

## DELEGATED FILE NOTE

**CASE OFFICER:** ...Henry Thomas.....

| APPLICATION<br>REFERENCE | BRIEF DESCRIPTION OF<br>DEVELOPMENT                                                                                                                                                                                         | APPLICATION SITE                                       |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 25/00403/FPH             | Alterations to existing fenestration,<br>infilling of two side windows and<br>erection of detached garden room/store<br>following demolition of existing rear<br>detached garage/store. Alterations to<br>existing chimney. | 34 Benslow Lane<br>Hitchin<br>Hertfordshire<br>SG4 9RE |

### **Submitted Plan Nos**

24042 24042su01 24042su1.02 24042su1.03 24042wd2.01 24042wd2.02 24042wd2.03  
24042wd2.04

### **1.0 Policies**

|    |                                         |
|----|-----------------------------------------|
| D1 | Sustainable design                      |
| D2 | House exts, replcmnt dwellings outbuild |

|        |                                        |
|--------|----------------------------------------|
| D3     | Protecting living conditions           |
| SECN12 | Achieving well-designed places         |
| SP1    | Sustainable development in North Herts |
| T2     | Parking                                |

## 2.0 **Relevant Site History**

2.1 17/01440/1HH - Single storey side extension

2.2 02/01206/1HH - Two storey side extension (as amended by drawings received 22nd October 2002)

## 3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – None received.

## 4.0 **Planning Considerations**

### 4.1 **Site and Surroundings**

4.1.1 The application site is an end terrace two storey dwelling on the south side of Benslow Lane in a residential part of Hitchin. The site has a long narrow rear garden with a garage outbuilding and parking area to the rear. An unadopted vehicle access path runs adjacent to the dwelling, connecting Benslow Lane to The Avenue. The site is within Hitchin Conservation Area.

### 4.2 **Proposal**

4.2.1 The proposal seeks to undertake the following work:

- ☐ Infilling of two ground floor side windows with brick.
- ☐ Insertion of ground floor side window for shower room.
- ☐ Replacement of ground floor rear window and door with uPVC timber framed French doors
- ☐ Replacement windows
- ☐ Erection of rear store / garden room outbuilding following demolition of existing garage outbuilding.

- 4.2.2 The approximate dimensions of the outbuilding would be approximately 7m in depth, 2.8m in width with a flat roof at the height of 2.75m. The roof would have an overhang facing towards the dwelling which would add a further 0.73m in depth of bulk.
- 4.2.3 The proposed materials would be facing brickwork and render to match, white uPVC windows and doors to match existing.
- 4.2.4 The proposed materials for the outbuilding would have a composite timber finish.

#### 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 resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

#### Design and Appearance:

- 4.3.2 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Section 12 – Achieving well-designed and beautiful places). Paragraph 131 of the NPPF states that “*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable communities*”. In this regard, Policy D1 and D2 of the North Hertfordshire Local Plan are consistent with the objectives set out within the NPPF.
- 4.3.3 The proposed outbuilding would be a visible addition to the garden from the adjacent access track. In my view, the proposed design, material and scale would be suitable for a residential garden and the local context. The proposal would have a low eaves height and modest depth and would be set away sufficiently from the host dwelling. As such, I do not consider that the outbuilding would have a detrimental impact on the character and appearance of the dwelling or wider street scene.
- 4.3.4 The proposed alterations to the windows and doors on the dwelling would have a sympathetic design to the existing. The new ground floor side window would feature a suitable scale, design and materials.
- 4.3.5 The proposal complies with Policies D1 and D2 of the Local Plan 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 The proposed outbuilding would be located on the boundary with No.32 Benslow Lane and would be bulkier than the existing garage outbuilding. In any case, I find the proposed design to have a modest eaves height and depth which would not be considered an overbearing addition to the garden.
- 4.3.8 The proposed ground floor side windows would face towards the access track, the neighbouring dwelling on this side benefits from a wall/fence. As such, a window in this location would not create any vantage point for overlooking of neighbouring amenity.
- 4.3.9 The proposal therefore complies with Policy D3 of the Local Plan.

Highways and Parking:

- 4.3.10 The proposed development would retain the existing parking area to the rear of the property which provides 2 off-street vehicle parking spaces. The proposal therefore complies with Policy T2 of the Local Plan.

Biodiversity Net Gain (BNG)

- 4.3.11 This is a householder application which is exempt from BNG legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Environmental Implications:

- 4.3.12 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the North Herts Local Plan, which sets out that development proposal should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.
- 4.3.13 The proposed development, would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF and Policy D1.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and in accordance with Policies SP1, SP9, D1, D2 and D3 of the NHLP 2011-2031 and Sections 2, 12 and 14 of the NPPF 2024.

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.

**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.

|                                                                                                                      |                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Signed</p>  <p>Sam Dicocco</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> 17 April 2025</p>                                                         |                                                                                                                                                 |