

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00606/FPH	Part two storey and part first floor side extension. Single storey rear extension, replacement flat roof over existing rear extension, alterations to fenestration and removal of chimney.	1 Franklin Gardens Hitchin Hertfordshire SG4 0BS

Submitted Plan Nos

HET-1865 01 A HET-1865 02 A HET-1865 03 A

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
SP2	Settlement Hierarchy and Spatial Distrib

SECN12

Achieving well-designed places

SP1

Sustainable development in North Herts

2.0 **Site History**

- 2.1 18/03053/FPH Replacement of 1.0m high picket fence with 1.8m close board fence at side of property along boundary. Conditional Permission

3.0 **Representations**

3.1 **Neighbour Representations –**

- 3.2 2 Franklin Gardens – objection (full objection on file)

I am the resident of No. 2 Franklin Gardens. I object to application 26/00606/FPH because the proposal would result in an unacceptable impact on the living conditions of neighbouring occupiers , fail to remain subordinate to the host dwelling , harm the character and appearance of the streetscene , and lead to highway safety problems. My objection is made under Policies D1, D2, D3 and T1 of the North Hertfordshire Local Plan and the National Planning Policy Framework.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 1 Franklin Gardens is an end of terrace dwelling located opposite the car park to St Faith's Church (Woolgrove Road) and junction with Harkness Court. The rear and side garden of the property are alongside Franklin Gardens and visible from Woolgrove Road where views are softened and restricted by verge trees and the car park.
- 4.1.2 There is an existing single storey side and small rear projection along the boundary with No 2.

4.2 **Proposal**

- 4.2.1 Planning Permission is sought for a part two storey and part first floor side extension. Single storey rear extension, replacement flat roof over existing rear extension, alterations to fenestration and removal of chimney.
- 4.2.2 The two storey side would project approximately 3.6 metres from the side elevation and projects no further then the existing single storey side extension. It is proposed to be the full depth of the existing property. The single storey rear would project a further 8 metres from the existing rear with a total depth of approximately 12 metres. The rear extension has flat roof with a height of just over 3 metres.

- 4.2.3 Materials include brickwork and plain hanging tiles, concrete interlocking roof tiles and white upvc windows to match the existing.
- 4.2.3 The submitted plans show the inclusion of a second staircase and an additional front entrance door, which would facilitate the independent use of separate parts of the dwelling and could enable subdivision into two residential units.

4.3 **Key Issues**

- 4.3.1 Policy SP2 (Settlement Hierarchy) states that development will be focused within the District's towns, including Hitchin, where development is supported in principle subject to compliance with the remainder of the Plan. Policy D1 (Sustainable Design) requires development proposals to respond positively to their local context, make a positive contribution to the appearance of the area, and be well integrated with surrounding buildings and land uses. Policy D3 (Protecting Living Conditions) states that planning permission will be granted where proposals would not result in a significant detrimental impact on the living conditions of existing or future occupiers, including through overlooking, loss of privacy, overshadowing, or overbearing impact.
- 4.3.2 The National Planning Policy Framework (NPPF) is also a material consideration. Paragraph 135 of the NPPF requires that developments are visually attractive, sympathetic to local character, and contribute positively to the overall quality of an area. It further requires that development provides a high standard of amenity for existing and future users.
- 4.3.3 However, the design and internal configuration of the proposal raises significant concerns that it would facilitate the subdivision of the property into two separate units, which has not been formally applied for or assessed.

Design and Appearance:

- 4.3.4 The detailed design and layout of the proposal give rise to significant concerns which outweigh the acceptability of the proposal in principle.
- 4.3.5 In terms of design and impact on the character of the area, the combined bulk of the two-storey side extension and single-storey rear extension would create a disproportionate addition that would appear visually dominant and incongruous when viewed in the context of the host dwelling and surrounding properties. As such, the proposal would fail to respond positively to the local context or make a positive contribution to the area, contrary to Policy D1 of the Local Plan and Paragraph 135 of the NPPF.
- 4.3.6 The proposal also represents an overdevelopment of the site. The cumulative footprint and bulk of development would substantially increase the built form within the plot, resulting in a reduction of usable garden space and a cramped layout that is not reflective of the prevailing character of the area. In this instance, the scale of development would exceed what can reasonably be accommodated on the site without harm, and is therefore contrary to Policy HS2.

- 4.3.7 A further and significant concern arises from the internal layout of the proposed development. The inclusion of a second staircase and an additional front entrance door strongly indicates that the building could function as two separate and independent units. This raises the likelihood that the proposal is intended, either immediately or in the future, to facilitate the subdivision of the dwelling. Such a change would constitute a material change of use and intensification of the site, which has not been formally applied for or assessed as part of this application. In particular, no information has been provided in respect of parking provision, amenity space standards, or the broader impacts associated with the creation of an additional dwelling. As such, the proposal conflicts with the plan-led approach set out in Policy SP2 and the wider objectives of the NPPF, which require that development is properly planned and assessed.

Neighbour amenity

- 4.3.7 Taking into consideration the representation from the neighbouring property at No.2 and with regard to residential amenity, the scale and proximity of the proposed extensions specifically the rear extension to neighbouring boundary would result in an increased sense of enclosure. These impacts would result in a significant deterioration in the living conditions of neighbouring occupiers in my view. The proposal therefore conflicts with Policy D3 of the Local Plan, which seeks to protect residential amenity, and with the amenity objectives of the NPPF.

4.4 **Conclusion**

- 4.4.1 Whilst the extension of a dwelling is acceptable in principle within a residential area, the proposal would result in clear and demonstrable harm in respect of its impact on the character and appearance of the area, the living conditions of neighbouring occupiers, and the overdevelopment of the site. In addition, the design and layout raise significant concerns regarding the potential for unauthorised subdivision and intensification of use. These adverse impacts are considered to significantly and demonstrably outweigh any limited benefits associated with the proposal.

4.5 **Alternative Options**

- 4.5.1 None applicable.

5.0 **Recommendation**

- 5.1 That planning permission be **REFUSED** for the following reasons:

1. The scale and extent of the proposed development would result in excessive site coverage and a cramped form of development and would not be sympathetic to the host dwelling and would be harmful to the prevailing character and appearance of the area. The development would not respond positively to the site's local context or be sympathetic to the existing house, contrary to Policy D1 and D2 of the North Herts Local Plan 2011-2031 and Section 12 of the National Planning Policy Framework.

2. The proposed rear extension, by reason of its design and depth extending past the existing rear elevation would result in an unacceptable overbearing impact upon the occupiers of the adjoining neighbouring property (No. 2). The proposed development would fail to comply with Policy D3 of the North Hertfordshire Local Plan 2011-2031 and the core principles set out within the National Planning Policy Framework (2024).
3. The proposed internal layout, including the provision of a second staircase and additional front entrance, indicates the likely subdivision of the dwelling into multiple units. In the absence of sufficient information and assessment, the proposal represents an unjustified intensification of use, contrary to Policy SP2 of the North Hertfordshire Local Plan and the plan-led approach 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  Sam Dicocco Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 1 May 2026	