

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01823/FPH	Erection of rear garden room/store	16 Priory Way Hitchin Hertfordshire SG4 9BL

Submitted Plan Nos

383.PL002 383.PL003 383.PL004 Location Plan 383.PL005

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 25/00398/FPH - Installation of front horizontal sliding driveway gates and front pedestrian gate.

21/03472/FP - Erection of one detached 6-bed dwelling following demolition of existing dwelling (as amended by plans received 23/03/22 and 25/03/22)

Refused

Conditional Permission

3.0 **Representations**

3.1 **Neighbour Consultation** – One received

14 Priory Way:

- 1.Proximity to my boundary - proposed structure only 1.2m from my boundary, further adding to sense of encroachment
2. Loss of trees and greenery - construction of proposed structure will lead to further loss of greenery and trees that currently provide natural screening and privacy
- 3.Tall and overbearing structure - height and bulk will dominate my boundary overshadowing my garden. Natural greenery views from my garden and rear windows will be replaced by tall unattractive structure
4. Overdevelopment of site - house already fills much of the plot. Adding another structure is" outside of permitted development rights"
5. Unauthorised works - 'low wall' has already been built appearing to serve as footings for proposed structure.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site accommodates a large two-storey 6 bed dwelling on a corner plot on Priory Way, Hitchin.

4.1.2 A variety of rear garden outbuildings exist in the immediate locality.

4.2 **Proposal**

4.2.1 Erection of rear garden room/store.

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 and outbuildings to incorporate a 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 outbuilding would be roughly triangular in shape and measure 6.1m in width, 4.9m in depth and have a dual pitched roof with an eave's height of 2.3m and a peak of 3.7m. The proposed outbuilding would be offset from the southern boundary by 1.2m and from the eastern boundary by 1.35m. The proposal includes the use of paving slabs to the front of the proposed outbuilding measuring 4.5m by 2.0m.

4.3.4 The proposed external materials are stained timber cladding and vertical natural slate tiles for the walls, natural slate tiles to match the existing dwelling and uPVC/powder-coated aluminium glazed doors to match the existing dwelling.

4.3.5 In my view, the proposal is considered to be acceptable in terms of the material palette, massing, and roof design. As such, the proposed development complies with Policy D1 and D2 of the NHLP 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 Regarding no.14 and the comments made:
In response to points 1 and 3 regarding the bulk of the structure and the proximity to the boundary line: The proposal would be offset from the shared boundary line by 1.2m. If the proposal were to be 0.8m further from the boundary line the development would be considered permitted development. With that in mind, the proposed ridge height is 3.7m and the proposed eaves height is 2.3m, as permitted development would allow for a flat roof at 2.5m in height and closer to the boundary line, it is not considered that the proposal would result in amenity harm to no.14 in terms of overdominance as to be objectionable.
In response to point 2 regarding loss of vegetation: the trees present would require trimming back or felling. In either case the application site does not reside in a conservation area and the trees are not protected; additionally, the loss of vegetation would be minimal.
In response to points 4 and 5 regarding overdevelopment of the site and unauthorised works: it is not considered that the massing and siting of the proposal would be classed as over development and the aforementioned 'low-wall' is one brick high, marking the proposed siting and would, therefore, not be classed as development.
Therefore, given this and the proposal's massing, roof form, and siting, it is not considered that the proposal would result in unacceptable harm upon no.14's living conditions as to be objectionable in terms of over dominance, shading or overlooking.
- 4.3.8 Regarding no.18 Priory Way, the proposed outbuilding would be offset from the respective shared boundary lines by 1.35m and have potential screening by vegetation. Given this and the height and roof form, it is not considered that the proposal would result in unacceptable harm upon no.18's living conditions as to be objectionable in terms of over dominance, shading or overlooking.
- 4.3.9 This development is therefore considered to be in accordance with Policy D3 of the NHLP and Section 12 of the NPPF.

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 unacceptable by virtue of Policies D1, D2 and D3 of the NHLP 2011-2031 and Section 12 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.

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 Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 8 September 2025	