

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01296/FP	Conversion of redundant garage/workshop to form one 1- bedroom dwelling to include alterations to fenestration, insertion of dormer window and rooflight, external render, parking and cycle storage area following partial demolition of existing three garages.	Building At The Rear Of 122 Nightingale Road Hitchin Hertfordshire SG5 1RG

Submitted Plan Nos

01 02 PL03B PL04A PL05A

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
SP2	Settlement Hierarchy and Spatial Distrib
SP9	Design and Sustainability
SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding

2.0 **Site History**

- 2.1 23/01243/FP - Change of use from storage to offices including insertion of dormer window to facilitate office space at first floor level. – Conditional Permission
- 2.2 22/02594/FP - Erection of one detached 2-bed dwelling, parking and hard and soft landscaping following demolition of existing garages and outbuilding - Withdrawn

3.0 **Representations**

3.1 **Neighbour Consultation –**

1x Objection:

- Losses of privacy from overlooking would arise for the kitchen, garden and bathroom from dormer window if it would allow for sideward views.
- Construction works would potentially enable overlooking if workers are on the boundary.
- Noise, disruption and access issues would arise from vehicle movements to and from the site. Potentially harming enjoyment of their property outside of normal working hours such as on weekends.
- Potential for damage to boundary wall given its poor existing state
- Objects to the siting of any new window or opening that would allow for views into garden or windows.

- Risk of opportunistic crime from the gate being left open.
- Prospective harms to trees and wildlife may be unacceptable. Risk to longevity of tree(s).

3.2 **Ecology** - No ecological information has been provided, and the proposal is not subject to BNG. No comments

3.3 **Environmental Health -**

Air Quality: Recommends standard EV Charger condition and informative.

Contamination: No Objection. Recommends conditions.

Noise: No Objection.

3.4 **Highways** – Does not wish to restrict grant of permission. Recommends conditions. Development is unlikely to generate extra vehicle movements which would lead to harm to the free flow and capacity of the roads.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site comprises an existing building and associated land to the rear of No. 122 Nightingale Road and No. 29 Radcliffe Road. It is located within Hitchin. The building appears to have most recently been used for office space.

4.2 **Proposal**

4.2.1 Full Planning Permission is sought for:

Conversion of redundant garage/workshop to form one 1-bedroom dwelling to include alterations to fenestration, insertion of dormer window and rooflight, external render, parking and cycle storage area following partial demolition of existing three garages.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The principle of the development.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The standard of amenity afforded to future occupiers.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

Principle of Development:

- 4.3.2 The site is within the settlement boundary of Hitchin. Policy SP2 advises that housing will be located within the adjusted settlement boundary of Hitchin. Given that the site is within the settlement boundary, the proposed development would comply with Policy SP2 and the principle of development is supported subject to other material planning considerations.

Sustainability:

- 4.3.3 The three pillars of sustainable development are the economic, social and environmental pillars. The proposal would provide economic benefits by the use of local contractors and businesses for construction, maintenance and other servicing when occupied. Social benefits would arise from the provision of a dwelling to contribute to the district housing land supply, which the LPA cannot presently demonstrate a 5-year housing land supply. The site is considered to be in a sustainable location due to its location within Hitchin with amenities and public transport nodes in close proximity. Therefore, the sustainability of the development is acceptable.

Design and Appearance:

- 4.3.4 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.

Layout

- 4.3.5 The application building is to the rear of No. 122, with access afforded by vehicle from Radcliffe Road through a narrow entrance way between two dwellings and a gate. The conversion would include a modest amenity space, and would be accessed from the side elevation through a door. The building is located behind the established building lines of both Nightingale Road and Radcliffe Road, and would be set to the rear of properties on Garden Row. The prevailing grain of development found locally comprises buildings facing onto their respective roads. The site is therefore considered to be at odds with this grain of development given its location to the rear of the buildings, with a contrived means of access and parking and given it would form a back-land plot. This would therefore not be supported by the local grain of development, and would be a harmful addition to the locality. Furthermore, its layout, by reason its cramped position in relation to nearby boundaries and its modest area of amenity is not considered to be compatible with a residential use. It is acknowledged that the building is existing and is advised as having been occupied for office purposes, however, the use of the building for residential purposes would remain as being contrived, would be contrary with similar decisions within the district, and a dwelling in this location would not demonstrate good design that is reflective of the local area. The changes to the site to demolish the garages to create parking spaces, are considered to occasion a neutral impact to the grain of development owing to their existing use for parking.

