

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01603/FP	Erection of one self-build detached 2- bed dwelling following demolition of existing garage.	204 Whitehill Road Hitchin Hertfordshire SG4 9JE

Submitted Plan Nos

Location Plan 23/05/01 23/05/02B 23/05/03A 23/05/04A

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
SP9	Design and Sustainability
NE4	Biodiversity and geological sites
SECN11	Making effective use of land
SECN12	Achieving well-designed places

2.0 **Site History**

2.1 24/00763/FP: Erection of one detached 2-bed dwelling following demolition of existing garage. Refused 4th June 2024 for the following reasons:

1. By reason of its restricted plot size the proposed dwelling would appear cramped and an overly urban form of development that would be at odds with the prevailing pattern of development. As such the proposed development would be an overdevelopment of the site and harmful to the character and appearance of the area contrary to Policies SP9 and D1 of the Local Plan 2011 - 2031 and Section 12 of the National Planning Policy Framework (2023).

2. The proposed development would, by reason of its close proximity to adjacent dwellings, result in an overbearing impact and the perception of overlooking to the detriment of the residential amenity enjoyed by existing residential occupiers. As a consequence the proposed development would be contrary to the provisions of Policies of D1 and D3 of the Local Plan 2011 - 2031.

3. The proposed development would, as a result of the cramped parking arrangement, inadequate vehicle manoeuvring facilities and lack of adequate visibility, be likely to result in conditions detrimental to highway and pedestrian safety. Consequently the proposal would be contrary to the provisions of the Local

Appeal Lodged 17/09/24 - Decision pending

3.0 **Representations**

- 3.1 **Site Notice / Adjoining occupiers:** Comments received from neighbours raising the following concerns (full details on web site) :
- ☐ Existing foul and storm drainage systems cannot take any more development
 - ☐ Would lead to increased congestion in Oakfield Avenue
 - ☐ Infill development out of character
 - ☐ None of the previous reasons for refusal have been addressed
 - ☐ Loss of privacy, overbearing impact and overlooking
 - ☐ Loss of light to 204 Whitehill Road
 - ☐ Would result in extensive ground works to front of No. 204.
 - ☐ Loss of garden space to No. 204 and loss of trees.

3.2 **NHDC Environmental Health:**

Noise: No objections

Air Quality: Recommends a condition and informative

Contamination: No objections – recommends a condition.

3.3 **Hertfordshire Highways:**

- 3.4 No objection – recommends conditions and informatives

3.5 **NHDC Ecologist:**

Raises no objections subject to the following ecological condition:

No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as the inclusion of integrated bird/bat and bee boxes in buildings/structures and hedgehog holes in fences, has been submitted to and approved in writing by the local planning authority.

Reason: To ensure development secures biodiversity enhancements in accordance with Policy NE4 of the Local Plan.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 Part of rear garden containing a detached garage to No. 204 Whitehill Road, Hitchin. The site area is approximately 250 sqm. The site has a road frontage with Oakfield Avenue.

4.2 **Proposal**

- 4.2.1 Erection of a detached two bedroom house to the rear of No. 204 Whitehill Road. The dwelling would occupy a plot created from the rear garden of No. 204. The site area is 250 sqm.

The dwelling would be of a chalet design with three rooms within the roofspace plus toilets.

The dwelling would have a maximum ridge height of 6.1m and an eaves height of 3.0m.

The house would have a part flat roof (or crown roof).

The external materials will include grey interlocking roof tiles and white painted render for the elevations. Two front facing dormers are proposed and two rooflights and there would be 3 x roof lights in the rear facing roofslope. The property would have a rear garden of approximately 60 sqm and the front curtilage would be hardsurfaced with parking for two cars (2.7m x 5.0m) and bin storage area. The existing vehicular crossover would remain and the remainder of the site frontage would feature a 0.6m high hedge.

4.3 **Key Issues**

4.3.1 The principle of the development

- 4.3.2 The site is within the urban area of Hitchin within which general development will be permitted. Oakfield Avenue onto which the new dwelling would face and be accessed from is predominantly residential in character and therefore a new dwelling would be consistent with this prevailing land use. The site is also in a sustainable location close to local schools and other amenities such as local shops and a garage. In principle there can be no objection to the proposals.

