

PLANNING, DESIGN AND ACCESS STATEMENT

Land at rear of 122 Nightingale Road, Hitchin,
Hertfordshire SG5 1RG

Construction of dormer to existing pitched roof and conversion and alteration of redundant garages to form a one bedroom dwelling together with ancillary parking and amenity space.

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1.0 Introduction

1.1 This Planning, Design & Access statement is submitted in support of a detailed planning application submitted to North Herts Council for development on land at the rear of 122 Nightingale Road, Hitchin

1.2 The applicant is seeking planning permission for:

‘Construction of dormer to existing pitched roof and conversion and alteration of redundant garages to form a one bedroom dwelling together with ancillary parking and amenity space’

1.3 This statement has been prepared to consider the proposed development against the statutory development plan (the North Herts Local Plan 2011 – 2031) and the National Planning Policy Framework in addition to all other material planning considerations. It will demonstrate how the proposal will help meet local housing needs, make efficient use of underused land and respond positively to its local context.

1.4 The application is supported by the following documents:

- Application form and relevant certificates
- Existing and Proposed drawings
- Sustainability statement

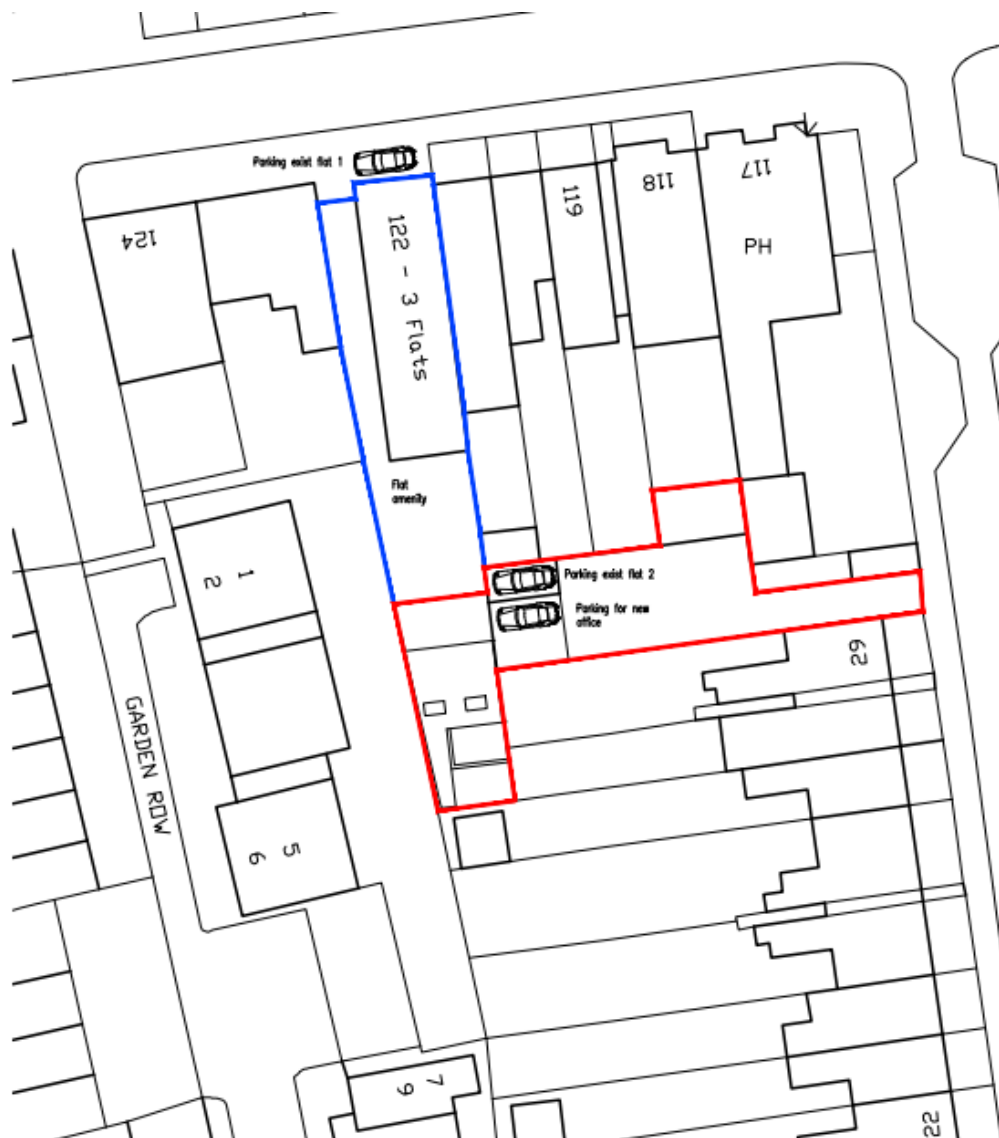
2.0 Site background

- 2.1 The application site comprises an irregular shaped area of land to the rear of No. 122 Nightingale Road, Hitchin. The site is located in a central area within the town approximately 450 metres from Hitchin Rail station. The general location of the application site (identified by red box) in relation to Nightingale Road and the railway station is shown below:



