

DELEGATED FILE NOTE

CASE OFFICER: ...Saffron Loasby.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01094/FPH	Erection of detached garage/workshop outbuilding and detached summerhouse outbuilding following demolition of existing detached garage. Widening of existing vehicular access and replacement retaining wall, pillars and access gates. Hard and soft landscaping works. (Amended by plans received 16.06.2026)	5 Highbury Road Hitchin Hertfordshire SG4 9RW

Submitted Plan Nos

Landscape plan 144 2025 001 Rev B 144 2025 002 Rev A 144 2025 004 Rev B 144 2025 011 Rev G
012-Rev D 005- Rev E 006-Rev E 010 Rev E (2) 008- Rev E 007-Rev C

1.0 Policies

D1 Sustainable design

D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
HE1	Designated heritage assets
NE4	Biodiversity and geological sites
SECN12	Achieving well-designed places
SECN16	Conserve + enhance historic environment
SECN15	Conserve + enhance natural environment

2.0 **Site History**

- 2.1 24/01745/LDCP – Refurbishment of window frames including upgrade to double glazing – Granted Permission 17/10/2024
- 2.1.2 24/01081/TCA - Mixed Laurel Hedge – Fell – No objection 03/06/2024
- 2.1.3 22/02249/TCA - Cherry - Rebalance of canopy and reduction in height by 25% - No objection
- 2.1.4 21/00537/TCA - T1 Maidenhair (Gingko) – Fell – No objection 23/02/2021
- 2.1.5 20/00859/FPH - Single storey rear extension following demolition of existing rear element – Conditional permission 01/06/2020
- 2.1.3 14/02835/1TPO - 43 The Avenue - T3: Lower limbs and tip prune to create 1.5m clearance of 1 Beech tree (TPO 167) 5 Highbury Road - T1: Reduce crown by 30% of 1 Black Cherry Plum tree; T2: Reduce height by 2.5m and shorten protruding limbs of 1 Gingko tree (Conservation Area) – No Objection on 08/12/2014

3.0 **Representations**

3.1 **Site Notice:**

Start Date: 18/05/2026 - Expiry Date: 10/06/2026

3.2 **Press Notice:**

Start Date: 21/05/2026 - Expiry Date: 13/06/2026

3.3 **Neighbouring Notifications:**

The occupiers of No. 4 & 6 Highbury Road and 43&44 The Avenue were notified on 23/04/2020.

One letter of representation was received. No objection has been raised to the principle of development; however, concerns include the following points:

- No objection to the principle of development or the redevelopment of the existing outbuildings.
- Concern that the scale, height, massing and cumulative built form, particularly the proposed outdoor kitchen, would reduce the openness of the rear gardens and harm the character and appearance of the Conservation Area.
- The proposal would interrupt the established green backdrop and garden skyline, with the elevated position of the site increasing the visual prominence of the new buildings.
- The proposed garage, by reason of its increased height and more forward siting, would appear less subordinate to the host dwelling and would not reflect the established pattern of development.
- The increased height and siting of the proposed buildings would adversely affect the residential amenity of No. 4 through increased enclosure, reduced daylight and outlook, with concerns also raised regarding privacy.
- It is considered that these impacts could be significantly reduced through amendments to the design.
- Suggested mitigation includes reducing the ridge heights of the garage and outdoor kitchen, repositioning the garage, incorporating a sedum roof on the outdoor kitchen, and implementing appropriate arboricultural protection measures during construction.
- Overall, the concerns relate to the scale, height, massing and siting of the proposed outbuildings and their impact on the Conservation Area and neighbouring residential amenity, rather than the principle of development itself.

3.4 **Parish Council / Statutory Consultees:**

3.4.1 **HCC Highways** – No objection. Hertfordshire County Council, as Highway Authority, raises no objection to the proposal and does not wish to restrict the **grant of planning permission, subject to conditions.**

- The proposal is not considered likely to generate a material increase in traffic movements or result in a harmful impact on the operation, capacity or safety of the local highway network.
- The proposed access arrangements, including the gate position, are considered acceptable in the site-specific context despite not achieving the preferred 6m setback, having regard to the low traffic generation, absence of recorded collisions and similar arrangements along Highbury Road.

- Pedestrian visibility splays of 0.65m x 0.65m are required at the site access to ensure adequate intervisibility between vehicles and pedestrians.
- A Construction Method Statement is required to manage construction traffic, parking, deliveries and site operations in the interests of highway safety.
- The existing vehicular and pedestrian access arrangements are considered acceptable.
- The Highway Authority notes that the proposed garage does not meet the recommended internal parking dimensions; however, this is a matter for the Local Planning Authority as Parking Authority.
- The proposed cycle storage is considered acceptable, subject to it being covered and secure.
- Advisory notes are recommended regarding storage of materials, obstruction of the highway and preventing debris from being deposited on the public highway during construction.

