

DELEGATED FILE NOTE

CASE OFFICER: ...Tabitha Kaye.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01048/FPH	Part two storey and part single storey rear extension including first floor Juliet balcony following demolition of existing rear elements. Insertion of rear box dormer window with Juliet balcony and one rooflight into existing front roofslope to facilitate loft conversion. Single storey front extension, side entrance canopy, and alterations to fenestration including insertion of one additional first floor front window with repositioning of existing first floor front window, and insertion of side bunker windows at ground and first floor levels. Soft and hard landscaping including alterations to ground levels and installation of access steps to rear garden.	10 Kershaws Hill Hitchin Hertfordshire SG4 9AQ

Submitted Plan Nos

DR-A-001 DR-A-101 DR-A-102 DR-A-103 DR-A-201 DR-A-202 DR-A-203

1.0 Policies

SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding
SP9	Design and Sustainability
D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
T2	Parking

2.0 Relevant Site History

2.1 No relevant site history.

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – 2no. received in objection (No. 27 The Avenue, no.12 Hollow Lane) and 1no. received in support (no.11 Kershaws Hill – no reasons given). Comments are summarised below:

- More consideration needs to be given to side porch canopy;
- Overlooking of properties to the north from proposed rear extensions;
- Combined bulk of rear extensions would be above and beyond extensions to neighbouring dwellings.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site accommodates a semi-detached dwelling situated on Kershaws Hill, Hitchin. The site benefits from a front drive and a long, narrow rear garden. The levels to the rear of the site vary, with the dwelling being site at the top of a hill slope. The rear garden is enclosed by close boarded timber fencing which steps down in accordance with the land levels. The rear garden abuts the rear curtilage of no.12 Hollows Lane.

4.2 **Proposal**

4.2.1 Part two storey and part single storey rear extension including first floor Juliet balcony following demolition of existing rear elements. Insertion of rear box dormer window with Juliet balcony and one rooflight into existing front roofslope to facilitate loft conversion. Single storey front extension, side entrance canopy, and alterations to fenestration including insertion of one additional first floor front window with repositioning of existing first floor front window, and insertion of side bunker windows at ground and first floor levels. Soft and hard landscaping including alterations to ground levels and installation of access steps to rear garden.

4.3 Key Issues

4.3.1 The key issues for consideration are as follows:

- Design and impact on local character;
- Impact on neighbour amenity;
- Highways and parking matters;
- Impact on the environment;
- Biodiversity Net Gain (BNG).

Design and Impact on Local Character

4.3.2 Policies D1 and D2 of the North Hertfordshire Local Plan 2011-2031 (NHLP) require that development proposals respond positively to the site's local context. Policy D2 specifies that extensions to houses should be sympathetic to the main dwelling in terms of scale, form and orientation. These policies are broadly consistent with Section 12 of the NPPF.

Part two storey, part single storey rear extension

4.3.3 Dwellings along Kershaws Hill are typically semi-detached, two-storey dwellings with rear outrigger projections, as well as tall windows, brick detailing, and dual pitched roof forms. The design character along Kershaws Hill is generally consistent. No.13 Kershaws Hill presents an alternative two-storey extension design in place of the original outrigger. However, it should be noted that permission for this scheme was granted in 2021, prior to the current North Hertfordshire Local Plan 2011-2031 (NHLP), which was adopted in 2022.

4.3.4 The scale and design of the proposed part two-storey, part single storey rear extension would not be sympathetic to the character of the main dwelling. The single storey element would have a depth of 7.7m, a width of 4m, and a flat roof measuring 4.1m in height (measured from the lowest floor level). The two-storey element would be stepped in slightly but would maintain the width of the ground floor element. The two-storey element would have a flat roof measuring 6.8m in height (from lowest floor level). The combined bulk of the rear extensions, which almost matches the depth of the main dwelling and almost doubles the width of the existing outrigger, would appear obtrusive within the context of the main dwelling and narrow plot. Furthermore, the rear extension proposes horizontal, bunker style windows to the side, and large bifold doors to the rear, which would not respect the existing fenestration. The rear extension is therefore considered to be contrary to Policies D1 and D2 of the NHLP.

Box dormer extension

- 4.3.5 Rear flat roof dormer extensions are prevalent in the locality. From the rear garden of no.10 Kershaws Hill, a L-shaped dormer is visible at no.12 Kershaws Hill, and a box dormer is visible at no.8 Kershaws Hill. The dormer at no.8 was granted permission by virtue of permitted development rights. The L-shaped dormer at no.10 was granted prior to the adoption of current Local Plan. Notwithstanding this, both dormers are contained within the existing roof forms of their respective dwellings.
- 4.3.6 The proposed box dormer would have a depth of 6.7m and would match the width of the rear part two-storey, part single storey extension. The dormer would have a flat roof measuring 2.55m in height. In comparison to the scale of other dormers in the locality, the combined width and depth of the proposed dormer would appear incongruous and would not be subordinate to the main dwelling in scale and bulk. It is noted that the dormer would not be visible from the street scene and therefore would not impact the street character. Notwithstanding this, 'local context' is not limited to the street view, and the massing of the dormer at roof level would constitute a large and obvious addition in built form. The proposed dormer is therefore contrary to the requirements of Policies D1 and D2.

Proposed front extension, roof lights and side canopy

- 4.3.7 The proposed single-storey front extension would be modest in scale and would largely reflect the design character of the main dwelling in use of materials and vertical windows. Therefore, the proposed front extension is acceptable in design terms.
- 4.3.8 The proposed roof light to the front roof slope would be small in scale and would therefore have a minimal visual impact upon the character of the dwelling and the street scene. Therefore, the proposed front roof light is acceptable in design terms.
- 4.3.9 One neighbour objection questioned the design of the proposed porch canopy to the side of the main dwelling. The proposed porch canopy would be modest in scale and would respect the dual-pitched roof form which is characteristic of the locality. Therefore, I find that the proposed canopy is unobjectionable in design terms.

