

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00393/FP	Erection of nine dwellings following demolition of existing hotel including landscaping and widening of existing vehicular access (amended plans received 18/6/2026).	Firs Hotel Bedford Road Hitchin Hertfordshire SG5 2TY

Submitted Plan Nos

6154 A - PL101 - Pr-1126.HSLP.001-Rev F 6154 A - PL100-Rev F 6154 A - PL111-Rev F 6154 A - PL110-Rev F 6154 A - PL112-Rev F 6154 A - PL113-Rev E - 6154 A - PL114-Rev F 6154 A - PL115-Rev F 6154 A - PL120-Rev C 6154 A - PL121-Rev D 6154 A - PL122-Rev D 6154 A - PL123-Rev D 6154 A - PL130-Rev E 6154 A - PL140-Rev E 6154 A - PL-141-Rev E 24259-24-01 24259-24-02 24259-24-03

D1	Sustainable design
D3	Protecting living conditions
SP1	Sustainable development in North Herts
SP2	Settlement Hierarchy and Spatial Distrib
SP9	Design and Sustainability
T1	Assessment of transport matters
T2	Parking
SECN5	Meeting the challenge of Climate Change
SECN14	Achieving well-designed places
SECN16	Promoting healthy communities
SECN17	Pollution, public protection + security
SECN20	Conserving+enhancing natural environment

2.0 **Site History**

2.1 None relevant.

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – 14 representations received, 10 in objection. They are summarised as:

- ☐ Loss of privacy / overlooking
- ☐ Overbearing
- ☐ Loss of parking in Firs Close
- ☐ Overdevelopment
- ☐ Swifts brick should be integrated

3.2 **HCC Highways** – No objections subject to conditions.

3.3 **NHC Environmental Health** – No objection subject to conditions.

3.4 **NHC Ecology** – No objections.

3.5 **NHC Waste and Recycling** – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is an existing two storey detached hotel on the east side of Bedford Road within a residential part of Hitchin. The site has green space to the frontage and hardstanding to the side and rear which forms a parking court. The hotel is set back from the road by approximately 9m. The site is within the settlement boundary for the town of Hitchin. The site is adjacent to a petrol station and garage to the north, and residential dwellings on the east and south boundaries. There is a footpath running along the eastern boundary.

4.2 **Proposal**

4.2.1 Planning permission is sought for the erection of nine dwellings following demolition of existing hotel including landscaping and widening of existing vehicular access.

4.2.2 The layout plan (in summary):

- ☐ A row of 4 terraces facing east fronting the highway, a row of 5 terraces facing east behind them and a parking court in between.
- ☐ Pedestrian and Vehicle access from both Bedford Road and Firs Close
- ☐ 18 Vehicle Parking Spaces

- ☐ Bin store located along the southern boundary with First Close and 2 within the parking court.
- ☐ All dwellings are 3 storey (8.13m to ridge, 7.89m to eaves) and are designed with a gabled roof form brickwork detailing with wooden cladding at first and second floor. All have solar panels.
- ☐ Front to back distance between the proposed dwellings is 25m.
- ☐ Rear gardens range from 26sqm (5.5m depth) to 50sqm (8.4m depth)

4.2.3 The floor plan (in summary):

- ☐ The dwellings consist of kitchen/dining room, WC, hallway at ground floor level, bedroom and living room at first floor level and 2 bedrooms, bathroom and storage space at second floor level.

4.3 **Key Issues**

4.3.1 The key considerations are:

- ☐ The Principle of Development
- ☐ Design/Impact on the Character of the Area
- ☐ Impact on the Amenities of Neighbouring Properties/Future Occupiers
- ☐ Highways and Parking
- ☐ Landscaping

Design Code SPD Compliance Checklist

SS	SETTLEMENT STRUCTURE			
Code Ref.	Code Name	Place Objectives	Comments	Compliance
SS01.00	Rational Street and Plot Layouts	      		
SS02.00	Optimising Land Use	      		
SS03.00	Responding to Edges	      		N/A
SS04.00	Well-Integrated Schools	      		N/A
SS05.00	Legible Focal Points	      		N/A
SS06.00	Private Drives and Cul-de-sacs	      		

OS	OPEN SPACE DESIGN			
Code Ref.	Code Name	Place Objectives	Comments	Compliance
OS01.00	Open Space Provision	      		



OS02.00	Open Space Design	 		N/A
OS03.00	Tier 1 Open Spaces	      		N/A
OS04.00	Tier 2 Open Spaces	      		N/A
OS05.00	Tier 3 Open Spaces	      		N/A
OS06.00	Tier 4 Open Spaces	      		N/A
OS07.00	Play Space Design	      		N/A
OS08.00	Informal Play	      		N/A
OS09.00	Local Areas for Play	      		
OS10.00	Local Equipped Areas for Play	      		
OS11.00	Neighbourhood Equipped Areas for Play	      		