- 2.2 The site is located within the settlement boundary of Hitchin. It lies outside of the Nightingale Road Neighbourhood Centre (located to the west) and is not within any of the Hitchin Conservation Areas. There are no nearby listed buildings. The site is located with Flood Zone 1 and is therefore at a low risk of fluvial flooding. There is also a low risk of surface water flooding. There are no other known planning constraints or specific designations that affect the site.

- 2.3 A site plan showing the application site in red together with adjoining land owned by the applicant in blue is shown below:



SITE PLAN @ 1/500

- 2.4 The application site comprises 305 sq metres of land and is located to the rear of 3 flats which are accessed from Nightingale Road. The site itself includes former garages and a workshop building that has permission to be used for offices (under Class E (g) of the Town and Country Planning (Use Classes) Order 1987 (as amended)) – see history below. Vehicular access to the site is from an established vehicular access from Radcliffe Road. The access leads to three garages and a parking courtyard area.
- 2.5 In relation to the existing main structure it will be noted that this is currently comprised of a flat roofed single storey element together with a pitched, gabled roof providing first floor storage accommodation. The office permission mentioned above included the provision of a roof dormer on the north facing roofslope.
- 2.6 The parking courtyard off Radcliffe Road provides off-street parking for the adjacent flats in Nightingale Road as well as parking for the redundant workshop building the subject of this planning application. The entrance to this area off Radcliffe Road is gated.
- 2.7 The relevant planning history is as follows:
- 22/02594/FP – Erection of one detached 2-bed dwelling, parking and hard and soft landscaping following demolition of existing garages and outbuilding. Withdrawn 21/12/2022
- 23/01243/FP – Change of use from storage to offices including insertion of dormer window to facilitate office space at first floor level. Granted permission 17/04/2025

2.8 Photographs of the existing building and courtyard are shown below:



Existing vehicular access from Radcliffe Road



Parking courtyard off Radcliffe Road with existing building to the left of
garages



