

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02893/FPH	Erection of rear outbuilding following demolition of existing detached garage. Erection of front replacement boundary wall; raise front and rear garden levels and hardscaping works	55 Old Hale Way Hitchin Hertfordshire SG5 1XJ

Submitted Plan Nos

A010 B A105

1.0 Policies

D1	Sustainable design
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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 **Site History**

2.1 17/00101/1PUD - Hip to gable side roof extension, insertion of rear dormer window and insertion of two rooflights to front roofslope to enable the conversion of the loft for use as ancillary habitable accommodation.

Granted

15/01239/1HH - Single storey rear extension

Conditional Permission

3.0 **Representations**

3.1 **Neighbour consultations** – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a semi-detached, two-storey dwelling on the west side of Old Hale Way, Hitchin. Gardens exist to the front and rear, along with a driveway and garage.

4.2 **Proposal**

- 4.2.1 Erection of rear outbuilding following demolition of existing detached garage. Erection of front replacement boundary wall; raise front and rear garden levels and hardscaping works

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 outbuilding would have a width of 3.5m, a depth of 6.6m and a dual-pitched roof with an eave's height of 2.3m and a peak of 4.0m. The external materials would be facing brick for the walls, plain roof tiles
- 4.3.4 The existing low-level brick garden wall would be replaced with the proposed brick garden wall measuring 5.5m in length, a maximum of 0.4m in depth with a minimum height of 0.9m and a maximum height of 1.3m.
- 4.3.5 The proposed new paving to the rear of the dwelling would be 100mm higher than existing and the adjacent lawn area would be graded up to meet it.
- 4.3.6 The proposed works to the front lawn area would reduce its depth along the driveway and raise it to meet the paved area.
- 4.3.5 In my view, the scale of the proposed extension 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.
- 4.3.6 This is considered to be in line with Section 12 of the National Planning Policy Framework and Policies D1, D2 and D3 of the Local Plan.

Impact on Neighbours

- 4.3.7 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.
- 4.3.8 The proposed outbuilding would be as visible from the streetscene as the existing garage and be set back a similar distance from the highway. There are a variety of garages and outbuilding along the streetscene with a similar existing outbuilding to that proposed at no.39 Old Hale Way.
- 4.3.9 There are various front garden walls along the streetscene of varying heights, most of which are facing brick. Therefore, the proposal would not harm the streetscene.
- 4.3.10 The raised garden level to the front of the dwelling would match the height of the new paving, so would not harm the streetscene.
- 4.3.11 The raised patio level to the rear of the property would add 100mm in height to the patio. Given the height of the fence along the shared boundary and that this is a small increase, it is not considered that this would cause unacceptable harm in terms of overlooking.

- 4.3.9 Regarding no.57 Old Hale Way, the non-adjoining neighbour, this dwelling is already used to built form from the existing garage. Though the proposed outbuilding would be taller than the existing garage and be closer to the shared boundary line, it would remain set back from the boundary by 1.0m, has a dual pitched roof with an eaves height of 2.3m and includes no windows on the side elevation facing no.57. As such, it is not considered that the proposal would result in unacceptable harm upon the no.57's living conditions, as there would not be unacceptable harm caused in terms of over dominance, shading or overlooking.
- 4.3.10 Regarding no.53 Old Hale Way, the adjoining neighbour, while taller, the proposed outbuilding would be set back at a similar distance to the existing garage at the full width of the dwelling. As such, it is not considered that the proposal would result in unacceptable harm upon the no.53's living conditions, as there would not be unacceptable harm caused in terms of over dominance, shading or overlooking.
- 4.3.11 This development is therefore considered to be in accordance with Policy D3 of the NHLP and Section 12 of the NPPF.

Highways and Parking:

- 4.3.12 The proposal does not include an increase in the number of bedrooms. The proposed removal of the garage would reduce parking provision on the site; however, the driveway would still remain large enough for 2no. parking spaces. Therefore, with regard to Policy T2 of the NHLP, there would be no car parking issues arising from the development.

Environmental Implications

- 4.3.13 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:

- 4.3.14 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 acceptable and in accordance Policies D1, D2, D3, T2 of the NHLP 2011-2031 and Sections 12 and 14 of the NPPF.

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 **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.

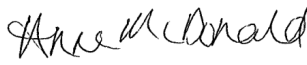
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 10 March 2025	