OS12.00	Planting Palette	 		
OS13.00	Multi-Functional Attenuation Basins	      		N/A

ST	STREETS			
Code Ref.	Code Name	Place Objectives	Comments	Compliance
ST01.00	Selecting Street Types	      		
ST02.00	Street Design	      		
ST03.00	Green Streets	      		N/A
ST04.00	Avenues	      		N/A
ST05.00	Neighbourhood Streets	      		N/A
ST06.00	Residential Streets	      		N/A
ST07.00	Residential Mews	      		N/A



ST08.00	Rear Mews	 		
ST09.00	Spur Lanes	      		N/A
ST10.00	Edge Lanes	      		N/A

BF	BUILT FORM			
Code Ref.	Code Name	Place Objectives	Comments	Compliance
BF01.00	Affordable Housing Distribution	      		N/A
BF02.00	Balancing Variety and Consistency	      		
BF03.00	Architectural Approach	      		
BF04.00	Private Amenity for Apartments	      		N/A
BF05.00	Communal Amenity for Apartments	      		N/A
BF06.00	Private Amenity for Houses	      		
BF07.00	Communal Amenity for Houses	      		N/A
BF08.00	Cycle Parking and Storage	      		
BF09.00	Waste and Refuse Storage	      		

PA	PARKING			
Code Ref.	Code Name	Place Objectives	Comments	Compliance
PA01.00	Parking Hierarchy	      		
PA02.00	Communal Parking Typologies	      		
PA03.00	On Plot Parking	      		

Checklist Summary

PLACE OBJECTIVES			
	Objectives	Comments	Compliance
	Exceptional Open Space		
	Sociable Streets		
	Well-Integrated Development		
	Cohesive Communities		
	Efficient Use of Land		
	Equitable Neighbourhoods		
	Contextual Buildings		

The Principle of Development

- 4.3.2 The site lies within the built-up area of Hitchin where residential development is generally supported within the settlement boundary under Policy SP2 of the Local Plan. NPPF policy S3 and S4 apply a presumption in favour of sustainable development located within defined settlement boundaries unless it would bring substantive adverse impacts. The site is therefore considered acceptable in principle and significant weight is given to this.

Benefits of the Development

- 4.3.3 The overarching purpose of the planning system is to contribute to achieving sustainable development, as stated in Paragraph 17 of the NPPF. This is considered against the three objectives of sustainable development, the economic, social and environmental objectives.
- 4.3.4 Firstly, in terms of the economic objective, the proposed development would see the delivery of jobs during the build/construction phase which is a benefit. The spending of future occupiers would also contribute to the local economy. Secondly, in terms of the social objective, this proposal would add 9 additional dwellings to the District's housing supply which could be delivered in a relatively short space of time. Lastly, in terms of the environmental objective, the proposal would incorporate some sustainable building features, such as EV charging points and new landscaping where appropriate. Reference is not made to the Council's adopted Sustainability SPD however the proposal includes solar PV panels and Air Source Heat Pumps for each dwelling.
- 4.3.5 Overall, on the grounds of sustainability, the economic and social benefits of the proposal are significant in my opinion, which is relative to the scale of development of 9 dwellings. Moreover, there would be some environmental benefits through the incorporation of sustainable building features. Moderate weight is attributed to economic and environmental benefits that would arise.

Design/Impact on the Character of the Area

- 4.3.4 Policy D1 of the Local Plan states that planning permission will be granted for development proposals that respond positively to the sites local context and create or enhance the public realm. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. This is echoed in Section 14 of the NPPF.
- 4.3.5 The proposed layout and design seek to replicate the adjacent street of Firs Close, continuing the line of terrace dwellings to the rear of the site. The proposed row of dwellings to the front of the site would bring an active frontage, many dwellings on Bedford Road sit within close proximity to the highway, therefore I do not consider these to be out of character. The proposal would have vehicular and pedestrian access from both Firs Close and Bedford Road which further incorporates the development into the street scene and local character. It is noted that the proposed dwellings would stand taller than the neighbouring dwellings due to building regulation requirements. In my view, the change in height would be modest and would not detract from the symmetry

with the existing terraces. The proposed materials would be sympathetic to the adjacent dwellings at Firs Close and the wider character of Bedford Road.

- 4.3.6 Looking within the development only, the site would have a suitable front-back distance between the dwellings which in my view would not be construed as overdevelopment of the site. As such, I consider the density to be appropriate for this location. However, as set out below, there is an objection regarding the back-back distance with the existing neighbours to the rear.

- 4.3.7 Although this application was submitted before the adoption of North Herts design code SPD, the scheme is generally compliant with its provisions as set out within the checklist above. Although non-compliance with the parking and cycle parking storage is outlined, this is discussed under the relevant section below.