Existing former workshop building and flat roofed garages



Garages and outbuilding as seen from the rear of 122 Nightingale Road

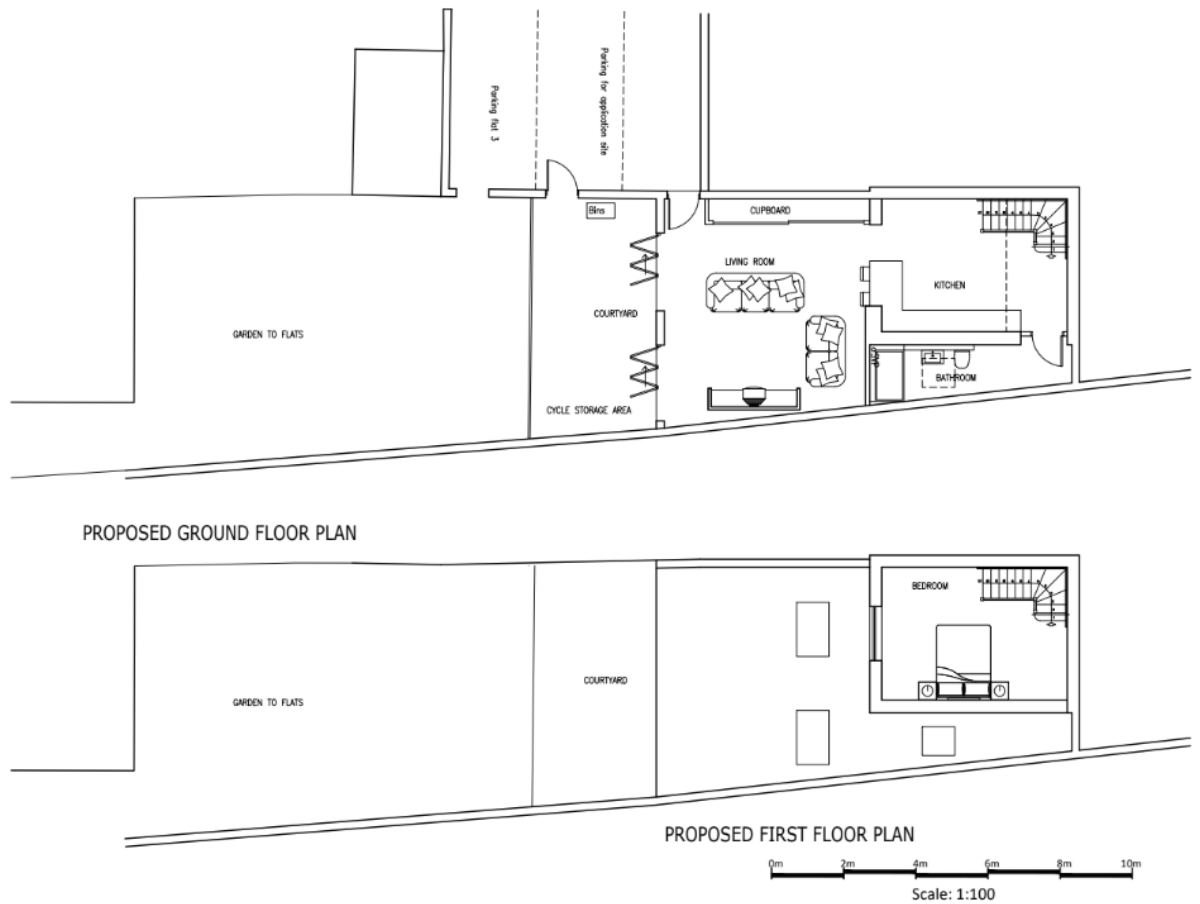
2.9 In terms of surrounding uses residential use is the prevailing form of development with the main exception being Molly Malones public house which fronts Nightingale Road with a return onto Radcliffe Road. Almost all surrounding development is two storey and mainly comprises terraced housing as well as flats some with communal gardens. There are several small parking courtyards in the immediate area (e.g. in Garden Row) otherwise parking is on-street with many older properties – for e.g. in Radcliffe Road - with no access to off-street parking. Parking restrictions are in force on the surrounding roads with permit only parking or short stay limits between Monday – Friday.

3.0 Development proposals

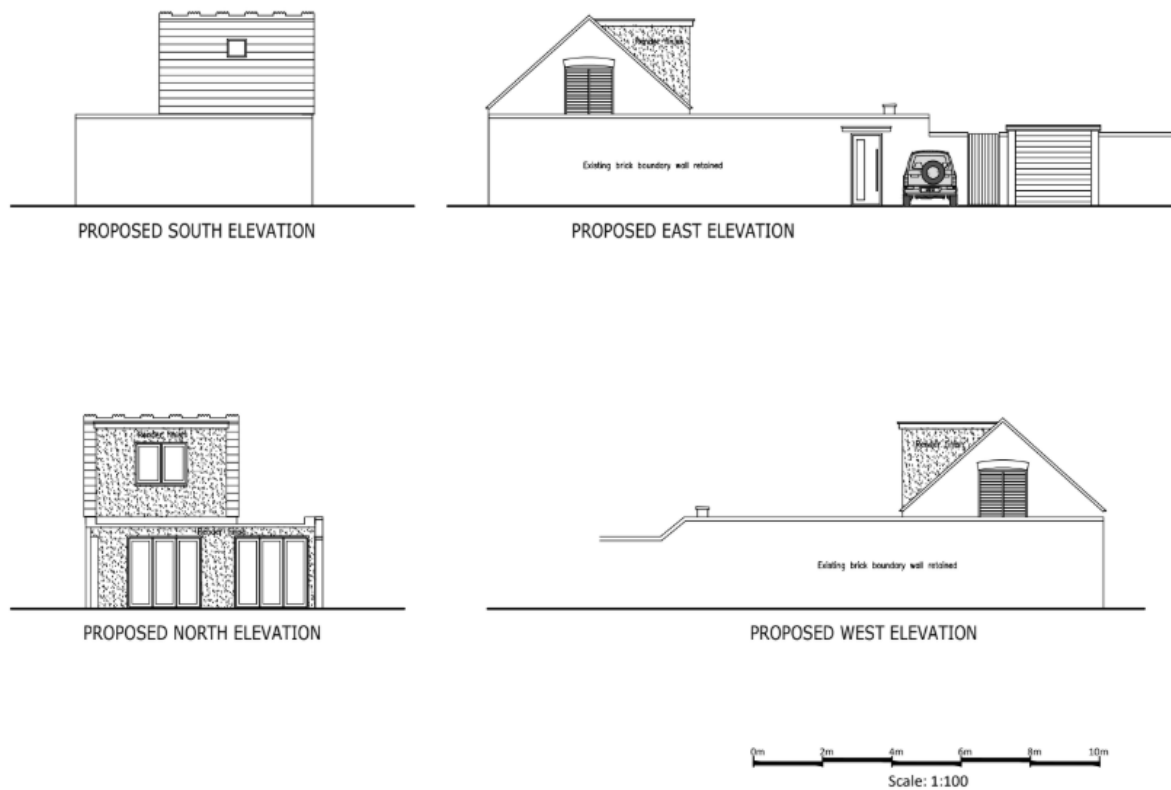
3.1 The proposed development involves the following works:

