

Location: **Land Adjacent
Coach Drive
Hitchin
Hertfordshire**

Applicant: **Mr & Mrs Fiore**

Proposal: **Erection of one detached 4-bed dwelling including
creation of vehicular access off Gosmore Road**

Ref. No: 20/02573/FP

Officer: **Ben Glover**

Date of expiry of statutory period: 04/01/2021

Extension of statutory period: 14/04/2021

Reason for Call in: The application has been called in if minded to approve by Cllr Harwood and Cllr Thake for the following reasons:

- "Significant departure from the established tone of the area and in that respect, would seem to be overdevelopment of the site. I consider that such a change would be a matter of wider public interest"
- "The development is clearly **Infill / overdevelopment** on a very mature sight. Wedged in between two / three established and characterful houses. I actually am surprised the neighbouring house (the existing plot) is not listed?"
- As such the development is clearly '**out of character**' with the area.
- And in my opinion, whilst I suspect not statistically, leads to too high a density of buildings (for the area)
- The plot, as I have personally witnessed, is a split of a mature and established garden following the sale of the property the building site is within.
- I believe that it is highly likely that the access from Gosmore road is potentially a **dangerous access point** on a blind bend (when approached from Three moorhens roundabout end)
- Finally I am concerned about the removal of mature trees at the back of the property which will likely see a huge loss of privacy to neighbouring properties."

1.0 **Submitted Plan Nos.:**

- 3606/01 – Location Plan
- 3606/09 – Proposed Site Plan
- 3606/10B – Proposed Ground Floor Plan and Front Elevation
- 3606/11B – Proposed First Floor Plan and Elevations

2.0 **Planning Policies:**

2.1 **North Hertfordshire District Local Plan No.2 with Alterations**

Policy 8 – Development in towns
Policy 26 – Housing proposals
Policy 55 – Car Parking Standards
Policy 57 – Residential Guidelines and Standards

2.2 **National Planning Policy Framework**

Section 2 – Achieving sustainable development
Section 5 – Delivering a sufficient supply of homes
Section 9 – Promoting sustainable transport
Section 11 – Making effective use of land
Section 12 – Achieving well-designed places

2.3 **North Hertfordshire Draft Local Plan 2011-2031 - (Approved by Full Council April 2017)**

SP1 – Sustainable Development in North Herts
SP2 – Sustainable Hierarchy
SP5 – Countryside and Green Belt
SP8 – Housing
SP9 – Sustainable Design
D1 – Sustainable Design
D2 – House Extensions and Replacement Dwellings
D3 – Protecting Living Conditions
T2 – Parking

2.4 **Supplementary Planning Document**

Vehicle Parking at New Development SPD

3.0 **Site History**

3.1 96/01031/1HH - Detached dwelling (Design, external appearance and landscaping reserved) – Refused on 17/10/1996.

4.0 **Representations**

4.1 **Site Notice:**

Start Date: 17/11/2020 Expiry Date: 10/12/2020

4.2 **Press Notice:**

Start Date: N/A Expiry Date: N/A

4.3 Neighbouring Notifications:

The owners/occupiers of No. 15, 15A Coach Avenue, 14, 16 Lister Avenue and Park Lodge, Gosmore Road were notified on 10/11/2020. Representations have been received and are summarised below:

15 Coach Drive (Objection):

- Impact upon privacy, residential amenity wellbeing and quality of life.
- Development would overlook gardens across Coach Drive and Lister Avenue due to its height, overbearing scale and position.
- Proposed plot is higher and emphasises impact on homes on Coach Drive.
- Development will increase density of homes which is out of historic character along Gosmore Road where infilling has been previously rejected.
- Size of dwelling is too big and overbearing for the plot.
- Development would alter the fabric of the area and amount to cramming in what is currently a low density area.
- Loss of outlook and amenity.
- Dangerous vehicular access.
- Loss of large established trees.

16 Lister Avenue (Objection):

- Loss of light, amenity and quiet enjoyment of home and garden.
- Development would be out of keeping with the adjacent properties in Gosmore Road.
- Large area of hard standing and house would spoil views.
- Impact on vegetable garden due to loss of light.
- Infill development.
- Dangerous vehicular access.
- Impact on property value.
- Impact on neighbouring amenity.

14 Lister Avenue (Objection):

- Impact on privacy due to close proximity and scale of proposed dwelling.
- Human Rights Act, Right to Privacy.
- Loss of privacy worsened by the removal of two large conifer trees that are acting as a screen.
- Loss of light to property.
- Overdevelopment of plot.
- Impact on value of home.

8 Lister Avenue (Objection):

- Overdevelopment in the area.
- Not in keeping with the historic planning and development along Gosmore Road.
- Would represent a large and overlooking eyesore.
- Affect value of home.