Proposed soft and hard landscaping

- 4.3.10 To the rear of the single storey element, the scheme proposes to install a small portion of steps which would lead into a patio area. Minimal details have been submitted of the patio area, aside from the fact it would be laid at the existing site level, which is acceptable in principle. In the context of the scheme, the steps would be largely functional and pose no design concerns. The reinstatement of close boarded timber fencing to the boundaries, design to match existing, is welcome.
- 4.3.11 To conclude, the proposed part two-storey, part single storey rear extension, as well as the proposed dormer, would be contrary to the requirements of Policies D1 and D2 of the NHLP and Section 12 of the NPPF. Notwithstanding this, the proposed front

extension, front roof light, porch canopy and landscaping would be acceptable in design terms, and therefore accord with Policies D1 and D2, and the provisions of the NPPF.

Impact on Neighbours

- 4.3.12 Policy D3 of the Local Plan permits development that does not result in acceptable harm to the amenity of neighbouring occupiers and encourages the use of mitigation measures where necessary. Policy D3 is generally reflected by the provisions of the NPPF.

Proposed part two storey, part single storey rear extension and box dormer

- 4.3.13 The combined bulk of the proposed rear extensions would cause unacceptable overbearing impacts to neighbouring dwellings. The current two-storey outrigger maintains a depth of 3m (measured from the rear elevation of the dwelling). In comparison, the single-storey element, which is proposed at an elevated level, would measure 7m in depth, while the two-storey element would measure 4.2m in depth. Combined with the width of these elements at 4m, the overall massing of the rear extension is considered to be unacceptable for a semi-detached dwelling which is sited within a narrow plot with inconsistent ground levels. Likewise, it is also considered that a box dormer of the proposed massing and projection at second floor level would appear overbearing to neighbouring properties. Thus, the proposed rear and dormer extensions would give rise to unacceptable overbearing impacts and are therefore contrary to Policy D3 in this regard.
- 4.3.14 Notwithstanding this, the rear extension would not cause unacceptable overshadowing impacts. Following the '45 degree rule', as outlined on plan DR-A-201, the rear extensions would cause unacceptable overshadowing to neighbouring residence no.9 Kershaws Hill. Due to the positioning of neighbouring dwelling no.11 Kershaws Hill to the east, and the positioning of the proposed extension to the north, overshadowing of no.11 would be minimal throughout the day. Likewise, overshadowing impacts from the dormer extension would be acceptable. Therefore, the rear and dormer extensions would not give rise to unacceptable overshadowing impacts.
- 4.3.15 Regarding overlooking impacts, one neighbour objection stated that the proposed rear extensions would give rise to unacceptable overlooking impacts to the north. While the land levels decrease to the north, dwellings along Hollows Lane and Kershaws Hill both benefit from long rear gardens. As such, there is a considerable distance between the site and neighbouring properties to the north. It is also noted that the proposed side 'bunker' windows would be positioned 1.7m above floor level, which is acceptable.
- 4.3.16 However, large bifold doors/Juliette balconies looking out into the garden are proposed at every level of the rear extension. Taking into account the deep projection of the rear extension above ground floor level, as well as the varied ground levels on site, I believe

that it is reasonable to suggest that the proposed glazing would give rise to the perceived overlooking of nos. 9 and 11 Kershaws Hill, and is therefore unacceptable.

4.3.17 Due to the scale and nature of the proposed front extension, front roof light, porch canopy and landscaping, these elements would not cause unacceptable neighbour amenity impacts.

4.3.18 On account of the unacceptable overbearing, and perceived overlooking, impacts created by the proposed rear extension, the scheme does not accord with the requirements of Policy D3 of the NHLP and Section 12 of the NPPF.

Highways and Parking

4.3.19 2no. parking spaces would be retained at the front of the property, which is sufficient for a 3no bedroom dwelling. Furthermore, the site is within a sustainable location close to the Hitchin town centre. The proposal therefore complies with Policy T2 of the NHLP.

Environmental Implications

4.3.20 Policy D1 of the NHLP outlines the Council's commitment to supporting climate change mitigation through the requirement for schemes to incorporate the principles of 'sustainable design'; with which the proposal is commensurate with, insofar as maintaining adequate parking provision on site to minimise the impact of off-street parking. Policy D1 is broadly consistent with the aims of Section 14 of the NPPF. There are no other environmental implications as a result of the proposed development.

Biodiversity Net Gain (BNG)

4.3.21 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** for the following reasons:

1. The scale and design of the proposed part two-storey, part single storey rear extension would neither be in keeping with the character of the locality, nor the main dwelling. The combined width and depth of the proposed dormer would not be subordinate to the main dwelling in bulk. Therefore, the proposed rear extension and box dormer would be contrary to Policies D1 and D2 of the North Hertfordshire Local Plan 2011-2031 and the provisions of the National Planning Policy Framework.
2. The combined bulk of the proposed rear extension and the box dormer would cause unacceptable overbearing impacts to neighbouring dwellings. The overall massing of the rear extensions is considered to be unacceptable for a semi-detached dwelling which is sited within a narrow plot with inconsistent ground levels. Thus, the proposed rear and dormer extensions would give rise to unacceptable overbearing impacts and are therefore contrary to Policy D3 of the North Hertfordshire Local Plan 2011-2031 and the provisions of the National Planning Policy Framework.

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: 12 June 2026	