3.4.2 **NHC Tree and Landscape Officer** – Holding objection / further information required.

It is noted that Beech trees are particularly sensitive to root disturbance and considers that the current submission does not adequately demonstrate that the TPO tree would be protected during construction. The Arboricultural Officer advises that the submitted Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) do not provide sufficient detail to demonstrate that the protected Beech tree (T01) can be adequately safeguarded during construction.

- The relationship between the proposed summerhouse, the Construction Exclusion Zone (CEZ) and the protective fencing is unclear, with inconsistencies between the AMS, TPP and proposed layout.
- Insufficient information has been provided regarding construction within the Root Protection Area (RPA), including the methodology for hard surfacing and measures to avoid root disturbance.
- No details have been provided for the required ground protection within the RPA during construction.
- Further information is required regarding moisture provision to the tree's root zone where impermeable structures or surfacing are proposed within the RPA.

The Arb Officer recommends that revised arboricultural information is submitted to include:

- Clarification of the location of protective fencing and Construction Exclusion Zones.
- Details of ground protection within the Root Protection Area.
- A construction methodology for hard surfacing within the Root Protection Area.
- Details of any necessary measures to maintain soil moisture beneath impermeable structures within the Root Protection Area.

A pre-commencement condition is considered acceptable in securing the above information.

- 3.4.3 **NHC Conservation** – Discussion with the conservation officer advises materials for the pillar and walls should match those of the existing house (including brick type and mortar). Proposed rooflights to the garage building should be flush fitting and conservation style with painted timber doors and windows. Design wise the rear outbuilding could be improved if reduced in size slightly and the eaves dropped, however in terms of harm, the proposed building is acceptable in terms of S72. No harm to the Conservation Area. **Materials should be agreed prior to development commencing.**

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 No. 5 is a two-storey detached dwelling situated on the Eastern side of Highbury Road within a predominantly residential area of Hitchin. The site is set within the Hitchin Conservation Area and Hitchin Article 4 Area. The host dwelling comprises a positive building forming part of Character Area 5 of the Hitchin Conservation Area. Protected trees are situated adjacent to the rear boundary.

4.2 **Proposal**

- 4.2.1 Consent is sought for the erection of a detached garage/workshop outbuilding and detached summerhouse outbuilding following demolition of the existing detached garage. Widening of the existing vehicular access and replacement retaining wall, pillars and access gates. Hard and soft landscaping works as amended by plans received 16.06.2026. The scheme also shows the siting of children's play equipment that would be permitted development.
- 4.2.2 The proposed garage would measure approximately 11.6m in depth from front to rear, approximately 3.8m to the ridge at its highest point, dropping down to 3m, 2.1m to the eaves in height and approximately 3.4m in width at its widest point, narrowing to 2.8m. Materials for this structure are proposed as brick to match the existing dwelling with plain clay rooftiles and integrated solar rooftiles.
- 4.2.3 The proposed outdoor kitchen/summerhouse would measure 8.6m in length, 4.3m in depth, 3.6m in height and 2.5m to the eaves. The structure comprises 20m² of floor area to be enclosed in timber cladding with bi-folding doors that open into the adjoining rear garden. The remaining 7m² will be set under the shared roof space and open to the garden to the north and west elevation. The roof overhang measures approximately 450mm all the way round the periphery of the structure. The roof is pitched on all four sides and meets at the top via a flat roof (crown roof). Materials comprise an oak frame, stained black feather edge cladding and cedar shingle roof tiles. Triple bi-fold doors and a window face into the garden, a high-level window is shown on the south elevation.
- 4.2.4 The changes to the front access involve relocating the existing gates and pillar approximately 1.2m wider than that of the existing, allowing for more visibility when entering and exiting. The removal of the existing retaining stone wall that slopes inwards towards the house from top to bottom is to be replaced with a more vertical structure, allowing for more space on the ground. The replacement gates are like those of the existing and the materials to be used for the wall are to be agreed.
- 4.2.5 The proposed hard and soft landscaping is primarily to the rear garden and includes the removal of several trees and shrubs. However, this extends to the front driveway,

proposing uplighters in the driveway and changing the hardstanding from loose gravel to permeable Boundworx resin bound gravel in 'Golden Harmony'.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- Impact on the character and appearance of the area.
- Impact on occupier and neighbour amenity
- Impact car parking provision and highway safety.
- Impact on the environment.
- Impact on biodiversity

Design and Appearance and Impact to Conservation Area:

4.3.2 The objectives of the NPPF include those seeking to secure high quality design and a good standard of amenity (Chapter 12 – Achieving well-designed places). In this regard, Policy 28 and Policy D2 of the Emerging Local Plan are consistent with the NPPF. The objectives of the NPPS also seek to preserve and enhance the amenity of Conservation Areas (Chapter 16 – Conserving and enhancing the historic environment). Policy HE1 broadly accords with the NPPF.

