

DELEGATED FILE NOTE

CASE OFFICER: ...Harriet Sanders.....

APPLICATION

REFERENCE

BRIEF DESCRIPTION OF DEVELOPMENT

APPLICATION SITE

26/01772/FPH

Single storey side extension following demolition of existing side element.

49 Gaping Lane

Hitchin

Hertfordshire

SG5 2JE

Submitted Plan Nos

FP.00 06 26 FP.01 06 26 FP.10 06 26 FP.11 06 26 FP.12 06 26

1.0 Policies

D2

House exts, replcmnt dwellings outbuild

D3 Protecting living conditions

D1 Sustainable design

T2 Parking

2.0 **Site History**

2.1 None recent.

3.0 **Representations**

3.1 Neighbour notification carried out. One objection received from no 47 raising concerns regarding the proposed windows on the side of the extension and loss of privacy.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 No 49 is a semi-detached dwelling on the south side of Gaping Lane. The property has been previously extended to the rear and the side. The existing side extension sits along the boundary with no 47. No 47 has been extended to the side and rear but is set off the shared boundary. The application property sits at a higher level than the neighbouring property, no 47.

4.2 **Proposal**

4.2.1 Consent is sought for:

“Single storey side extension following demolition of existing side element.”

4.2.1 Proposed materials include brickwork and render to match existing.

4.3 **Key Issues**

4.3.1 The key material considerations when assessing the planning merits of the proposal are:

- design and appearance.

- potential impact on neighbour amenity.
- Access, highways and parking.

Design and Appearance

- 4.3.2 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development.
- 4.3.4 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.
- 4.3.5 NPPF policy S4 sets out a presumption in favour of development within settlements. NPPF policy DP3 requires development proposals to respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings.
- 4.3.6 The site is located within Hitchin town where development is supported in principle. It is proposed to remove the existing side extension and replace with a new side extension on the same footprint. The existing front elevation with garage doors facing the street will be retained. The rear extension labelled as 'games room' on the plans will also be retained. The new side extension will be located between these two elements and will not be particularly visible from the street.
- 4.3.7 The side elevation on the boundary with no 47 will be replaced and raised in height to approximately 3.45m in height which will match and continue the height of the existing front elevation with the garage doors. The existing height along the boundary varies. The existing glazed roof and lean to style roof will be replaced with a flat roof.
- 4.3.8 The area where the height will be increased will project slightly beyond the rear elevation of no 47. Two high level windows are proposed in the side elevation.
- 4.3.9 The proposed replacement extension relates well to the host dwelling and neighbouring properties. The raised height and flat roof will be obliquely visible from the street. No unacceptable harm will be caused to the streetscene. The materials to match existing are acceptable. The design and appearance of the proposal are acceptable.

Impact on Neighbour Amenity

- 4.3.10 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts.

- 4.3.11 NPPF Policy P3 refers to living conditions and pollution and sub section 2 (b) sets out that development proposals should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site.
- 4.3.12 The replacement extension will result in a modest increase in height along the shared boundary with no 47. No 47 sits at a lower level than the application property so the increase in height may result in an increased sense of bulk and mass from the existing situation. However, the area of increased height is sited almost entirely adjacent to the extended side elevation of the no 47 which provides access to the rear garden and is not high value amenity space. No unacceptable harm will arise as a result of the replacement extension.
- 4.3.13 Two high level windows are proposed in the side elevation. These will be obscured glazed and non opening below 1.7m. Controlling the opening and glazing of the windows by condition will prevent unacceptable overlooking of the neighbouring property. The side facing windows will face the side elevation of no 47 where no windows are present (based on approved plans for the side extension at no 47 ref: 21/03218/FPH). They will not face the rear garden or patio area but are sited along the access area along the side of no 47. The windows may result in some degree of perceived overlooking of the access route. However, this would not result in a degree of harm sufficient to warrant refusal of the proposal on this basis and can be mitigated through the control of glazing and opening of the windows by condition.
- 4.3.14 It is reasonable and necessary to control the glazing and opening by condition to obscure glazed and non opening below 1.7m internal finished floor level.
- 4.3.15 The concerns raised by no 47 have been carefully considered. Side facing windows can be inserted under permitted development rights without planning permission. The requirement for obscure glazed and non opening below 1.7m internal finished floor level is in line with the restrictions imposed for side facing windows permitted under permitted development rights and is an appropriate restriction in this case. No further control would be reasonable or is required.

Highways, Access and Parking

- 4.3.16 The proposal does not generate the need for additional parking. However there is adequate space to park on the driveway and on street parking provision.

4.4 Conclusion

- 4.4.1 The proposed replacement extension is therefore considered acceptable in planning terms and to comply with Local Plan policies D1, D2, D3 and T2 and the provisions of the NPPF.

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.

4. The two windows on the ground floor side elevation facing towards no 47 Gaping Lane of the development hereby permitted shall be permanently glazed with obscure glass and non opening below 1.7m above internal finished floor level.

Reason: To safeguard the privacy of the occupiers of the adjacent dwelling and to comply with Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

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.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 5 October 2026	