- The addition of a dormer window to the north facing roofslope of the building and the conversion of the first floor to a double bedroom (18 sq metres). Provision of small rooflight in south facing roofslope
- Conversion of the ground floor and the two garages attached to the north elevation to living accommodation providing a kitchen, bathroom and living room.
- New flat roof with rooflights over the ground floor space. All boundary walls to be retained.
- Creation of an enclosed amenity space with storage for refuse bins and cycles.
- Part demolition of the three garages off the Radcliffe Road courtyard and their designation as three car spaces including two spaces allocated for the proposed dwelling.
- The total internal floorspace of the dwelling would be 64 sq metres.

3.2 The proposed elevations and floor plans of the development are shown on the drawings below submitted with this planning application:



Proposed dwelling layout and floor plans



Proposed dwelling elevations

- 3.3 The existing site contains either built footprint or hardstanding with no existing habitat value. The application therefore is exempt from the requirement under the Environment Act legislation to provide a 10% net gain in biodiversity.

4.0 Planning Policy context

4.1 This section provides an overview of the planning policies and legislation relevant to the consideration of this application in addition to other decision making considerations.

4.2 The Development Plan

4.3 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications for development should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan is the North Hertfordshire Local Plan 2011 – 2031 (adopted November 2022).

4.4 The most relevant policies against which this application should be assessed are as follows:

- Policy SP1: Sustainable Development in North Hertfordshire

This policy supports the principles of sustainable development in North Hertfordshire and seeks to maintain the role of the key settlements in the District as the main focus for housing and other forms of development making use of previously developed land where possible

- Policy SP6: Sustainable transport

This policy confirms that the Council will seek to secure accessibility improvements and promote the use of sustainable transport modes insofar as reasonable and practicable.

- Policy SP9: Design and Sustainability

Supports new development where it is well designed and located and responds positively to its local context

- Policy T1: Assessment of transport matters

States that development will be granted provided it does not lead to highway safety problems and unacceptable impacts on the highway network.

- Policy T2: Parking

States that permission will be granted for residential development provided parking is in accordance with parking standards set out in Appendix 4 of the Plan

- Policy D1: Sustainable design

States that permission will be granted provided it responds positively to the site's local context, meets a number of environmental criteria and meets or exceeds the nationally described space standards

- Policy D3: Protecting living conditions

States that new development will be granted provided it does not cause unacceptable harm to living conditions

4.5 Supplementary Planning Documents

4.6 SPD – Vehicle Parking at New Developments (2011)

SPD – Sustainability (2024)

- 4.7 National Planning Policy Framework (December 2024)
- 4.8 In December 2025 the Government published a new draft NPPF with consultation running until March 2026. The final version of the new NPPF with responses to the consultation is expected to come into effect in mid 2026.
- 4.9 The relevant sections of the Framework are as follows:
- Section 2: Achieving sustainable development
 - Section 5: Delivering a sufficient supply of homes
 - Section 9: Promoting sustainable transport
 - Section 12: Achieving well-designed places
 - Section 14: Meeting the challenge of climate change, flooding and coastal change
- 4.10 Chapter 2 of the Framework sets out the three overarching objectives necessary to achieve sustainable development. These are as follows:
- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well being; and

c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.11 Paragraph 11 of the Framework states that for decision making this means:

4.12 “c) approving development proposals that accord with the development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination”