4.3.3 The application site is set within the Hitchin Conservation Area and constitutes a positive building within Character Area 5 of the Hitchin Conservation Area and therefore careful consideration must be given so as to not detract from the character and significance of the Conservation Area, which is also a designated Heritage Asset. The site is also set within the Hitchin Article 4 Area.

4.3.4 The changes to the front of the application site include widening the existing gate pillars, installing new wider gates and rearranging the existing sloping stone retaining wall into a vertical one using either brick to match the existing dwelling or natural stone. These changes offer a slightly wider entrance into the property and allow for a wider parking area at ground level. The driveway material is also proposed to be changed to a permeable bound resin with ground lights.

4.3.5 The proposed garage/store/workshop building would be situated to the north of the host property, along the shared boundary with No. 4 Highbury Road, set back from the road to allow two off road parking spaces to sit in front. The rear element of the building (workshop/store) sits within the rear garden. The front elevation would be visible within the street scene and designed to complement the existing dwelling and the wider street scene. The size and scale are larger than that of the existing, however it is proportionate to the host dwelling and of a size and scale that sits well in its wider setting. It is not considered to reduce the positive contribution by the host dwelling to the surrounding area.

4.3.6 The kitchen outbuilding is located at the bottom of the rear garden (eastern boundary) where currently there is a large area of decking. The building will take up most of the rear boundary in terms of width and proposed to sit under an existing and TPO protected Beech tree. The structure, made from a timber frame is proposed to sit on individual posts in order to protect the surrounding roots and longevity of tree. Whilst achievable the Councils tree officer is keen to ensure the detail is provided prior to development starting and the works are conditioned accordingly.

4.3.7 The building is quite sizeable and whilst a smaller version of the same structure would visually sit better between the boundaries of the walled garden, what is being proposed

is not considered to be unacceptable given the size of the host dwelling and remaining garden. The views of the building are limited primarily to those of the owner and immediate neighbouring properties. It can not be seen from any public vantage point and will sit amongst a wider setting of neighbouring rear gardens and the rooftops of other outbuildings.

- 4.3.8 The built form is considered to be sufficient, complimentary and in-keeping with the character of the host dwelling and surrounding area. The outbuilding, garage and hard and soft landscaping works are therefore considered to hold an acceptable relationship with the character and appearance of the host dwelling, surrounding area and Hitchin Conservation Area.
- 4.3.9 The proposed development is therefore considered to be in compliance with Policy 28 of the District Local Plan, Policies D2 & HE1 of the Emerging Local Plan and the core principles set out within the National Planning Policy Framework.

Impact on Neighbouring Properties:

- 4.3.10 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.
- 4.3.11 The application site is neighboured by 4 & 6 Highbury Road to both side boundaries and by 43 & 44 The Avenue to the rear. The proposed outdoor kitchen building would predominantly be situated adjacent to the boundary of 43 The Avenue and therefore this neighbour is most likely to experience an impact to amenity, with views of the structure likely from both number 4 and 6 Highbury Road. The replacement garage/workshop/store sits closest to 4 Highbury Road.
- 4.3.12 The proposed outbuildings would both be significant additions to the host dwelling and would sit close to their respective shared boundaries. With regard to the garage/workshop/store, this building is a replacement structure and will sit in a slightly different location bringing the taller element of the structure to sit between the side elevations of No.4 and 5 Highbury Road, with the lower store/workshop extending beyond the rear elevation of No. 4. At present the existing structure runs 10.6m from front to rear with the majority of the building extending beyond the rear elevation of no. 4 Highbury Road. The existing building measures 2.8m to the ridge across the expanse of the building. The replacement building is marginally longer than the existing and only marginally taller. Importantly the projection beyond the rear elevation of No.4 Highbury Road is reduced to 5.7m, thus reducing the built form on the shared boundary that sits beyond the rear building line of No. 4. The garage element of the building, whilst taller than the existing, will not sit opposite any habitable space within No.4 Highbury Road (ground floor rooms comprising a coat/boot room, WC and laundry room). It is considered that there will not be a significant loss of light to these rooms and the impact of the development upon them to be acceptable. It is considered that there would not be significant impacts to the amenity of occupiers at No.4 with regard to the location, scale or design of this structure.
- 4.3.13 The proposed outdoor kitchen is located close to the shared boundary of No.43 The Avenue. The protected Beech tree sits within the garden of this property and its crown and root protection zone spreads over the application site quite significantly. There are no other buildings in this location, however there are a couple of ventilation units sited within the garden. The new outbuilding will enhance the privacy between the two garden areas. By virtue of the position of the building its impact on neighbour amenity of the occupiers of No 43 The Avenue is considered to be acceptable. It is not

considered to be overbearing or overlooking. It is noted that there is a high-level window facing the boundary of No.6 Highbury Road and this could be **conditioned accordingly to ensure the ongoing privacy** of the neighbouring occupants.

