

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01969/FPH	Single storey side/rear extension following demolition of existing rear element.	28 Periwinkle Lane Hitchin Hertfordshire SG5 1TZ

Submitted Plan Nos

Location Plan 24-RA-001A PL

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 97/00806/1HH - Single storey rear extension

Conditional Permission

3.0 **Representations**

3.1 **Site and Neighbour Consultation** – A response has been received from no.27 Periwinkle Lane confirming an objection to the proposed works. The objection can be summarised by the following:

- Concerns over the transport of machinery and materials for the extension via the shared access path and traffic conditions during construction.
- Concerns over the treatment of the party wall and encroachment over the shared boundary.
- Concerns over rainwater dispersal over the shared boundary.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The property is a mid-terrace dwelling located on the eastern side of Periwinkle Lane, Hitchin. The property has a small front garden and a long, thin rear garden. There are a range of rear extensions and outbuildings along the road.

4.2 **Proposal**

4.2.1 The application seeks to construct a single storey side/rear extension following the demolition of the existing rear element.

4.2.2 Materials are mostly set to match existing.

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 side/rear extension would measure 6.3m in depth, 2.8m in height, 3.5m in width when detached from the party wall and 4m in width when attached to the party wall. The proposed extension will have guttering which extends passed the shared boundary line with 29 Periwinkle Lane; however, certificate B has been issued.

4.3.4 The materials for the walls and doors will match the existing rear element by using facing brick and uPVC doors; however, the brick will not be painted like the existing rear element. The main change in materials will be from concrete tiles for the existing pitched roof to a single ply membrane for the proposed flat roof. The roof light will extend approx. 0.2m from the roof.

4.3.5 The proposed development, in my view, is of a proportionate scale which is sympathetic to the existing dwelling and is to the rear so does not result in any visual harm to the street scene or impact its character and appearance. As such, the proposed development complies with Policy D1 and D2 of the NHLP.

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 No.29 will be impacted the most by this proposal as they have shared access with no.28 to their garden and this proposal will half the width of this shared access path up to the boundary line, with guttering hanging over the boundary line. This impact will be minimal and in my view is acceptable due to the following reasons. This will not affect no.29's access to their garden. Regarding loss of light, the impacted window on no.29 is on the ground floor and east facing, so already does not receive the maximum amount of daylight and is currently impacted by the built form of no.28; so, the loss of light is not considered to be sufficient to present unreasonable harm. Concerning dominance, no.29 should be used to the built form from the west elevation of no.28 as the proposed extension extends a similar distance from the dwelling as the existing rear element. However, the existing gap between the two dwellings is 2.4m, which will be reduced to 1.2m. While this halves the width of the path, no.29 will still be left with a 1.2m wide path onto the garden, which should not affect the use or amenity of said garden. Moreover, there are no proposed side elevation windows which will reduce overlooking from no.28. Visually, the bare brick will change the visual aspect of the garden path; however, as the brickwork is sympathetic to both no.28 and no.29, this should not cause material harm to no.29. As such, the proposal will not cause unacceptable material harm to no.29. Additionally, a certificate B has been issued and they have not submitted an objection to the works.
- 4.3.8 An objection has been received from no.27. With regards to the concerns raised: the transport of materials during construction is not a planning consideration, but a matter for building control. Regarding the party wall, the applicant has stated that the party wall will not be left exposed and that all usual protection methods of any exposed part of the building will be adopted by the builder as normal. The only part of this proposal which may extend passed the shared boundary line with no.27 would be the shared guttering for the dispersal of rainwater, which already exists and does not cause material harm. As the proposed side/rear extension will not extend further than existing rear element, the only visible change from the perspective of no.27 will be the change from a pitched roof to a flat roof and the unpainted facing brick. Therefore, the proposal is not considered to cause material harm to no.27.
- 4.3.9 It is considered that the design of the proposal is acceptable in planning terms, as the proposed side/rear extension would be sympathetic to the host dwelling in form, scale, and external materials. As the works are to the rear of the dwelling, the proposal would not result in any material impact upon the character and appearance of the street scene. As such, I am satisfied that there would be no loss to existing residential amenity as a result of the proposed development and that the proposed development complies with Policy D1, D2 and D3 of the NHLP.

Highways and Parking:

- 4.3.10 The development does not include an increase in the number of bedrooms; therefore, regarding policy T2 of the NHLP, there would be no car parking issues arising from the development.

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 The proposed development is considered acceptable and in accordance Policies D1, D2, D3, T2 and of the NHLP 2011-2031 and Sections 12 and 14 of the NPPF.

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.

Informative/s:

Environmental Health Informative:

During the construction works phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

Environmental Health Informative:

During the construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 7 November 2024	