

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00264/FP	Erection of one self-build semi-detached 2-bed dwelling including bike store, installation of air source heat pump, parking and landscaping and creation of vehicular access off Truemans Road (as amended by plan no. PL1-01B).	3 Truemans Road Hitchin Hertfordshire SG5 2TA

Submitted Plan Nos

PL1-01A PL0-01B

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
SECN11	Making effective use of land
SECN12	Achieving well-designed places

T2

Parking

2.0 **Site history**

- 2.1 Erection of one 3-bed dwelling adjoining 3 Truemans Road following demolition of outbuilding (as amended by plan received 09/07/21) Granted 18.08.2021. Not implemented.

3.0 **Representations**

- 3.1 **Local Residents** – No comments received.

- 3.2 **Waste Officer** – No comments

- 3.3 **Environmental Health Air Quality** – No objection.

- 3.4 **Hertfordshire County Council highways officer** – Does not wish to restrict the grant of permission.

- 3.5 **Environmental Health Officer** – No objections.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site comprises land to the side of No. 3 Truemans Road, a two storey semi-detached dwelling with a pitched roof. This land is part of the curtilage of No. 3, and includes part of its front and rear garden, and a single storey side projection of No. 3. Rear party boundaries are comprised of 1.8m high fences. The character of the locality is residential of semi-detached dwellings.

4.2 **Proposal**

- 4.2.1 The proposal, as amended, is for the sub-division of the site and the erection of a two storey dwelling with a pitched roof that would be attached to the side wall of No. 3. The new dwelling would have 2 bedrooms, a part two storey , part single storey rear projection, and two parking spaces to the front accessed by a new dropped kerb and crossover.

The plans and DAS have been amended to state that all materials will match the existing dwelling.

Planning permission was granted for a similar development in 2021 (see history above).

4.3 Key Issues

4.3.1

Principle

- 4.3.2 The site is in the settlement boundary of Hitchin, where new residential development is acceptable in principle in the adopted and emerging Local Plans. The principle of an additional dwelling as a sideways extension of No. 3 has also been established through the grant of permission for a three bedroom dwelling in 2021.

Character and appearance

- 4.3.3 The proposal would sub-divide the site, resulting in two smaller separate residential curtilages. The site does however benefit from a wide plot relative to most others nearby, and as the two proposed new residential plots would be a similar width to the majority of nearby dwellings, I consider the sub-division compatible with the pattern and grain of development in the locality.
- 4.3.4 The new dwelling would result in the present pair of semi-detached dwellings becoming a terrace of three. However the creation of a new dwelling to result in a terrace was not considered harmful to the character and appearance of the street scene on the previous grant of permission and therefore could not be raised as an issue now.
- 4.3.5 As before, the proposed dwelling would have a roof with a side gable end. The majority of all dwellings nearby have gable ends, while many of the dwellings with hipped ends could have these enlarged to gable ends under permitted development. In this context, the proposed gable end of the dwelling is not considered harmful.
- 4.3.6 The dwelling would be approx. a minimum of 0.7m from the side boundary, a distance that would increase towards the rear. The upper floors of other nearby dwellings that are set off a boundary are approx. 1m away therefore the proposal would contrast with this pattern of development, albeit I do not consider this a significant difference.
- 4.3.7 The proposal varies from that previously approved in that there is now no flat roofed rear dormer and one less bedroom. This is a significant improvement to the scheme.
- 4.3.8 As before the dwelling also includes a rear projection which would be relatively deep, however I do not consider this harmful in design terms as it would primarily be single storey with a small upper element, at the rear where it would have limited visual impacts, and at a lower ground level than the site. There are no objections to the front door canopy and detailing. Bin storage and landscaping are considered acceptable.
- 4.3.9 External materials are proposed to be roof tiles to match No. 3, which are acceptable and white render on all elevations to match No. 3. As such, the development will integrate well with the street scene.

Neighbour amenity

- 4.3.10 The proposed dwelling would be sufficiently far from No. 1 Trueman's Road, and could only potentially adversely affect other next door dwelling No. 5. No. 5 is considered to

have one first floor side window facing the proposed dwelling which serves a stairwell, and the upper floors of the dwelling would project a small way beyond the front and rear elevations of No. 5 and will also be set away from those elevations, therefore it is not considered that the two storey part of the proposed dwelling would adversely affect the main habitable rooms and garden of No. 5.

