

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01802/FPH	Single storey rear extension following demolition of existing extension. Insertion of rear L-shaped box dormer window and two front rooflights to facilitate loft conversion.	77 Brampton Park Road Hitchin Hertfordshire SG5 1XE

Submitted Plan Nos

00-00 S2-01A S2-02C

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 **Site History**

2.1 No relevant site history

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – One received by no.78 Brampton Park in objection with concerns over the following: a “right to light” issue for their kitchen window and the proposed extension being oppressive and diminishing the value of their property.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site consists of a two storey, middle-terraced dwelling house with a small front garden and a long, thin rear garden.

4.2 **Proposal**

4.2.1 Planning permission is sought for a single storey rear extension following the demolition of the existing extension and the insertion of a rear L-shaped box dormer window and two front rooflights to facilitate a loft conversion.

4.3 **Key Issues**

- 4.3.1 The key considerations are design and the impact on the amenities of neighbouring properties.

Design

- 4.3.2 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. Policy D2 of the Local Plan states that planning permission for house extensions will be granted if the extension is sympathetic to the existing house in height, form, proportions, roof type, window details, materials; the orientation of the main dwelling and if it does not dominate adjoining properties. These considerations are echoed in Section 12 of the NPPF.
- 4.3.3 The proposed L dormer window would measure approx. 7.3m in depth, 4.2m in width and 2.9m in height at the longest points, resulting in a surface area of 23.1 metres squared and a volume of 60.6 metres cubed. This would cover the majority of the properties rear roof slope and side facing roof slope. The dormer would be set in from the eaves by 0.3m.

The proposed rear extension would measure approx. 8.5m in depth, 3.5m in width and 3.3m in height at the longest points, resulting in a surface area of 26.52 metres squared and a volume of 87.52 metres cubed.

The style of the elevation materials will be taken from the original style of the main house which is part of a Victorian Terrace. The new additions will be given a contemporary twist, whilst being sympathetic to the existing architectural style.

- 4.3.4 Overall, the proposal is deemed acceptable in design terms, in accordance with Policies D1 and D2 of the Local Plan.

Impact on Neighbours

- 4.3.10 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.
- 4.3.11 The proposed 2no. rooflights will not result in any impact upon any neighbours living conditions, given their modest nature and scale.

Regarding, no.76 Brampton Park, the proposed rear extension is a decent sized element but given the existing rear extension at no.76 which this proposal is similar to, but smaller than, in general scale, it is not considered that this element will result in any impact upon the neighbours' living conditions, as the proposed single storey rear extension will be built out to the same depth as the existing extension at no.76, and therefore the extension at no.76 will screen the proposed extension at no.77 so there will not be harm on the outlook or amenities of no.76.

The neighbour at no.78 is objecting on the basis of adverse bulk and dominance and the impact this may have on house value. The latter is not a planning consideration. Regarding the issues of bulk and dominance, whilst I acknowledge that at 8.5m in depth, the single storey side / rear extension will be visually apparent to the neighbour, given

the local precedent for an extension of this depth set at no.76 and the fact that 4.3m (including the length of the existing extension) of the extension will be alongside the existing flank wall of no.77, so will be set against the bulk of the existing house, the neighbour at no.78 is already used to built form in this general location, combined with the extension being set in off the side boundary by 0.8m will help to reduce visual bulk. The initially proposed high level windows on the proposed rear extension have been removed which will reduce light pollution into the neighbouring garden and the WC window facing no.78 has been obscured for modesty. Furthermore, no.78 is positioned to the south of no.77, so the extension will not cause harm to no.78 from shadowing and the window which would experience a reduced amount of light is North facing, which means it is already not receiving the maximum amount of direct sunlight according to the BRE. Moreover, it is already obstructed by the shared fence and the existing structure of No.77, so the loss of light is not considered to be sufficient enough to present unreasonable harm. As such, whilst I acknowledge that the occupiers at no.78 will clearly see the extension over the garden fence, in my view, it cannot be concluded that the impact of the proposal would be so harmful on the residential amenities of the occupiers of no.78 to justify the refusal of this application for this reason.

Lastly, in respect of the proposed L dormer window, whilst this will be very visible from the surrounding rear gardens, there are no side elevation windows and said gardens are already overlooked from a multitude of neighbours with dormer windows. So, it is not considered that this element will result in any material harm upon the reasonable living condition of neighbours, with respect to overdominance, loss of privacy, and loss of daylight/sunlight.

- 4.3.12 As such, the proposal will not cause unacceptable harm to living conditions, in line with Policy D3 of the Local Plan.

Highways and Parking:

- 4.3.9 The development does include an increase in the number of bedrooms by 1no. The existing property does not benefit from any off-street parking; however, it is considered to be within a sustainable area within Hitchin with access to public transport. Therefore, in my view, an additional bedroom would not adversely affect parking.

Biodiversity Net Gain:

- 4.3.10 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.

Other Matters:

- 4.3.11 With regard to the shared drains and the raised concern sent by the neighbour, this is a consideration for building control.

4.4 Conclusion

- 4.4.1 Overall, the proposal is considered acceptable in design, neighbour amenity and parking terms, and is therefore in accordance with Policies D1, D2 and D3 of the Local Plan.

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 **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The extension(s) hereby permitted shall be built in external materials to match the existing dwellinghouse unless otherwise agreed in writing by the LPA.

Reason: To protect the visual amenities of the locality and to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line 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	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 22 October 2024	