

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/03176/FP	Erection of one self-build dwelling including basement level and first floor area balcony area. Installation of external swimming pool, garden kitchen structure and pergola, external air source heat pump and associated hard and soft landscaping works including perimeter boundary fence, wall and gates following demolition of existing dwelling. Alterations to ground levels in rear garden.	35 Grays Lane Hitchin Hertfordshire SG5 2HH

Submitted Plan Nos

3959 01A 3959 03A 3959 30B 3959 31D 3959 32C 3959 33E 3959 34D 3959 38D 3959 39D 3959 41C 3959 42 TS25-840-1 3959 37D

1.0 Policies

2.0 **Relevant Site History**

2.1 25/02492/PRE Replacement dwelling

It is considered that the principle of the proposed development would be acceptable. There are a number of concerns that relate to the scale, height including the large crown roof and depth at first floor of the replacement dwelling, the inclusion of a balcony and the impact this could have of the replacement dwelling on the occupiers of neighbouring dwellings.

3.0 **Representations**

3.1 **Neighbour Consultation:**

No.33 and 37 Objection

1. Scale, siting and impact on the street scene
2. Noise and disturbance – garden kitchen, pergola and pool
3. Air Source Heat Pump and plant noise concerns
4. Overdevelopment and future permitted development
5. Ground levels and drainage
6. Basement excavation and construction risk

3.2 **Environmental Health (Combined):** We would normally expect to see a MCS020 noise assessment for an application such as this (the installation of an air source heat pump). There is information in relation to the unit to be installed, however, we need to see such an assessment to see the local context.

3.3 **Highways Authority:** 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 recommends that permission be refused

3.4 **Waste and Recycling:** No detail provided on waste. Property needs to have adequate storage for min 3 x 240L & 1 x 180L wheelie bin as well as a 23L caddy. Bins will be collected from kerbside and therefore will be moved by resident to kerb for collection.

3.5 **NHs Ecology** - Thank you for consulting me on the above application. I have read through the submitted documents and welcome the provision of the January 2026 Preliminary Ecological Appraisal (PEA). There is no ecological objection to the proposal but the PEA does advise a precautionary working method statement to prevent harm to ecological receptors and the following condition is advised

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 35 Grays Lane is a large detached bungalow within a residential area of Hitchin. There are a variety of dwellinghouse types and designs in the vicinity.

4.2 **Proposal**

- 4.2.1 Planning permission is sought for the erection of one self-build dwelling including basement level and first floor area balcony area. Installation of external swimming pool, garden kitchen structure and pergola, external air source heat pump and associated hard and soft landscaping works including perimeter boundary fence, wall and gates following demolition of existing dwelling. Alterations to ground levels in rear garden.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:

- The acceptability of the design of the proposed development and its impact on the character and appearance of the area.
- The impact of the proposed development on the living conditions of neighbouring properties.
- Access and parking matters.
- The impact of the proposed development on the environment.

Principle

- 4.3.2 The site is located within the settlement of Hitchin. Local Plan Policy SP2 supports the development of housing within the settlement boundary. Therefore, the site is considered appropriate in principle for development in this location. The proposal is for the replacement of an existing single-storey dwelling with a larger two/three storey dwelling.

In conclusion on this matter, the principle of development in this location is considered acceptable as outlined in pre-application advice.

Design and Appearance

- 4.3.3 Policies SP9, D1 and D2 of the NHDC Local Plan requires that development proposals respond positively to the site's local context. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.
- 4.3.4 Policy SP9 requires proposals to achieve a high standard of design, respond positively to their context, and reinforce local distinctiveness. Development should be well integrated into its surroundings and should not result in harm to the character or visual amenity of an area.
- 4.3.5 In this case, although the site lies within an established residential area where redevelopment is acceptable in principle, the proposal fails to respond appropriately to its context. The overall scale, bulk and height of the replacement dwelling, combined with the crown roof form, results in a building that appears visually dominant and out of keeping with the prevailing pattern of more traditionally proportioned dwellings.

- 4.3.6 The crown roof introduces an overly bulky roofscape that would appear as an incongruous and overly assertive feature within the streetscene. Accordingly, the proposal conflicts with the overarching design objectives of Policy SP9.
- 4.3.7 Policy D1 requires development to achieve a high quality of design that responds to local context, including the character, appearance, and local distinctiveness of the area and using appropriate scale, massing, and proportions to ensuring development is visually attractive and sympathetic to its surroundings.
- 4.3.8 The proposed replacement dwelling fails to satisfy these criteria. The excessive depth at first floor level at close proximity to the shared boundaries, combined with the building's overall massing, creates a form of development that lacks appropriate proportion and balance. This results in a building that appears overly deep and bulky when compared to neighbouring properties.
- 4.3.9 Policy D2 specifically relates to proposals of this nature and requires replacement dwellings to reflect the size, scale, and proportions of the original dwelling and surrounding properties and avoid overdevelopment of the site and respect the character and appearance of the area.
- 4.3.10 While replacement dwellings are acceptable in principle, they must not result in a materially larger or more visually dominant structure that would harm the surrounding area. In this instance, the proposed dwelling significantly exceeds what would be considered proportionate. The combined impact of increased scale and bulk would result in a development that would appear substantially larger and more imposing than both the existing dwelling and neighbouring properties. The crown roof design further contributes to the perception of increased mass and fails to reflect the typical roof forms within the locality. This reinforces the sense of overdevelopment of the plot.
- 4.3.11 While the design has been altered from the pre-application stage whereby it no longer incorporates a rear balcony and other minor alterations; I conclude that the proposal would have a dominant scale, bulky form, excessive depth, and uncharacteristic crown roof resulting in a building that is not sympathetic to local character and fails to contribute positively to the area. The identified harm is significant and is not outweighed by any material considerations. The proposal is therefore in conflict with both local and national planning policy and cannot be supported. Thus, the proposal is considered to be contrary to Policies SP9, D1 and D2 of the NHLP.