- 4.3.11 The single storey rear projection would be more visible from the rear elevation and garden of No. 5. I do not consider it would adversely affect the amenity of that dwelling as it would be obscured by an outbuilding in the garden of No. 5 and as the rear projection would have a relatively low eaves and ridge. The first floor of the dwelling would project beyond the rear of No. 5, however I do not consider this harmful as the projection would be small at approx. 1.3m and
- 4.3.12 The dwelling would include one side opening facing No. 5, which would be a window serving a first floor bathroom. This window would be required by condition to be obscure glazed if permission was to be granted to prevent harmful overlooking. Hours of construction are restricted by Environmental Health controls to take place at what are considered to be reasonable hours. Impacts on amenity are therefore acceptable.

Future living conditions

- 4.3.13 It is considered that the main habitable rooms of the dwelling would be of a sufficient size to provide an acceptable standard of accommodation, and would receive adequate outlook and light. The dwelling would not experience harmful overlooking and overshadowing from nearby buildings. The private garden is considered to be of an acceptable size and quality for the size of the dwelling proposed.
- 4.3.14 The single storey rear projection would be visible from the rear elevation and garden of No. 3, however it would have a low eaves height of approx. 1.8m and a low ridge, which in my view would not be harmful to the amenity of any occupants of No. 3. The rear garden of No. 3 would be reduced, however it's remaining size is considered acceptable with regards to amenity space. I therefore consider future living conditions acceptable.

Parking and highways

- 4.3.15 The dwelling would have two parking spaces, which is considered sufficient and acceptable. Following the submission of amended plans the proposed parking spaces have been increased in size and adequate visibility sightlines demonstrated. The County Council highways officer now raises no objections.

Climate change and BNG

- 4.3.16 The proposed development is of a scale that it is unlikely to have any significant impact on local climate change.
- 4.3.17 The proposal is presented as a self build scheme and therefore an increase in biodiversity net gain is required.

4.4 **Balance and Conclusion**

- 4.4.1 The LPA is not able to demonstrate a five year housing land supply. The tilted balance set out in paragraph 11 of the NPPF is engaged. There will be limited benefits from the provision of one new dwelling. There would be limited harms from the upper floor not being 1m from the side boundary, however I consider this a minor adverse effect being outweighed by the benefits of the development.
- 4.4.2 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. 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 render and roof tiles of the approved dwelling shall be of similar appearance to the exterior of No. 3 Truemans Road.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area

4. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no enlargements as set out in Class A and Class B of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: To retain control over the site in the interests of neighbour amenity and the locality.

6. Any suspected contamination encountered during the development of this site, shall be brought to the attention of the Local Planning Authority as soon as practically possible; in such a case, a scheme to render this contamination harmless, shall be submitted to, and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters

7. The window at first floor level on the side elevation of the development hereby permitted shall be permanently glazed with obscure glass.

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.

8. No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template.

Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Method Statement shall include details of:

Access arrangements to the site.

Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas).

Cleaning of site entrances, site tracks and the adjacent public highway.

Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times. Provision of sufficient on-site parking prior to commencement of construction activities.

Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding which must be kept within the site boundary, pedestrian routes and remaining road width for vehicle

movements

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

CON2) Prior to the commencement of the development hereby permitted a plan should be submitted which shows parking details for cars and cycles in accordance with the HCC's Place & Movement Planning Design Guidance (P&MPDG-2023) and in accordance with (Cycle Infrastructure Design' DfT Local Transport Note 1/20 (July 2020) and approved in writing by the Local Planning Authority.

Prior to first occupation the approved scheme shall be fully implemented and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle and vehicle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

Biodiversity Net Gain

1. 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. 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:

- 1.

Highway Informatives

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning

0300 1234047.

AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN4) Gravel / shingle driveways: Where loose gravel or shingle is used, a suitable measure to prevent material spilling onto the road/footpath/verge must be installed. It is an offence under section 148 of the Highways Act 1980 to deposit debris onto the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Further information is available by telephoning 0300 1234047.

AN5) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

AN6) New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 6 May 2025	