Scale and Design

The proposal seeks to introduce a dormer window, a new side door, a roof light, a flat roof over the ground floor space, the creation of an enclosed amenity space with storage

for refuse & cycles and the part demolition of three garages and their designation as parking spaces. Overall, these amendments are designed to convert the building into residential use. It is considered that the introduction of the dormer would appear contrived, and would sit within an area without other dormer windows. Therefore, its appearance would be at odds with the local roofscape, with this being exacerbated by its low level compared to other two storey roofs. Other elements of the design are considered to occasion a neutral impact, however, these would not overcome the above concerns with regards the location of the development and the provision of the dormer window.

- 4.3.6 The proposed development is therefore considered to run contrary with Policy D1 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The design and appearance are therefore not considered to be acceptable.

Standard of Amenity for Future Occupiers:

- 4.3.7 The proposed internal floor space for the dwelling would exceed the minimum space required for a dwelling of this size, as required by the Nationally Described Space Standards. Approximately 22 sqm of amenity space is proposed within a private courtyard. This space would be shared with bin and a cycle storage. It is noted that the dwelling would benefit from a parking area, however, this would not be a private amenity space. It is therefore considered that insufficient amenity space would be provided when considering the land-take for cycle and bin storage within the courtyard. The building would be single aspect with rooflights. The layout is considered to be contrived and would fail to deliver a sufficient quality of accommodation. Nearby buildings would benefit from windows looking towards the building. It is considered that the low level of the building and the confined nature of its amenity space is considered to suitably mitigate losses of privacy for future occupants.

Impact on Neighbouring Properties:

- 4.3.8 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.9 The proposal seeks to enlarge the building by introducing a dormer window to the pitched roof. The dormer would be set away from nearby windows and is therefore not considered to result in dominance or losses of light for these neighbours. The dormer would face towards No. 122 Nightingale Road and would sit approximately 10m from the shared boundary to the amenity space these flats benefit from. It is not considered to overlook this space to an unacceptable degree and given the already overlooked nature of the area this would not be unacceptable. It would sit approximately 20m from the windows serving this property and given its low level would not cause unacceptable and material harm to the amenities enjoyed by this neighbour. Noise generation from the operation of the building for residential purposes is not considered to be unacceptable, and it is noted that as existing a garage and parking court provides access, therefore generating noise as existing.

- 4.3.10 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Environmental Implications:

- 4.3.11 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. The development is not required to deliver BNG as a result of it meeting an exemption whereby on-site habitat would not be detracted from.

Impact on Highway Network and Parking Levels:

- 4.3.12 Highways have not objected to the proposal. They do not consider that unacceptable impacts to the safe operation of the highway would occur as a result of vehicle trip generation to and from the site. The site benefits from an existing access, and this is not considered to be objectionable. Proposed is a cycle store, affording sustainable transport methods in addition to the nearby public transport nodes. The dwelling would benefit from a parking space, therefore meeting the minimum standard set by the Parking at New Developments SPD.
- 4.3.13 I do not consider that the development is likely to result in harm to local parking levels and would be unlikely to impact upon the safe operation of the highway locally. The development would therefore comply with Policies T1 and T2 of the Local Plan 2011-2031.

4.4 **Conclusion and Planning Balance**

- 4.4.1 The proposed development is not considered acceptable and is not considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. The benefits associated with delivering a dwelling on a windfall site are not considered to outweigh the harms to local character and design and the poor standard of accommodation afforded to future occupants.
- 4.4.2 Refuse planning permission.

4.5 **Alternative Options**

- 4.5.1 None applicable.

5.0 **Recommendation**

- 5.1 That planning permission be **REFUSED** for the following reasons:

1. The proposed conversion of the building into residential use, by reason of its siting, scale and layout would appear as a discordant and cramped development harming the established character of a well laid out and considered local context. The proposal fails to respond positively to the sites local context, would fail to maintain the character of the site's surroundings and would not create or enhance the public realm. Accordingly, the proposal fails to comply with the policy provisions of the development plan, specifically, Policies SP9, and D1 of the North Herts Local Plan, as well as Section 12 of the National Planning Policy Framework.
2. The proposed development, by reason of the restricted plot size , would fail to provide sufficient amenity space provision for the prospective future occupiers of the new dwelling resulting in poor living conditions. As such the the proposals would fail to meet the requirements of Policy D1 and D3 and Appendix 5 of the Local Plan and Section 12 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: 28 July 2026	