

## DELEGATED FILE NOTE

**CASE OFFICER:** ...William Thompson.....

| APPLICATION<br>REFERENCE | BRIEF DESCRIPTION OF<br>DEVELOPMENT                                                                                        | APPLICATION SITE                                      |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| 26/00594/FPH             | Single storey rear extension following<br>demolition of existing conservatory.<br>Alterations to rear garden ground level. | 56 Manton Road<br>Hitchin<br>Hertfordshire<br>SG4 9NP |

### Submitted Plan Nos

(00)AS002 (00)AS002E 00AE001 C 00AE002 00AP001 C 00AP002 00AP003E AS001C 00AS001E C 00-AE001E Rev C 00AE002E 00AP001E 00-AP002 00-AP003C (00)AP050EC (00)AP050C (00)AP100C

### 1.0 Policies

D1 Sustainable design

D2 House exts, replcmnt dwellings outbuild

D3 Protecting living conditions

T2 Parking

SECN12 Achieving well-designed places

SECN14 Meeting climate change,coastal,flooding

## 2.0 **Relevant Site History**

2.1 18/00911/FPH - Single storey rear extension following demolition of existing conservatory.

**Conditional Permission**

2.2 07/02955/1HH - Part two storey, single storey side extension and part single, part two storey rear extension.

**Conditional Permission**

## 3.0 **Representations**

3.1 **Neighbour Consultation:** None received.

## 4.0 **Planning Considerations**

#### 4.1 **Site and Surroundings**

- 4.1.1 The application site accommodates a two-storey semi-detached dwelling located on Manton Road, Hitchin. The application site benefits from a driveway, a garage and a rear garden.

#### 4.2 **Proposal**

- 4.2.1 Single storey rear extension following demolition of existing conservatory. Alterations to rear garden ground level.

#### 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.

#### Design and Appearance

- 4.3.2 Policy D1 of the Local Plan requires that development proposals respond positively to the site's local context. Policy D2 of the Local Plan requires extensions to houses to incorporate design that is sympathetic to the main dwelling in terms of its scale, form and orientation and does not harm the character and appearance of the locality around the site. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.
- 4.3.3 The proposed rear extension would have a width of 5.6m to meet the existing rear element, have a depth of 4.5m to meet the depth of the existing rear element and have a flat roof with maximum height of 3.0m including parapet wall and 2no. rooflights. The proposed external materials are brick masonry for the walls to match existing, single ply membrane for the flat roof

and aluminium-framed fenestration/doors. The proposed rear extension depth of 4.5m is mitigated as it would extend no further than the existing eastern rear element and would extend only slightly further than the existing built form of the western neighbour.

- 4.3.4 The proposed alterations to the rear garden ground level would see the existing external ground level to the lowest garden tier be raised to meet the external ground level of the garden's second tier. This would be an increase of ~1m. No information is provided as to relevant rear boundary treatments, as this increase in ground level would see the level near match the height of the existing rear fence. No retaining wall is mentioned. In my view, not only would this not be structurally sound but, given the levels difference, would also effectively allow the occupiers of no.56 Manton Road to stand at height along the shared boundary line with no.89 Ninesprings way, the rear neighbour. Any boundary treatments that would be required to prevent this would essentially double the fence height from existing and would be operational development in their own right and are not mentioned in the description of development.
- 4.3.5 Therefore, while the proposed rear extension would be sympathetic to the existing dwelling in terms of scale, form and materials, the proposed alteration to ground level lacks the relevant information on boundary treatments to effectively assess design. As such, the proposed development fails to comply with Policy D1 NHLP and Section 12 of the NPPF.

#### Impact on Neighbouring Properties:

- 4.3.6 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the NHLP.
- 4.3.7 Regarding the amenity of the eastern and western neighbours on Manton Road, the additional bulk from the proposed rear extension would be unlikely to result in an unacceptable level of harm, as to be objectionable, in terms of overdominance, shading or loss of privacy, given the existing built form. However, as the boundary treatments drop off with garden levels and there are no indicated changes to boundary treatments, the proposed change in ground levels is likely to result in in an unacceptable level of harm, as to be objectionable, in terms of loss of privacy.
- 4.3.8 Regarding the amenity of the rear neighbours on Ninesprings Way, namely no.89, as the existing boundary treatments would prove ineffective with the new ground levels and there are no indicated changes to boundary treatments, the proposed change in ground levels is likely to result in in an unacceptable level of harm, as to be objectionable, in terms of loss of privacy.
- 4.3.9 Therefore, the proposed development fails to comply with Policy D3 of the NHLP.

#### Highways and Parking:

- 4.3.10 The development does not include an increase in the number of bedrooms. Therefore, with regard to Policy T2 of the NHLP, there would be no parking concerns arising from this proposal.

#### Environmental Implications

- 4.3.11 The proposed development is not large enough in scale to cause significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.

#### Biodiversity Net Gain:

- 4.3.12 This is a form of development which is exempt from BNG Legislation, defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 due it falling under the scope of the 'de minimis' exemption.

#### 4.4 **Conclusion**

- 4.4.1 In the absence of material planning reasons to the contrary, it is my view that planning permission is **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 proposal lacks sufficient information of the relevant boundary treatments to mitigate the proposed change in ground level. As such, design cannot be fully assessed and a lack of boundary treatments to the rear would appear incongruous. Therefore, the proposal would not be sympathetic to the existing site character and would fail to comply with Policy D1 of the North Hertfordshire Local Plan 2011-2031 and the aims of Section 12 of the National Planning Policy Framework (2024).
2. The proposed change in ground level, by reason of its height and lack of rear boundary treatments, would result in an unacceptable overbearing impact and loss of privacy upon the occupiers of the rear neighbouring properties on Ninesprings Way. The proposed development would fail to comply with Policy D3 of the North Hertfordshire Local Plan 2011-2031 and the core principles set out within the National Planning Policy Framework (2024).

### **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.

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|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Signed</p> <p></p> <p>Anne McDonald</p> | <p>Development Management<br/>North Hertfordshire District Council<br/>Council Offices<br/>Gernon Road<br/>Letchworth<br/>Herts<br/>SG6 3JF</p> |
| <p>Determining Officer</p> <p><b>Date:</b> 8 May 2026</p>                                                                   |                                                                                                                                                 |