4.3.3 Design and Layout

- 4.3.4 The proposal is for a detached chalet style dwelling. The host dwelling No. 204 Whitehill Road is part chalet design (at the front) and there are other examples of chalets in the vicinity of the site as well as a variety of other house types including bungalows and full two storey houses in this part of Oakfield Avenue. In this location, given the range of house types in the locality, I can see no objection in principle to a chalet design.
- 4.3.5 The submitted street scene drawing shows that the dwelling would be lower than the height of the surrounding dwellings including Nos 204 and 206 Whitehill Road and Nos. 2 & 4 Oakfield Avenue. The house would feature a crown roof and relatively high eaves in comparison to the overall height of the dwelling resulting in a rather squat appearance accentuated by the fall in levels from the front boundary with the public footpath . The

design would not be in keeping with the prevailing pitched roof character of houses in the locality. Furthermore, because of the significant gaps either side of the proposed property, its lower level relative to the road, and its relatively close proximity to the site frontage and public footpath, the flat roof would be easily seen from public view points. This incongruous appearance would not assist in assimilating the dwelling into the street scene. As such I consider that the part flat roofed design of the dwelling would not be sympathetic to local character and therefore would be harmful to the character and appearance of the area in general.

- 4.3.6 The external walls would be white painted render whereas most of the surrounding houses are finished in red facing brick. Nonetheless there are some examples of rendered dwellings and given that this is a detached dwelling at the end of Oakfield Avenue and opposite a bungalow that has a rendered finish I am convinced that a rendered finish would not be particularly obtrusive or out of keeping.
- 4.3.7 The proposed site for the new dwelling is significantly smaller than all of the surrounding residential plots and for a detached dwelling there is very little space around the building. There would be no front garden – all of the available space would be taken up by hardstanding and space needed for bins. At the rear the back garden would be 5 metres in depth by approximately 12 metres with very little scope for boundary planting without impinging on the necessary private amenity space for the dwelling.
- 4.3.8 In my view the limited size of the site would result in dwelling appeared to be squeezed into the plot at odds with the generally more spacious character of the surrounding residential area. The constrained plot size would be emphasised by the extremely tight parking area at the front facing Oakfield Avenue with no scope for soft landscaping in order to mitigate what would amount to a very urban form of development. The indicated hedge is extremely narrow and has no space to grow without impacting on the nearest car parking space. I find that the overall effect would be an overdevelopment of the site that would be harmful to the suburban character and appearance of the area. Such a development would fail to provide or maintain a high standard of environment required by the Framework and Policy SP9 of the Local Plan.
- 4.3.9 It is acknowledged that the proposal would provide an additional small housing unit to help boost local housing supply and this factor is assessed in the planning balance below.
- 4.3.10 Impact on Living conditions for future occupants and existing residents
- 4.3.11 Policy SP9 and Policy D1 of the Local Plan requires new residential development to meet or exceed the nationally described space standards for new homes. The dwelling would provide approximately 118 sqm of living space and this would exceed the minimum gross internal floor area required for, say, a 3 bedroom house (taking into account that the proposed 'study' could be used as a bedroom).
- 4.3.11 The private amenity area at the rear of the dwelling is quite small for a potentially 3 bedroom property and this area would be further diminished if there were to be the usual storage sheds erected. However there are no prescribed outdoor amenity standards in the local plan and there is access to outdoor open space at the nearby St. John's Road

playing field and public footpath Hitchin 070 is located immediately to the rear of the site allowing access to open countryside.

- 4.3.12 Concern has been raised by the occupants of No. 206 Whitehill Road with regard to the overbearing effect of the proposed dwelling and loss of privacy and light issues. The proposed dwelling would be sited to the north of No. 206 and by reason of this orientation and the limited height of the dwelling I do not consider that there would be any significant loss of light. I do however consider that the close proximity of the proposed dwelling to both Nos 206 and the host dwelling No. 204 would give rise to an overbearing impact and the perception of overlooking from first floor windows (in the case of No. 206). This close proximity would adversely affect the living conditions of existing occupiers of Nos 204 and 206 to an unacceptable degree.

4.3.13 Car Parking and access issues

- 4.3.14 Two parking spaces are proposed at the front of the site at right angles to the highway. The layout is tight with very little room for manoeuvring of cars in and out of the spaces. However the parking spaces and manoeuvring room meet the minimum requirements set out in the Hertfordshire County Council's 'Place & Movement Planning Design Guide' and the Highway Authority is satisfied that adequate visibility can be achieved for vehicles using the access. The Highway Authority also confirm that the provision for bins and cycle storage is acceptable. Bins can be collected at the road side as is the current arrangement for properties in Oakfield Avenue.