- 4.3.14 It has been raised as part of a neighbour representation that the impact of the new outdoor kitchen will have a negative impact on the visual character of the area, breaking up the existing green space of the rear gardens in this part of the Conservation Area. However, given its location, the materials proposed and its distance from the neighbouring dwellings the visual impact of the outdoor kitchen on its wider surroundings is considered to be acceptable from both a planning and conservation viewpoint. It will not have an overbearing or overlooking impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Highways and Parking:

- 4.3.15 The proposed development does not include an increase in the number of bedrooms, therefore there would be no car parking issues arising from the proposed development. The small existing garage building has not housed a car for decades given its small size and therefore the parking situation is not made worse in this scenario. The existing parking (for 2 vehicles) complies with Policy T2 of the NHLP, with adequate parking provision for the size of the property.
- 4.3.16 The development does provide a larger more useable garage building (despite not meeting HCC size standards). The wall and pillar work also allow for wider parking provision between the shared boundary wall and the existing property, as well as improved access and egress from the road to the new building by way of allowing for safer manoeuvrability and increased pedestrian visibility.
- 4.3.17 The Local Highway Authority has requested the provision of pedestrian visibility splays measuring 0.65m x 0.65m. However, notwithstanding the proposed relocation of the gate pillar by approximately one metre, the required visibility splays cannot be achieved due to the physical constraints of the existing site and boundary arrangement. Whilst the amended proposal does not fully satisfy the Highway Authority's requested specification, the relocation of the gate pillar would nevertheless improve pedestrian intervisibility when compared to the existing access arrangement. On balance, the proposal represents a material improvement over the current situation, despite the inability to achieve fully compliant pedestrian visibility splays. **Conditions have been included to secure highway safety.**

Environmental Implications:

- 4.3.18 The proposed development, by virtue of its limited scale in general terms together with the sustainable location 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.
- 4.3.19 It is acknowledged that there is a mature protected tree on the other side of the rear boundary of the application site. The pre-commencement condition for further information prior to development would help overcome this concern and protect the ongoing health and longevity of the tree.

Biodiversity Net Gain:

- 4.3.20 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 to it falling under the scope of the 'de minimis' exemption.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 **Alternative Options**

- 4.5.1 None applicable

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. No development, including any demolition, site clearance or groundworks, shall commence until a revised Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) have been submitted to and approved in writing by the Local Planning Authority.

The AMS and TPP shall include:

- oThe location and specification of all tree protection fencing and Construction Exclusion Zones (CEZs);
- oDetails of any ground protection required within Root Protection Areas (RPAs);
- oA construction methodology for all hard surfacing and structures within RPAs, including measures to avoid excavation and root disturbance;
- oDetails of any measures required to maintain soil moisture beneath impermeable structures or surfacing within RPAs where appropriate;
- oDetails of arboricultural supervision and monitoring during construction, where necessary.

The approved tree protection measures shall be installed prior to the commencement of development and retained for the duration of the construction period. The development shall thereafter be carried out in full accordance with the approved AMS and TPP.

Reason: To ensure the satisfactory protection and long-term retention of trees protected by a Tree Preservation Order, in the interests of visual amenity, biodiversity and the character of the area in accordance with Policy D1, D2 and NE2 of the North Herts Local Plan 2011 -2031

4. 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:

A plan detailing the site.

Access arrangements to the site.

Traffic management requirements. This especially if delivery or earth moving vehicles will be parked in Highbury Road at or near the access.

Construction and storage compounds

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.

Parking for construction vehicles.

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 Policy T1 of the North Herts Local Plan 2011-2031.

5. Details and/or samples of materials to be used on all external elevations, the proposed walls (including details of mortar and bond) and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

6. The window at ground floor level on the south elevation of the outdoor kitchen building 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.

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. 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 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:

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

2. Obstruction of public highway land: It is an offence under Section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in obstruction, the applicant must contact the Highway Authority before construction works commence. Further information is available via the link above or by telephoning 0300 1234047.
3. Debris and deposits on the highway: It is an offence under Section 148 of the Highways Act 1980 to deposit material or debris on a highway. Section 149 allows the Highway Authority to remove such material at the applicant's expense. All reasonable measures must be taken to ensure vehicles do not deposit mud, slurry or debris on the highway. Further information is available by telephoning 0300 1234047.

Signed <i>S. Kasparian</i> Sarah Kasparian	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 27 July 2026	