

DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01902/FP	Erection of one detached 3-bed dwelling. (Development already carried out).	3 Bearton Avenue Hitchin Hertfordshire SG5 1NZ

Submitted Plan Nos

Location Plan B1 B2 B3 B4 B5

1.0 Policies

D1 Sustainable design

D3	Protecting living conditions
D4	Air quality
NE2	Landscape
NE4	Biodiversity and geological sites
SECN11	Making effective use of land
SECN12	Achieving well-designed places
SECN15	Conserve + enhance natural environment
SECN9	Promoting sustainable transport
SP12	Green infrastructure, landscape and biod
SP2	Settlement Hierarchy and Spatial Distrib
SP6	Sustainable transport
SP9	Design and Sustainability

T2 Parking

T1 Assessment of transport matters

2.0 **Relevant site history**

2.1 22/02326/FP - Erection of one detached 2-bed dwelling following demolition of two existing garages – Approved 13/10/22.

2.2 22/01194/FP - Erection of one detached 2- bed dwelling following demolition of existing garages – Approved 15/06/22.

2.3 20/01618/FP - Erection of one detached 2-bed dwelling following demolition of existing garages – Approved 30/09/20.

2.4 20/00391/FP - Erection of one detached 3-bed dwelling including integral double garage following demolition of existing garages – Refused 05/05/20 for:
1. By reason of the height, scale and design of the proposed 3-bed dwelling, the development would result in a contrived addition in this cramped location that would fail to take the opportunity to improve the character and appearance of the area or the way in which it functions. This harm identified would not be outweighed by the benefits of delivering a new dwelling in this location. The proposal is therefore contrary to Policy 57 of the North Hertfordshire District Local Plan No. 2, Policy D1 of the Emerging Local Plan and the core principles of the National Planning Policy Framework (2019).
2. By reason for the siting of the development to the rear of 3 Bearton Avenue and the existing means of access to the site, the development would result in unacceptable harm to the living conditions of neighbouring occupiers at No. 3 and 3a Bearton Avenue, with particular regard to noise and disturbance. The proposal would therefore fail to comply with Policy 57 of the North Hertfordshire District Local Plan No.2 with alterations, Policy D3 of the Emerging Local Plan and the core principles of the National Planning Policy Framework (2019).

3.0 **Representations**

3.1 **HCC highways officer** – Does not wish to restrict permission.

3.2 **Waste Officer** – No objections.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is situated to the side and rear of No. 3 Bearton Avenue and

adjacent to a building comprising two garages, accessed via a private driveway off Bearton Avenue.

- 4.1.2 This part of Bearton Avenue is residential in character and features a mixture of detached and semi-detached dwellings. A row of trees behind the rear of the site are in a Group TPO.

4.2 **Proposal**

- 4.2.1 The retention of a detached three bedroom dwelling with a pitched roof, including roof accommodation and front and rear dormers. A garden, parking spaces and bin store are at the front of the site. Access is via an existing driveway. The development has been completed and is occupied.

4.3 **Key Issues**

- 4.3.1 The key material considerations are whether the development is acceptable in principle, character and appearance, impacts on residential amenity, future living conditions, highways and parking, and trees and landscaping.

Principle

- 4.3.2 The site is within Hitchin, a town under Policy SP2 of the adopted Local Plan, where the majority of new housing will be located. New residential development on the site is therefore acceptable in principle and complies with Policy SP2 of the Local Plan.

Character and appearance

- 4.3.3 The dwelling in size, siting, design and appearance is similar to that approved under planning permission 22/02326/FP, with the differences to that consent being the rear dormer has been reduced in height but increased in length, the addition of a rear rooflight, and an increase in bedrooms from two to three.
- 4.3.4 Planning permission 22/02326/FP is extant, and is given significant weight. Therefore, the assessment of this application for the retention of the dwelling as built is whether the alterations to the design are acceptable.
- 4.3.5 The additional bedroom is internal and has not resulted in greater impacts than from the 2022 permission. The new rear rooflight is small and appropriately sited on the dwelling, and is acceptable. The altered rear dormer is considered acceptable as the increased length is compensated by the reduced height and greater distance from the ridge. The dormer in addition is not visible from public viewpoints and is obscured by trees behind.
- 4.3.6 It is not considered that permitted development rights need to be removed by Condition as the siting of the dwelling in relation to its private garden, and the lack of visibility of the rear elevation, mean potential alterations that could be carried out under permitted development (and their impacts) would be limited. The design is acceptable and complies with Policy D1 of the Local Plan and Section 12 of the NPPF.

Residential amenity

- 4.3.7 As stated above, the dwelling is of a similar size, siting and design to that approved under 22/02326/FP, with the only external differences being a new rear rooflight and amended rear dormer. The rear of the site is near a row of large trees, with a private car park behind serving Hitchin Town Football Club, therefore residential or other amenity are not harmed by the rear alterations. The wider site is as approved under 22/02326/FP, and is acceptable. Impacts on amenity are acceptable, and comply with Policy D3 of the Local Plan.

Future living conditions

- 4.3.8 Outlook, light, privacy and internal accommodation sizes are considered acceptable. The private garden is considered to be of an acceptable size and quality. These are considered comparable to those approved under permission 22/02326/FP. Future living conditions are therefore acceptable. The proposal complies with Policy D1 of the Local Plan.

Parking and highways

- 4.3.9 The dwelling has two parking spaces, which complies with minimum standards and is acceptable. Cycles can be stored internally. Bin storage and access to the public highway are considered acceptable, with no objections from the highways officer. These aspects of the development are comparable to those of 22/02326/FP, and are considered acceptable. The proposal complies with Policies T1 and T2 of the Local Plan.

Landscape and trees

- 4.3.10 There are mature trees near the rear boundary of the site which are within a Group TPO, however it is not considered that the dwelling has affected them, and will not result in future pressures for their removal or lopping. Landscaping is comparable to previous permission 22/02326/FP, and is acceptable. The proposal complies with Policies NE2 and NE4 of the Local Plan.

Climate change mitigation

- 4.3.11 The development has included measures to ensure that the building would be more energy efficient with an air source heat pump. An Electric Vehicle domestic charging point condition was required by previous planning permission 22/02326/FP, however no charging points are shown on the plans or are visible on site. It is considered that an EV charging point should be required to be installed by condition to be consistent with 22/02326/FP and Local Plan Policy D4.

4.4 **Conclusion**

- 4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission is **GRANTED**.

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. Within 6 months of the date of this permission, one Electric Vehicle (EV) ready domestic charging point shall be installed within the site.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality. To comply with Policy D4 of the Local Plan.

2. The car parking spaces shown within the application site shall be for the use of the occupiers of the new dwelling only.

Reason: To ensure that sufficient parking is made available for the dwelling and to accord with the submitted plans and documents. To comply with Policy T2 of the Local Plan.

Biodiversity Net Gain

This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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.

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Signed  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 10 October 2024	