

Anne McDonald

Development Management Team Leader
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth Garden City
Hertfordshire
SG6 3JF

30th August 2024

Your ref: 24/01426/FP

[REDACTED]

Dear Anne,

24/01426/FP - Demolition and redevelopment to provide 44 residential apartments (in four-part 3 storey / part 5 storey linked blocks) 325 sqms of Class E floorspace at ground floor fronting the High Street, landscaping, amenity and associated parking.

9-10 High Street, Hitchin, Hertfordshire

I write on behalf of my clients Mr and Mrs Marron in connection with the above planning application and to make representations in objection to the proposed development in the strongest possible terms. Our clients own the property Green Hythe, 2A Paynes Park, which would be harmfully impacted, as a result of the proposals.

Having reviewed the submitted documents and plans for the proposed development, we have the following concerns, which we need to bring to your attention.

I understand that the proposed development, has been through an extensive pre-application process, in which officers raised fundamental concerns with the scheme that was presented at the time. However, it is clear from what has been submitted, that the previous concerns expressed by officers have not been satisfactorily addressed. The main areas of concern are:

1. **Poor Quality of Design:** The proposal is of poor design as it fails to respond to the built form of the High Street and, from the visualisations provided, would appear incongruous and out of keeping;

2. Scale of the Rear Range 3-5 Storeys: The scale and massing of the proposed development with the use of 3 to 5 storey blocks in a terraced arrangement, would appear unduly dominant and out of character;
3. Impact on the Setting of Listed Buildings and the Hitchin Conservation Area: The proposed design and scale would have a detrimental impact on the character and appearance of the Hitchin Conservation Area and setting of the Grade II listed buildings adjacent to the site including our client's property at Green Hythe; and
4. Impact on the Residential Amenity of Future Occupiers and Existing Neighbouring Occupiers: The proposed scheme would create a poor living environment for future occupiers in terms of access to outdoor space with lack of soft landscaping, cramped living conditions, poor daylight and sunlight and poor outlook and the proposed scheme would have a significantly detrimental impact on the residential amenity of the neighbouring occupiers in terms of loss of privacy/overlooking, overshadowing, and create an overbearing sense of enclosure.

In view of the above highlighted concerns, I set out below a fuller examination of the concerns for your consideration.

1. Poor Quality of Design

Policy SP9 (Design and Sustainability) of the adopted North Hertfordshire Local Plan states that the Council will support development where it is well designed and located and responds positively to the local context. Policy D1 (Sustainable design) sets out requirements for development proposal to meet such as, amongst other things, creating and enhancing public realm; proposed appropriate new planting; maximise accessibility, legibility and physical and social connectivity both internally and neighbouring areas.

The proposal is for the demolition of the existing three storey building, which is in a prominent location fronting High Street. The existing building is an attractive building that has Georgian architectural accents, and contributes positively to the architectural vernacular and variation within the High Street. The existing building adds visual interest to the varied height and diversity of architectural style of this part of the High Street. The variation in heights and mixture of architectural style is an important part of the character and appearance of this part of the High Street. Therefore, any replacement building should be of similarly high quality, which the Council should strive to achieve, particularly in the Hitchin Conservation Area. The site is located within an important view (view 4) in the Conservation Area, which is described in the Hitchin Conservation Area Character Statement (July 2011), as:

"Southwards down High Street, noting the narrowing of the road towards the Market Place, the street being lined with varied buildings, most of them either listed or 'historic'"

The Council's Design Guide (2011) adds further advice on design and scale considerations in Hitchin by stating that scale and typology of new building should be dictated by the scale and typology of historic buildings and

that architecture of new buildings should complement rather than copy or compete with historic styles. The aim of the Design Guide is to ensure a high standard of design is maintained in keeping with the character and sense of place in Hitchin.

The proposed design takes a drastically different approach compared to the local context and historic buildings adjacent to the site. As a result, the proposal fails to respond positively to the local context, is out of character and appearance with the Conservation Area, and would significantly detract from the setting of the Grade II listed buildings at no.8 High Street and 2a Paynes Park, which are directly adjacent to the site. Policy SP13 of the North Hertfordshire Local Plan states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the management of its setting.

The proposed replacement building fronting High Street has been designed with an arched frontage for the commercial units and above this a series of large, rectangular, inverted bay-windows and a cladded set back roof level. The proposed design is contrived due to its proportions and appearance, which jar with the traditional appearance of the rest of the High Street. The visualisations contained in page 12 of the Design and Access Statement illustrates that the proposed replacement building would be of a significantly lower quality of design than the existing building, which sits harmoniously within the range of buildings, and would detract from the important view of the High Street.