- 4.3.15 Concerns have been expressed at increased congestion on Oakfield Avenue. However the current access is to remain and off street parking is provided for the new dwelling. Alternative parking provision for No. 204 is shown within the front curtilage of No. 204 off an existing drive which can be achieved under permitted development rights.

- 4.3.16 Given the above it is considered that there are no sustainable grounds on which to raise an objection over highway and pedestrian safety matters.

4.3.17 Biodiversity

The proposals do not demonstrate a measurable 10% net gain for biodiversity as required by Policy NE4 of the Local Plan. The Council's Ecologist has assessed the proposals raising no objection on the basis that this scheme is not subject to mandatory Biodiversity Net Gain as it is a self build scheme. The self build nature of the proposed development is not mentioned in the Planning statement and on the application form at question 17 the applicant has confirmed that the proposed unit is for 'market housing' rather than completing the box for 'self build and custom build'. However, biodiversity net gain could be addressed by condition and the submission of an ecological enhancement plan which may include bat and bird bricks in the new dwelling. As such it is considered that there are no sustainable grounds to refuse this application on the lack of biodiversity net gain.

4.3.18 Sustainable design and impact on climate change

- 4.3.19 Policy D1 of the local plan requires all new development to minimise carbon emissions and maximise opportunities for the generation of energy from renewable sources. The Framework similarly requires new development to reduce greenhouse gas emissions. The Council has recently adopted a Sustainability Supporting Planning Document (September 2024) which sets out sustainability expectations for different forms of development. It sets three standards of sustainability : bronze, silver and gold.

The submitted Design statement states that the new dwelling will '*..be energy efficient with high fabric insulation, with air source heat pump and MVHR heat recovery. Storm water with will SUDs compliant and reuseable materials will be used in the construction*'.

The Design statement provides sufficient information to establish that the scheme could meet the SPD bronze level (compliance with building regulations).

Given the small scale of this development it is unlikely that the proposal will have any significant adverse impact on local climate change.

4.4 **Conclusion and planning balance**

- 4.4.1 There would undoubtedly be harm to the character and appearance of the area as a result of the cramped nature of the development and the consequent urbanising impact. This carries significant weight against the granting of planning permission.
- 4.4.3 Other harms identified are the issues associated with the poor design of the dwelling and the adverse impact on living conditions of adjacent residents. These matters attract moderate weight in the planning balance. There are other harms arising from the development such as the lack of BNG and landscaping however these issues can be addressed by planning conditions.
- 4.4.4 There would be some benefit as a result of the delivery of a small housing unit and increased economic activity through construction of the dwelling. However the benefit to local housing supply is marginal especially in view of the Council's housing land supply position under paragraph 76 and the benefits to the local economy would be expected with any new development. Limited weight can be attributed to these benefits.
- 4.4.5 In exercising the neutral balance it is considered that the adverse impacts of this proposed development significantly and demonstrably outweigh the benefits and accordingly it is recommended that planning permission should be refused.

4.5 **Alternative Options**

- 4.5.1 None applicable

5.0 **Recommendation**

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

1. By reason of its restricted plot size the proposed dwelling would appear cramped and an overly urban form of development that would be at odds with the prevailing pattern of development. As such the proposed development would be an overdevelopment of the site and harmful to the character and appearance of the area contrary to Policies SP9 and D1 of the Local Plan 2011 - 2031 and Section 12 of the National Planning Policy Framework (2023).
2. The proposed development would, by reason of its close proximity to adjacent dwellings, result in an overbearing impact and the perception of overlooking to the detriment of the residential amenity enjoyed by existing residential occupiers. As a consequence the proposed development would be contrary to the provisions of Policies of D1 and D3 of the Local Plan 2011 - 2031.
3. By reason of its flat roofed design, high eaves line and 'squat' appearance the proposed dwelling would not be sympathetic to the form and appearance of surrounding dwellings and therefore the development would be harmful to the character and appearance of the area contrary to the provisions of Policy SP9 and Policy D1 of the North Herts Local Plan 2011 - 2031.

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  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 8 October 2024	