 would be harmful to the amenity of No. 8.
- 4.3.32 Plot 2 would be closer to the boundary with No. 8, varying from being 8.9m to 9.7m from it. As such it would be more visible than Plot 1 from the rear garden of No. 8, and both its inner SW and SE elevations.
- 4.3.33 The closest part of Plot 2 would be approx. 25.2m from the SW elevation of No. 8. While Plot 2 would be visible from openings from that elevation, this separation distance is considered sufficient to avoid overbearing impacts, loss of light and privacy to those openings. Plot 2 would be more oblique from the SE elevation of No. 8 and its openings, and it's not considered that the SE elevation openings of No. 8 would be adversely affected.
- 4.3.34 The rear elevation of Plot 2 would be 8.9m to 9.7m from the rear boundary, with the rear dormer for Plot 2 being 10.5m from the boundary with the rear garden of No. 8. These distances are considered to short to prevent harmful overlooking and loss of privacy to the rear garden of No. 8, including a perception of being overlooked which is also harm. It's not considered that the trees near the boundary of No. 8 would prevent this overlooking as they're not all of sufficient height to do so, and are also deciduous therefore clear views would exist into the rear garden of No. 8 during the months when the trees are not in leaf. The Plot 2 dwelling would therefore cause harmful loss of privacy and amenity to No. 8 Coach Drive.

- 4.3.35 No. 8 have provided a visualisation of how the proposed dwellings would appear from their rear garden. The layout of the rear garden of No. 8 comprises a patio area between its inner SE and SW elevations, which opens out onto the main lawn area of the garden. Due to this garden layout and where the garden is accessed from No. 8, occupants of No. 8 would enter the patio and lawn areas facing towards the area where Plot 2 is proposed.
- 4.3.36 The visualisation from No. 8 is considered reasonably accurate as far as the siting and appearance of Plot 2 from No. 8 is concerned. Occupants of No. 8 would be considered to clearly see Plot 2 from its patio and lawn, which is considered would be a large visually dominant new building which would contrast notably with the present open outlook from the rear garden of No. 8. Therefore, due to the size, scale, siting, bulk and design of Plot 2, it's considered that this dwelling would be harmfully overbearing and visually dominant to No. 8, causing harm to the amenity of its occupants.
- 4.3.37 Overshadowing from Plot 2 would be considered to fall mainly within the application site, and its impacts are not considered harmful to No. 8, however this does not overcome the other harms above.
- 4.3.38 Regarding the objections received from neighbours, many of these have been addressed elsewhere in this report. It's not considered that the increase in dwellings and the intensity of the use of the site would be harmful as the number of dwellings would overall remain small. Demolition and construction would be controlled by a construction management plan if the development was to be approved. Covenants are not material planning considerations and can't be taken into account. The proposal is considered harmful to amenity. The proposal does not comply with Policy D3 of the adopted Local Plan.

Future living conditions

- 4.3.39 The proposed dwellings would each have main habitable rooms that would be of a size sufficient to provide acceptable living standards, outlook, privacy and light. The main private gardens of the dwellings would be of a sufficient size and quality for occupants of the new dwellings. It's not considered that the proposed dwellings would be adversely affected by each other and by nearby buildings, trees etc. Future living conditions are considered acceptable. The proposal complies with Policies D1 and D3 of the Local Plan and Section 12 of the NPPF.

Parking and highways

- 4.3.40 The new dwellings would each have five bedrooms, which would require a minimum of two parking spaces. More than two spaces would be provided for each dwelling, which is acceptable. At least one cycle could be accommodated internally, which is acceptable.
- 4.3.41 The development does not have any dedicated visitor parking, however as each dwelling would have four parking spaces, this is considered sufficient for most visitors to be accommodated.

- 4.3.42 Bin storage areas have not been shown for each dwelling, however the plots for each dwelling are of a sufficient size for bins to be stored. A bin collection area is shown near the proposed new access, which is acceptable.
- 4.3.43 The County Council highways officer has not objected to the application, and internal vehicle manoeuvring space is considered acceptable. The amount of vehicular traffic from the proposal would be expected to be small and is not considered harmful to the public highways network.
- 4.3.44 It's not considered that public highways would be adversely affected by the proposal, and that the access for the proposed dwelling is considered acceptable. The proposal complies with Policies T1 and T2 of the Local Plan, and Section 9 of the NPPF.

Trees and landscaping

- 4.3.45 The application proposes the removal of a relatively small number of trees near the SW and SE boundaries. These trees are young and small, are not considered to make a significant contribution to the character and appearance of the site and locality, and there are no objections to their removal. Their loss would also be compensated by proposed tree planting.
- 4.3.46 More significant trees are around the south corner of the site, which are proposed to be retained. If permission was to be granted, these trees would be required to be protected and retained by condition.
- 4.3.47 The site would be re-landscaped, with new hard and soft landscaping. The proposed layout, and the balance between the two, are considered acceptable. If permission was to be granted, details of new hard and soft landscaping would be required by condition. The proposal complies with Policy NE2 of the Local Plan.

Ecology

- 4.3.48 A Preliminary Roost Assessment submitted with the application did not find evidence of bats in the buildings to be demolished, and it's not considered that other protected species would be harmed. A condition requiring ecological enhancements (as requested by the Council's Ecologist) would be recommended if permission was to be granted, to ensure that species most likely to use the site would benefit.
- 4.3.49 The proposed development would fall within the criteria for providing mandatory 10% Biodiversity Net Gain. If permission was to be granted, this would be secured by imposing the standard BNG Condition. The proposal is considered acceptable regarding ecology. The proposal complies with Policy NE4 of the Local Plan, and Section 15 of the NPPF.

Balance and Conclusion

- 4.4.1 The LPA is not able to demonstrate a five year housing land supply. The tilted balance in para. 11 d) ii of the NPPF is engaged, where in this case the adverse impacts set out in the above report are considered to outweigh the limited benefits of the provision of net two new dwellings.

4.4.2 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 size, scale, design, siting and appearance, would be excessive and out of character with the site and locality, resulting in harm to their character and appearance. The proposal does not comply with Policy D1 of the Local Plan, and Section 12 of the NPPF.
2. The proposed development, by reason of its size, scale, design and siting, would result in harmful loss of privacy and overbearing visual impacts to No. 8 Coach Drive which would be harmful to the amenity of that dwelling. The proposal does not comply with Policy 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 acted proactively through early engagement with the applicant at the pre-application stage. This positive advice has however been ignored and therefore the Council remains of the view that the proposal is unacceptable. Since the Council attempted to find solutions, the requirements of the Framework (paragraph 38) have been met 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: 30 June 2025	