

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02231/FPH	First floor side extension; single storey rear extension and alterations to fenestration. Erection of rear garden office outbuilding. (Amended plan received 16/03/24).	92 Benslow Lane Hitchin Hertfordshire SG4 9RA

Submitted Plan Nos

2405_00A 2405_01 2405_02

1.0 Policies

D1 Sustainable design

D2 House exts, replcmnt dwellings outbuild

D3 Protecting living conditions

SECN12 Achieving well-designed places

SP9 Design and Sustainability

SP1 Sustainable development in North Herts

2.0 **Site History**

2.1 15/01132/1HH Single storey side extension Conditional Permission

3.0 **Representations**

3.1 None received

4.0 **Planning Considerations**

4.1 Site and Surroundings

4.1.1 No 92 Benslow Lane is a detached house located on the south side of Benslow Lane at the end of a cul-de-sac section. The dwellinghouse is adjoining Pinehill Park and backs onto Pinehill hospital

4.2 **Proposal**

4.2.1 Planning permission is sought a first floor side extension; single storey rear extension and alterations to fenestration. Erection of rear garden office outbuilding

4.3 **Key Issues**

4.3.1 The key considerations are design and the impact on the amenities of neighbouring properties.

Design

- 4.3.2 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. Policy D2 of the Local Plan states that planning permission for house extensions will be granted if the extension is sympathetic to the existing house in height, form, proportions, roof type, window details, materials; the orientation of the main dwelling and if it does not dominate adjoining properties. These considerations are echoed in Section 12 of the NPPF.
- 4.3.3 The proposed rear first floor side extension would project from the existing side flank above the existing side extension approved in 2015. It does not project any further than the existing side projection, and is set back from the front elevation and has a lower ridge height to the existing. Windows are proposed on the rear elevation and one rooflight in the rear roof slope.
- 4.3.4 The single storey rear extension projects approximately 3 metres from the existing rear elevation and has been designed with a mono-pitched roof with two roof lights windows in the roof with a window on the rear elevation and patio door on the side flank facing the garden.
- 4.3.5 The external materials are to match that of the host property.
- 4.3.6 In regards to the outbuilding, the proposed building is positioned along the rear boundary opposite the proposed new rear extension and has a height of approx.. 2.5 metres with a flat roof.
- 4.3.7 In my view, the proposals are well designed and sympathetic to the host property in height, form, proportions, roof type, materials and window placement, in accordance with Policy D2.
- 4.3.8 The proposal is therefore deemed acceptable in design terms and in accordance with Policies D1 and D2 of the Local Plan and Section 12 of the NPPF.

Impact on Neighbours

- 4.3.9 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.
- 4.3.10 The first floor side extension is recessed from the main front elevation and tucked into a corner adjacent boundary vegetation forming part of the neighbouring field. The extension would not be prominent in the street scene as the house is at the end of a cul-de-sac and private drive off Benslow Lane .It is my view that the proposed extensions and outbuilding are unlikely to occasion any further material harm upon the reasonable living conditions and well-being of neighbouring dwellings given the modest depth and window placement at first floor.
- 4.3.11 As such, the proposal will not cause unacceptable harm to living conditions, in line with Policy D3 of the Local Plan.

Environmental Implications:

- 4.3.12 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.

- 4.3.13 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.

Trees

- 4.3.14 There are a number of mature trees in close proximity to the proposed extensions outside the boundary. I note the extent of the ground floor extension which would have potential impact on tree roots, and am concerned if the first floor extension would result in excessive pruning of the canopy threatening the trees longevity, and resulting in a greater visual impact of the first floor of the side extension in views from the adjoining park.

- 4.3.15 The agent has responded with the following:

Drawing 2405_00A has been revised and identifies the mature trees on the adjoining sites. T4 - Sycamore tree governs the foundation depth of the rear extension requiring a foundation depth of 1.5m rather than 1.0m (assuming an unaltered ground level). The ground level in the park is 0.55m higher than the development site though. So we can say that the tree roots do not influence the foundation design.

I have attached three photographs:-

 *Photo 23-01-2025, 13 19 58*

 *Photo 23-01-2025, 13 20 15*

 *Photo 05-03-2024, 13 54 08*

The first two photographs show that you can build on top of the ground floor with a first floor extension without having to prune trees T4 > T8. The last photograph shows the retaining wall and the step down into the development site.

- 4.3.16 I am minded to recommend conditions to safeguard the tree roots to protect the neighbouring trees.

Biodiversity Net Gain

- 4.3.17 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.

4.4 Conclusion

- 4.4.1 The proposal is considered acceptable in planning terms and in accordance with Policies D1, D2 and D3 of the Local Plan, as well as Section 12 of the NPPF.

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.

3. The extension(s) hereby permitted shall be built in external materials to match the existing dwellinghouse unless otherwise agreed in writing by the LPA.

Reason: To protect the visual amenities of the locality and to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

4. The foundations for the rear extension and if required the outbuilding shall be hand dug to protect any roots of neighbouring trees. No building materials shall be stacked or mixed within 10 metres of the trees. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

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: 25 March 2025	