- 4.13 The NPPF explains that, for applications involving the provision of housing, policies are considered out of date if: “...the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. See also paragraph 232.” (Footnote 8).
- 4.14 North Herts Council issued a Five Year Housing Land Supply Update in November 2025. This concludes that the Council currently demonstrates a five year land supply of between 2.6 and 3.3 years falling significantly below the five year requirement set out in the Framework.
- 4.15 The consequence of not having a 5 Year Housing Land Supply is that the 'tilted balance' is engaged in the decision-making process. The tilted balance refers to paragraph 11(d) of the NPPF which states that if the most relevant Local Plan policies for determining a planning application are out of date (such as when a 5 Year Housing Land Supply cannot be demonstrated), the application should be approved unless the application of NPPF policies that protect areas or assets of particular importance (as defined by the NPPF) provide a strong reason for refusing permission or the harms caused by the application significantly and demonstrably outweigh its benefits, when assessed against policies of the NPPF as a whole. In this context, the local plan policies considered to be out of date include in particular those relating to the development strategy and delivery of housing as follows:
- Policy SP2: Settlement hierarchy and spatial distribution
 - Policy SP8: Housing

5.0 Planning Assessment

5.1 Principle of development

- 5.2 The site lies in the settlement boundary of Hitchin, one of the Districts largest settlements within which Policy SP2 of the Local Plan says new development should be focused in order to make maximum uses of existing facilities, social networks and infrastructure. Therefore, the principle of intensification of the site for additional housing should be supported.
- 5.3 The site is also located within a predominantly residential area and therefore the proposed residential use of the site would be consistent with this prevailing use. Furthermore, the provision of a small residential unit would be consistent with the type and / or size of surrounding properties many of which are either flats or small terraced houses.
- 5.4 As mentioned above the Council cannot demonstrate a five year supply of housing land and this proposal would make a modest contribution towards local housing delivery. Being a small unit it would also provide a more affordable option particularly for first time buyers or for those renting.
- 5.5 The proposals would also be consistent with the clear direction of travel for increasing housing densities particularly near railway stations as set out in the Draft NPPF. The emerging new Framework introduces a “default yes” approach to development near well-connected train stations unlocking underused land around commuter transport hubs for new housing.

5.6 Design and layout and impact on the character of the area

5.7 Policy SP9 of the local plan states that the Council will support new development where it is well designed and located and responds positively to its local context. Policy D1 of the local plan similarly requires development proposals to respond positively to a site's local context having regard to the Council's Design supplementary planning document and to meet or exceed nationally described space standards.

5.8 The proposal would utilise the majority of the existing structures on the site (including brick boundary walls) so that there would be limited new built development. Planning permission has already been granted for all of the proposed physical works to the existing buildings (including the proposed dormer) under the approved office development therefore there can be no objection in principle to the works – the scheme simply proposes a residential use rather than an office use for the site.

5.9 The Council raised no objections to the physical works in relation to the approved office scheme with the case officer stating:

'Given the siting and appearance of the site, the proposed introduction of a dormer window to the north elevation is not considered to result in any unacceptable harmful impact to the character of the area. Furthermore, the works to the rest of the site would improve the visual appearance of the building through the renovation of the existing structure.'

'The development would not result in any unacceptable harm to the character and appearance of the locality by reason of appropriate design. The proposal is considered to be in compliance with both local and national planning policies.'

- 5.10 The layout of the site including car parking arrangement is also the same as for the approved office scheme. In design and layout terms it is therefore considered that it would be unreasonable for the Council to take a different view with regard to this re-submitted, almost identical proposal.
- 5.11 Although office uses are generally considered appropriate within a residential area, the proposed dwelling is likely to be even more compatible within this residential setting noting that it is for a small one bedroom unit with limited comings and goings because of its size. This contrasts with the approved planning permission for the office use which did not restrict the amount of persons or employees that could be present on the site or restrict visitors or deliveries.
- 5.12 Overall it is considered that this residential scheme is of such a limited scale and intensity that it would maintain the character and appearance of the area whilst making the most efficient use of the site.
- 5.13 Living conditions
- 5.14 The Government's Technical Housing Standards - Nationally Described Space Standard (2015) (THS) provides guidance on the minimum gross internal floor area (GIA) requirements for new dwellings. In this case the proposed dwelling at 64 sq metres overall would comfortably exceed the minimum 58 sq metres of gross internal floorspace required for a two person , 1 bedroom home. The double bedroom would exceed the minimum 11.5 sqm required by the Standards. As the internal floor area of the dwelling would exceed the minimum as set out above it is therefore considered appropriate space would be provided to serve the interest of future occupiers. All habitable rooms would be provided with a window opening which would allow for sufficient levels of light and ventilation.

