

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02640/FPH	Single storey front and rear extensions and hard landscaping works. Provision of 1 parking space and widening of existing vehicular access	2 Orchard Way Breachwood Green Hitchin Hertfordshire SG4 8NT

Submitted Plan Nos

3891 01C 02 04A

2.0 **Site History**

2.1 None relevant

3.0 **Representations**

3.1 **Neighbour Consultation** – one received

☐ Keepers Cottage, 2A Orchard Way:

- o Impact on the setting of this property as it is Grade II listed.
- o Proposed windows on the northeast elevation directed at this property.
- o Noise and light from proposed parking space on higher ground.

Kings Walden Parish Council – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is a semi-detached, single storey dwelling on the north side of Orchard Close in a residential part of Breachwood Green, Hitchin. The site has gardens to the front and rear.

4.2 **Proposal**

4.2.1 Single storey front and rear extensions and hard landscaping works. Provision of 1 parking space and widening of existing vehicular access.

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

4.3.2 Policy D1 of the Local Plan requires that development proposals respond positively to the site's local context, retain existing vegetation and minimise the visual impact of street furniture and parking provision. 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. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.

4.3.3 The proposed single storey front extension would have a width of 3.9m, a depth of 2.1m, extending from the front most wall by 0.8m and a dual-pitched gable roof with an eave's height of 2.4m and a peak of 3.5m. The proposed external materials would be buff brickwork for the walls, concrete interlocking roof tiles and white uPVC windows, all to match existing.

4.3.4 The proposed single storey rear extension would have a width of 3.8m, a depth of 3.9m and a hipped roof with an eave's height of 2.8m and a peak of 4.0m. The proposed external materials would be buff brickwork for the walls, concrete interlocking roof tiles and white uPVC windows, all to match existing.

4.3.5 The raised patio to the rear would be 3.0m by 3.6m with 2no. steps adding an additional 0.6m to the width and have a height of 0.5m.

4.3.6 The proposed parking space would be to the southeast of the site between the boundary line and pavement fronting a lay bay. The kerb would be dropped onto the unclassified road.

- 4.3.7 In my view, the scale of the proposed extensions would be a sympathetic addition to the dwelling and would not be considered disproportionate. The proposed roof form and materials are considered sympathetic to the dwelling and wider street scene and would not result in an adverse effect on the character of the dwelling. However, due to the positioning and access of the proposed parking provision off the rear of an existing lay by in the road, the proposed parking area is out of keeping with the locality. Hertfordshire County Council would not provide a dropped kerb for this application.
- 4.3.8 The proposal is considered to be contrary to Policies D1 and D3 of the Local Plan and would not be in accordance with paragraph 135 (a) of Section 12 of the National Planning Policy Framework. The proposed extended vehicle crossover is not considered to be in accordance with Hertfordshire County's Council Residential Dropped Kerb Policy.

Impact on Neighbours

- 4.3.9 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.
- 4.3.10 Regarding Keepers Cottage, no.2a Orchard Way, the grade II listed neighbour, the applicant would maintain a 1.8m fence along the boundary which would mitigate light pollution from the northeast elevation windows and parking bay. The noise created by a single parking space would not cause unacceptable harm. However, the addition of the 0.5m patio would reduce the efficacy of the fence with regard to the mitigation of overlooking and there is little to no vegetation to aid with screening. The proposed extensions would not cause unacceptable harm in terms of dominance or shading but would cause harm in terms of overlooking.
- 4.3.11 Regarding no.4 Orchard Way, the adjoining neighbour, this property has an existing rear extension and the proposed rear extension would be offset from the boundary by 1.2m. Given the depth and height of the proposed extensions, it would not cause unacceptable harm in terms of dominance, overlooking or shading.
- 4.3.12 Regarding the streetscene, the materials and form of the extensions are sympathetic to the dwelling and wider streetscene.
- 4.3.13 Regrading the new parking space, the efficacy of the current off-site parking bay would be reduced from a narrow entry to the proposed on-site parking. Additionally, due to tall vegetation, the entry/exit point would have restricted views to the neighbouring driveway, pedestrians and oncoming traffic, resulting in the potential to obstruct the pavement. Neighbour amenity is also affected by the proposed parking area being out of keeping with the locality.

4.3.14 This development is therefore considered not to be in accordance with Policy D3 of the NHLP nor Section 12 of the NPPF.

Heritage Impact

4.3.15 The application site abuts the site of Keepers Cottage, a grade II listed building. It is considered that the design of the proposed extensions would not cause harm to the setting of the listed building as they are subservient and would use sympathetic external materials. It is considered that a height of 0.5m for the proposed patio to the rear of the dwelling next to the 1.8m high fence would allow for harm to be caused by overlooking. While, the noise created by the proposed parking area would not cause unacceptable harm, it is considered to be out of keeping with the locality.

4.3.16 This development is therefore considered to cause unacceptable harm to the setting of a listed building.

Highways and Parking:

4.3.11 The proposal does not include an increase in the number of bedrooms. Therefore, no issues arise with regard to Policy T2 of the NHLP.

Environmental Implications

4.3.12 The proposed development would be consistent with the criteria set out in Policy D1 of the NHLP '*Sustainable Design*'. There are no other significant environmental implications as a result of the proposed development.

Biodiversity Net Gain:

4.3.13 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 In the absence of material planning reasons to the contrary it is my view that planning permission is **REFUSED**.

4.5 **Alternative Options**

- 4.5.1 None.

4.6 **Pre-Commencement Conditions**

- 4.6.1 None.

5.0 **Recommendation**

- 5.1 That planning permission be **REFUSED** subject to the following conditions

1. Due to the positioning and access of the proposed parking provision off the rear of an existing lay by in the road, the proposed parking area is out of keeping with the locality and contrary to Policies D1 and D3 of the Local Plan. In accordance with paragraph 135 (a) of Section 12 of the National Planning Policy Framework the proposal is refused for failing to function well and add to the quality of the area.
2. The proposed height of the patio to the rear of the dwelling would cause harm in terms of overlooking to the neighbour and is considered contrary to Policy D3 of the Local Plan 2011 - 2031.
3. The proposed extended vehicle crossover (VXO) is not in accordance with Hertfordshire County Hertfordshire County's Council Residential Dropped Kerbs Policy which states:

If the property already has a dropped kerb, we will only extend the existing access up to a maximum of four flat kerbs which equals 3.6m. Dropped kerbs will be no wider than four flat kerbs. This is the widest dropped kerb that we will allow. Drawing 01C illustrates approx. 3m extension which we would not provide.

The proposals are therefore contrary to Hertfordshire County's Council Residential Dropped Kerbs Policy.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied 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: 10 March 2025	