Therefore, the design is of poor quality for such a prominent and sensitive location, and fails to respond positively to the local context. The proposal would appear out of keeping with the local vernacular, be out of character in the historic town centre setting and have an adverse impact on the character and appearance of the Conservation Area and setting of nearby listed buildings. The proposed design and scale would therefore be contrary to policies SP9, SP13, HE1 and D1 of the Local Plan and the Council's Design Guide.

2. Scale of the Rear Range – 3 to 5 storeys

The Design Guide advises that the scale and typology of new buildings should be dictated by the scale and typology of historic buildings. It goes on to state that while the town centre has evolved over time and will continue to do so, any changes should respect the overall historic character of Hitchin.

The rear of the site (behind High Street) extends up to Paynes Park and is used as a service area and car park. At the rear of 9-10 High Street is an extensive single storey flat roof element that takes up over half the plot depth. However the rear range is single storey and maintains the ancillary appearance of this back-land location.

The proposal, as submitted is to redevelop the entire rear range with under-croft parking and 6 inter-connected blocks ranging from 3 to 5 storeys up to Paynes Park. The scale and massing of the development would completely alter the character and appearance of this rear area when viewed from Paynes Park. Including the undercroft car park, there would be two blocks that would be five storeys, which would dominate the rear of the site. The five storey blocks are linked by three storey blocks, creating an extensive

terracing effect with very little consideration given to providing any breaks. While making efficient use of brownfield land is important this should not be at the expense of the site's context and neighbouring uses. The rear area of prominent buildings that front a main road, such as the existing, should have a subservient scale or at least seek to transition down in scale. Instead, the rear range raises above the frontage building and appear monolithic in this back-land context without providing any meaningful breaks to reduce its dominance and massing. Paragraph 9.2 of policy D1 states *"Development must respond positively to the site and the local context taking into consideration position, orientation, scale, height, layout, massing, detailing and use of materials."*

The proposed scale of the overall development is unduly dominant and does not respond positively to the site and local context, or the character and appearance of the Conservation Area. The scale and massing of the proposed development would be contrary SP13 and D1 of the North Hertfordshire Local Plan.

3. Impact on Setting of the Listed Building and the Hitchin Conservation Area

Policy HE1 of the Local Plan states that development proposal affecting designated heritage assets, or their setting will be granted where they secure its conservation and preserves its significance; make a positive contribution to the local character and distinctiveness, and where it leads to less than substantial harm, the harm is outweighed by the public benefits. Where substantial harm to a heritage asset is proposed, the Council shall refuse consent unless considerable public benefit can be demonstrated that outweighs the harm. This is consistent with para 205, 206 and 207 of the NPPF.

During the pre-application process, officers raised concerns with the scale and mass of the proposal, which was considered to be contrary of the character of Conservation Area and proximity of listed building. However, it is our view that the applicant has not addressed this concern.

The scale, extent and appearance of the proposed development would have a significantly detrimental impact on the setting of the adjoining and adjacent listed buildings. The proposed development would not enhance or preserve the character and appearance of the Conservation Area due to its poorly contrived design and dominant scale.

In this part of the Conservation Area, the built form is characterised by development fronting the main road with ancillary scale development to the rear. While there are recent examples of new development along Paynes Park, these developments (particularly at Poppy House) are not linked to the development along High Street and form their own parcel. The application site extends from High Street to Paynes Park and so it is important that from a place making perspective, a sense of separation is provided between the proposed forms fronting Paynes Park and High Street. The rear 3 to 5 storey range would be prominently visible from Paynes Park and side of the existing development to the north, and would create a walled development with no meaningful views through.

The proposed scale would have an overbearing impact on the setting of Grade II listed building at no.2a Paynes Park, which is located within close proximity to the northern boundary of the application site. While

the designer has attempted to create an offset within the proposed layout, this is not considered to be sufficient. The off-set would be flanked by the two, 5 five-storey blocks, which are linked by a three-storey block, which would be set off the northern boundary. Therefore, the offset would not mitigate the overbearing impact of the proposed development on the setting of the listed building at no.2a.

The public benefits of the proposed development are not considered to outweigh the significant harm that would be caused to the character and appearance of the Conservation Area and the heritage significance of the adjoining and adjacent listed buildings. Therefore, the proposal would be contrary to policies SP13 and HE1 of the North Hertfordshire Local Plan and Section 16 of the current National Planning Policy Framework (NPPF 2023).

4. Impact on the Residential Amenity of Future Occupiers and Existing Neighbouring Occupiers

Policy D3 of the Local Plan states that planning permission will be granted for development proposal that do not cause unacceptable harm to living conditions. Furthermore, where living conditions would be affected by an existing use or the living conditions of an existing development would be affected by the proposed use, the Council will consider whether there are mitigation measures to mitigate the harm to an acceptable level. If not, then the development proposal will not be permitted.