The Impact on Neighbouring Dwellings/Future Occupiers

- 4.3.8 Policy D1 of the Local Plan also requires that development proposals meet or exceed the nationally described space standards. 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. These considerations are echoed within Section 17 of the NPPF.
- 4.3.9 The proposed development would be prominent from the rear windows and gardens of no.91 to 95 Symonds Road. Due to the small gardens, the proposed back-to-back distance with the neighbouring dwellings on Symonds Road would fall between 17.7m and 23.3m. North Herts Council does not have any set distances defined within policy or design code for these distances as such a case-by-case assessment is required. In my view, the proposed distance would be inadequate for a three-storey dwelling and would constitute significant overbearing, dominance, loss of light and privacy. No sunlight assessment has been submitted, however it is considered that some degree of loss of light to the rear gardens of the neighbouring dwellings would likely occur due to the proposed height and orientation of the dwellings. As such, I considered that the harm to amenity of these neighbours to be significant. The proposal would fail to comply with policy D3 and D1a) of the Local Plan, and policy and Policy P3 of the NPPF 2026.

Impact to future occupiers

- 4.3.10 The houses are acceptable in size, all exceeding the minimum space requirements of these standards. This, along with private rear gardens, on plot parking and bin and bike storage means that these houses can be considered to represent a good standard of amenity for future occupiers. The new homes will provide a fairly traditional relationship with each other and will not give rise to unacceptable overlooking of each other's homes.
- 4.3.11 With regards to noise ingress from the commercial sites to the north. The proposal has been amended to include an acoustic barrier. NHC's Environmental Health Officer has recommended a condition for a noise scheme to further protect future occupiers.

Highways and Parking

- 4.3.12 The site would be accessed via the existing access. The Highway Authority have formally commented on this application, stating no objection with conditions and informatives. It is not considered that nine dwellings in this location would have a significant material impact on traffic and highway safety in this area compared to the existing use of the site. The proposal provides adequate space to allow for vehicles to turn and exit the site in forward gear.
- 4.3.13 The provision of 2 parking spaces per dwelling, bicycle storage within the garages and 2 visitor parking spaces would satisfy the requirements under Policy T2 of the Local Plan.

Biodiversity and landscaping

- 4.3.14 A preliminary ecological appraisal has been carried out which does not identify and significant habitats or impact to protected species. The proposed development is supported by a biodiversity metric and Preliminary Ecological Appraisal which assures that a 10% biodiversity net gain can be achieved in line with Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. 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 19 of the NPPF.
- 4.3.15 The site would be re-landscaped, with new hard and soft landscaping. The proposed landscaping plan sets out an appropriate balance between the two, and is considered acceptable. The proposal complies with Policy NE2 of the Local Plan.

Waste Storage

- 4.3.16 The proposed units are served four bin storage areas, two fall within the parking court and two adjacent along with additional bin storage at the rear of each garden. All are set back sufficiently and screened from the highway. Residents would be required to drag theirs bins to a collection point on bin days.

Sustainability and Environmental Implications

- 4.3.17 Section 5 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 5 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.
- 4.3.18 The proposed development, would have no significant implications for the local environment in terms of carbon emissions. NHC's Environmental Health officer has raised no objection to the proposal.

Other Matters

4.3.19 Although Environmental Health has requested a condition for an EV Charger. This is now a building regulation requirement, as such a condition is unnecessary.

4.4 **Conclusion**

4.4.1 Although the proposed scheme is considered acceptable in all regards except from the impact on neighbouring dwellings. I consider that the harm surmounting from the proposed development would substantially outweigh the benefits of the scheme. The proposed rear row of terraced dwellings by virtue of their height and siting would appear as an overbearing, overly dominant form of development which would contribute to loss of privacy and loss of light to the rear gardens of nos. 91-95 Symonds Road.

4.5 **Alternative Options**

4.5.1 N/A

4.6 **Pre-Commencement Conditions**

4.6.1 N/A.

4.7 **Legal Implications**

4.7.1 In making decision on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and any other material considerations. The decision must be in accordance with the plan unless material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached the applicant has a right of appeal against the decision.

5.0 **Recommendation**

5.1.1 That planning permission should be **Refused**:

1. By reason of the proposed three-storey height and the siting in proximity to the rear boundary of the site, the proposal would result in an unacceptably dominating and over bearing presence on the rear gardens and rear windows of the neighbouring properties. This would cause unacceptable harm to the amenity and loss of privacy to the occupiers of nos. 91-95 Symonds Road and fails to meet the policy requirements of policies SP1, SP9 and D3 of the adopted Local Plan and the core principles and Policy P3 of the National Planning Policy Framework (2026).

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: 7 September 2026	