Impact on Neighbour Amenity

- 4.3.12 Policy D3 of the Local Plan states that planning applications will only be granted where the proposal would not cause unacceptable harm to living conditions.
- 4.3.13 At PRE-APP stage I raised concerns relating to the forward projection and scale relative to No. 33. The proposed dwelling appears to project approximately 7 metres forward of the neighbouring property and has a materially greater impact upon the street scene and upon the relationship with both neighbouring properties. The garden outdoor kitchen with chimney also would be neighbouring on the boundary with the neighbour. The height of the chimney is approximately 4 metres tall given the ground level changes here.

- 4.3.14 It is considered that the proposal would not meet the requirements of Policy D3 or National Planning Policy Framework paragraph 135, which seeks amongst other things to ensure that developments add to local character and are sympathetic to the surrounding built environment.

Standard of Amenity for Future Occupiers.

- 4.3.15 The proposed development would deliver sufficient internal floorspace per the nationally described space standards for a dwelling of this size. Sufficient built in storage is shown on the floor plans. The dwelling would benefit from amenity space. Therefore, the standard of amenity for future occupiers is considered to be acceptable.

Highways, Access and Parking

- 4.3.16 The site is currently accessed via Gray's Lane. The applicant stated that there are no changes proposed to and from the public highway, retaining the existing in/ out driveway and both dropped kerbs and VXOs.
- 4.3.17 Following Consultation with HCC as the Highway Authority they have considered the proposal and concluded that the application as submitted does not meet the requirements set out in HCC's Place & Movement Planning and Design Guidance. Therefore, HCC as Highway Authority would recommend refusal for the proposal as submitted.
- 4.3.18 The proposal includes an increase in the number of bedrooms. However, the proposed site plan shows sufficient parking provision of minimum 2no. parking spaces to the front of the dwelling. The replacement dwelling would use the existing dropped kerb. Therefore, with regard to Policy T2 of the NHLP, there would be no car parking issues arising from the development.

Biodiversity Net Gain (BNG)

- 4.3.19 Policy NE4 outlines that development should incorporate appropriate mitigation measures and biodiversity net gains.
- 4.3.20 The proposed dwelling would be self-build and is exempt from needing to provide the mandatory 10% Biodiversity Net Gain, which would normally be required by a standard BNG condition. Local Plan Policy NE4 can still require new developments to provide a BNG, which is considered could be achieved given the proposal would only affect hardstanding and a small proportion of lawn. The proposal would likely comply with Policy NE4 of the Local Plan.

Other Matters

- 4.3.21 Policy SP11 outlines the District's commitment to climate adaptation, with Policy D1 (b)(iii) specifying that development proposals should 'reduce energy consumption and waste'. The development proposals include energy efficiency measures that reduce the carbon dioxide emissions by in excess of the recommended target.

4.4 Planning Balance and Conclusion

4.4.1 Whilst the Council cannot demonstrate a 5-year supply of housing and therefore the tiled balance under paragraph 11 of the National Planning Policy Framework is engaged, the proposal would not result in a net increase in the number of dwellings and therefore limited weight is given to the delivery of the proposed dwelling house. The proposed development would result in harm to the character and appearance of the area and significant weight is attached to this harm. The proposal would conflict with Local Plan Policies D1, D2 and D3 and NPPF paragraph 135. I consider that the identified harm would significantly and demonstrably outweigh the limited benefits of delivering this replacement dwelling and therefore planning permission should be **REFUSED**.

4.5 **Alternative Options**

4.5.1 N/A

4.6 **Pre-Commencement Conditions**

4.6.1 N/A

5.0 **Recommendation**

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

1. The proposed development, by reason of its size, bulk and scale, design, siting and appearance, would be excessive and out of character with the site and locality, resulting in harm to the character and appearance of the area. The proposal does not comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 -2031 and also paragraph 135 of the National Planning Policy Framework.
2. Insufficient details have been submitted to demonstrate that the access arrangements adhere to guidelines in, or are in accordance with, 'Manual for Streets (MfS)' and HCC Highways Place and Movement Planning and Design Guide. The proposal is therefore contrary to policy guidelines as outlined in the National Planning Policy Framework (NPPF) and Hertfordshire County Council's (HCC) Local Transport Plan 4 (LTP4).
3. By reason of the proposed forward projection to the proposed replacement dwelling and scale relative to No.31 and 33 and the siting of the garden kitchen and pergola structures along the boundary of No. 33, the proposal would result in an unacceptably dominating and over bearing presence on the front and rear gardens of the neighbouring properties. This would cause unacceptable harm to the amenity of occupiers of no 33 and fails to meet the policy requirements of policies SP1, SP9 and D3 of the adopted Local Plan and the core principles and Paragraph 135 of the National Planning Policy Framework (2021).

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  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 15 April 2026	