- 5.15 The proposed dwelling would be positioned at a sufficient distance from adjacent dwellings to avoid any adverse impacts in terms of overshadowing or an overbearing relationship. This separation ensures that the property would retain an acceptable level of residential amenity without being detrimentally affected by the presence of existing dwellings. With regard to the provision of private outdoor amenity space, it is noted that the dwelling would have a courtyard garden which would be sufficient for this one bedroom unit although the nearby Ransoms Recreation ground provides additional outdoor amenity space. The standard of accommodation and private amenity space would be adequate for the future occupiers of the property in accordance with Policy D3 ('Protecting living conditions') of the Local Plan.
- 5.16 There would be no significant change to the outlook from the adjacent properties in Radcliffe Road and Garden Row largely as a result of the limited changes to the building. The proposed dormer would add some additional bulk but as mentioned above this element has been previously approved by the Council having found to be acceptable in terms of impact on neighbours. If deemed necessary, the Council could impose conditions restricting permitted development rights for further alterations to the existing building.
- 5.17 As is the case with all of the neighbours, the proposed change of use from the authorised Class E use to residential is likely to result in potentially less noise and disturbance. Overall it is considered that the works and use would not result in any significant loss of residential amenity to adjacent residents and therefore there would be no conflict with Policy D3 of the Local Plan.

5.18 Access and parking

- 5.19 Vehicular access would be via a long established entrance from Radcliffe Road. The proposed dwelling would have two allocated parking spaces although only one space is required by the Council's parking standards. A cycle storage area is also provided. Given this highly accessible location in close walking proximity to a range of services and facilities as well as the train station it is unlikely that vehicular movement will be significant.
- 5.20 Refuse storage is provided and bins can be brought to the kerbside on collection day in accordance with the existing arrangement. An electric vehicle car charging point could be provided on site.
- 5.21 As mentioned above, comings and goings from this small residential unit are likely to be limited and the scale of the development is such that there would be no significant impact on the local highway network.

5.17 Biodiversity

- 5.18 The site contains no existing habitat value as it comprises built development and hardstanding. Therefore, the proposed development is exempt from the need to provide a 10% net increase in biodiversity under the Environment Act legislation. There is potential for some net gain however (to comply with LP Policy NE4) through the introduction of bird boxes where appropriate.

5.19 Contamination

- 5.20 The previous uses of the site are not thought to have resulted in any contamination issues. The applicant is prepared to submit a land contamination assessment for this small development site for consideration by the Council's Environmental Health team.

The applicant requests that any pre-commencement contamination conditions recommended by the Environmental Health officer are subject to discussion with the applicants.

5.21 Climate change and sustainability

- 5.22 All new developments should demonstrate how carbon emissions would be minimised across the development, taking into account the energy hierarchy, in accordance with the Council's Sustainability Supplementary Planning Document and District Plan Policies D1 and SP9. Chapter 14 of the Framework 'Meeting the challenge of climate change, flooding and coastal change' confirms that the planning system should support the transition to a low carbon future in a changing climate.
- 5.23 An Energy & Sustainability statement has been submitted in support of the application. The statement advises that the proposed dwelling would adopt a fabric-first approach, incorporating high thermal performance and insulation to reduce energy demand and improve energy efficiency in terms of U-values. The dwelling would also benefit from an electric vehicle charging point and potentially an air source heat pump could be provided. These measures are considered sufficient to address the above relevant local plan policies and national guidance.

6.0 Conclusions

- 6.1 There are several recognised benefits associated with this proposal which weigh in its favour. The development would provide an additional dwelling in a sustainable location thereby making a modest contribution to the Council's overall housing supply and therefore this attracts some albeit limited weight in the planning balance. The proposals would refurbish and enhance the appearance of the building thereby improving the visual amenities of the area. The scheme would also generate economic activity through the creation of construction related employment and some additional spending in the local economy although it is recognised that the construction phase would be a temporary benefit and is therefore a minor positive benefit.
- 6.2 The development will make efficient use of this previously developed site and there will be no unacceptable adverse impact on the residential amenity of surrounding residential properties.
- 6.3 Given that the Council cannot demonstrate a 5 year supply of housing, paragraph 11 of the NPPF is engaged. This makes a presumption in favour of sustainable development.
- 6.4 This statement has demonstrated that both local and national planning policy have been complied with and that the development meets the economic, social and environmental objectives necessary to achieve sustainable development. Accordingly, the Local Planning Authority is requested to grant planning permission for the proposed development.