Paragraph 135 (f) of the NPPF also states planning decision should ensure that developments create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

The immediate area surrounding the site consists of commercial and residential uses. The residential uses are mainly located to the north of the site in no.2a Paynes Park and the apartments in Poppy House, both of which have windows and external areas facing south (towards the application site).

Poppy House is a three-storey apartment block consisting of 12 apartments located on Paynes Park. The apartment block is separated from the application site by a 5 metres wide shared access which is also used by 2a Paynes Park. Nine of the existing apartments have windows in the southern elevation facing towards the application site and of these, 9 of the bedrooms are single aspect facing the application site. Therefore, the residents in Poppy House are vulnerable to the proposed scale of development on the application site. The proposed development would result in a three-storey terrace block extending across the majority of the southern elevation. For example, according to the proposed floor plans, the first-floor apartment at 101 and second floor apartment at 201, which have extensive glazing, would face the southern elevation of Poppy House at a range of around 10 metres. There are also apartments that have balconies that would face directly towards Poppy House. The proposal would therefore result in significant loss of privacy on the existing and future occupiers, and create a poor outlook for both.

Furthermore, with the proposed development being to the south, the height of the blocks and terracing layout would also result in significant levels of overshadowing, particularly over the lower-level apartments in Poppy House. This along with the overlooking and loss of privacy issue, would result in the creation of poor living conditions for existing residents. Some of the apartments in the proposed development in the northern

elevation are single aspect, which would mean that the apartment would receive low levels of daylight and sunlight, which would further reduce the quality of the living conditions for future occupiers.

There is also very limited green space within the site with the main external space being provided by the walkway along the northern boundary of the site. There is a small green space adjacent to the boundary no. 8 High Street, but it is small and not in a location that would be accessible to all occupiers. There is also an area created by the off set in the middle of the site but this does not contain any meaningful green space and appears as a throughfare for residents to enter and leave the site.

The proposed development would also introduce new windows directly facing towards no.2a Paynes Park. No.2a is a two-storey detached dwelling, with its front elevation facing the application site, and a small garden area to the side. The residential amenity of the existing occupier/s of no.2a would be significantly impacted by the overwhelming number of bedroom and living room windows that would face them from the proposed development. The impact would be from unacceptable levels of overlooking and loss of privacy and no meaningful mitigate measures have been provided. The scale and range of the proposed development would create a sense of enclosure that would have an overbearing impact on the residential amenity of the existing occupiers. The impact would be unacceptable and demonstrates that the applicant has not properly considered the relationship with the existing occupiers to the north.

The proposed development represents a significant overdevelopment for the site. The applicant is trying to achieve too much development on to this narrow strip of land, which is evident by the poor quality living conditions and living environment that would be created for future occupiers and the significant impact the development would have on the residential amenity of the existing neighbouring properties. The proposal would therefore be contrary to Policies D1 and D3 of the North Hertfordshire Local Plan and paragraph 135 of the NPPF.

Summary

In summary, while the application site is a brownfield site within the centre of Hitchin, the proposed development has been poorly assembled without proper consideration to the local context, the character and appearance of the Conservation Area, the setting of adjacent listed buildings, and the residential amenity of the existing and future occupiers.

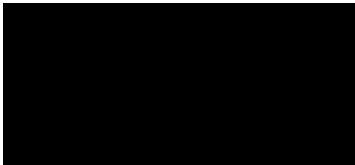
The public benefit of the proposed development in terms of additional housing in a sustainable location does not outweigh the significant harm that the proposed development would have on the local context. An alternative, more sensitively designed scheme that responds more effectively to its context and surroundings could deliver the public benefit of additional housing in a sustainable location, but in a manner that does not negatively impact on the character and appearance of the conservation area and in a much less dominant manner that does not result in an unacceptable detrimental effect on the residential amenity and privacy of neighbouring properties.

In light of the above, we kindly request that this application is refused for the following reasons:

- Poor quality of design;
- The dominant scale and massing of the 3 to 5 storeys rear range;
- Significantly harmful impact on the setting of the adjacent listed buildings and the character and appearance of the Hitchin Conservation Area; and
- Adverse impact on the residential amenity of existing neighbouring occupiers and poor living environment for future occupiers.

I trust that the above is self-explanatory and will be given consideration prior to making a recommendation on the planning application. In the meantime, therefore, if you require clarification on any of the issues raised, please do not hesitate to contact me.

Yours Sincerely



Sav Patel

Associate Director

Cc: Mr & Mrs Marron (Client)
Graham Robinson Hodges (Regional Director, Lanpro)