12 Lister Avenue (Objection):

- Concern about impact of privacy and quality of life.
- Development would result in overlooking to local residents impacting family life and mental health.
- Development would overlook gardens and directly into homes.
- Increasing the density of properties along Gosmore Road.
- Not in keeping with current distance of homes.
- Footprint is too big and overbearing.
- Size of dwelling would be dominant and oppressive for the plot resulting in visual impact.
- Less than 1m to the side boundaries.

11 Lister Avenue (Objection):

- Overdevelopment of the plot. This part of Gosmore Road features substantial and large plots.
- Infilling developments have previously been rejected. Approving would potentially set a precedent.
- Development would reduce privacy.
- Vehicle access is dangerous.

18 Lister Avenue (Objection):

- Increase density and would be out of character with Gosmore Road.
- Narrow plot with less than 1m to side boundaries.
- Dangerous vehicle access to site.
- Loss of large established trees.

4.4 Parish Council / Statutory Consultees:

HCC Highways – No objection subject to conditions and informatives.

Environmental Health (Noise) – No objection subject to informatives.

Environmental Health (Air Quality) – No objection subject to conditions and informatives.

Environmental Health (Contaminated Land) – No objection

Archaeology – No comments

Waste and Recycling – No objection.

5.0 Planning Considerations

5.1 Site and Surroundings

- 5.1.1 The application site is a residential garden in the ownership of No. 17 Gosmore Road, which is a property situated within a predominately residential area of the edge of Hitchin. The application site is not situated within the Green Belt and is not within a Conservation Area.

5.2 Proposal

- 5.2.1 Planning permission is sought for the erection of a two storey detached dwelling to the south of the existing residential property within the plot. The proposed dwelling would measure 11.5m wide, 11m in depth and 7.5m in height with 2.7m to the eaves. The development would feature a part hipped, part catslide roof form with two front facing and one rearward facing dormer windows.

5.3 Key Issues

- 5.3.1 The key issues for consideration are as follows:

- Principle of the proposed development in this location.
- The acceptability of the design of the proposed development and its impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The standard of amenity for future occupiers of the dwelling.
- The impact the development would have on car parking provision and highways safety.
- The sustainability of the proposed development and its impact on the environment.

Principle of Development:

- 5.3.2 The application site is situated within the town of Hitchin. Policy 9 of the Saved Local Plan states *“Within the towns of Baldock, Hitchin, Letchworth, and Royston, and at North East Stevenage (Policy 4), the Council will normally permit proposals to meet the majority of the development needs of the District if the aims of other relevant policies are met”*.

- 5.3.3 As per Policy 8 of the Saved Local Plan and Policy SP2 of the Emerging Local Plan, the general principle of development, including new dwellings, in Hitchin is acceptable. Furthermore, the Local Planning Authority is currently unable to demonstrate a five-year supply of deliverable housing sites.

- 5.3.4 Paragraph 11 of the National Planning Policy Framework (2018) and its “presumption in favour of sustainable development” is engaged as follows:

“For decision taking... granting permission unless... any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole”.

- 5.3.5 The proposed development would result in the gain of one additional housing unit that would contribute toward additional housing within the district. The acceptability of the proposed development therefore relates to the detail to be will be discussed below.

Design and Appearance:

- 5.3.6 The NPPF attaches great importance to the design of the built environment, stating *“the creation of high quality buildings and places is fundamental to what the planning*

and development process should achieve". The NPPF goes on to states that "Good design is a key aspect of sustainable development, creates better places in which to live and work and helps makes development acceptable to communities". The aims of the NPPF are reflected in the Saved Local Plan in Policy 57 and in the Emerging Local Plan Policy D1.

- 5.3.7 Policy 57 of the Saved Local Plan sets out the guidelines and standards for residential development. Policy 57 states under Guideline 1 that *"each new development must relate to the site's physical shape and existing features, and the character of the surroundings".* The guideline goes on to states that *"the concern for the site and surroundings is equally, if not more, important for small developments. For example, single dwellings... can have a disastrous impact on the street scene... due to insensitivity to the scale of the surrounding buildings or the use of the wrong type of materials".*
- 5.3.8 Guideline 2 of Policy 57 relates to design and layout of new residential development. The guideline suggests that *"the design and layout of new houses should be acceptable to most people in visual, functional and social terms, whether as residents of as visitors".* The guidelines goes on to state *"to achieve the highest standards of design, housing proposal should relate to and enhance their site and surroundings"*
- 5.3.9 Policy D1 of the Emerging Local Plan states that development proposal should *"respond positively to the site's local context".* Policy D1 is reflected in Paragraph 127 (c) of the NPPF which states that development should be *"sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change".*
- 5.3.10 The locality consists of a wide variety of dwellings with differing architectural designs, size of plot and no uniform building line. The proposed dwelling would sit on within a residential garden between No. 17 Gosmore Road and 16 Lister Avenue and would be of similar design and appearance to the No. 17 Gosmore Road due to the use of a similar roof form, materials and arts and crafts design.
- 5.3.11 Whilst the plot allocated for the dwelling is relatively narrow in comparison to neighbouring plots, the development would remain sympathetic to local character and is considered to be visually acceptable within the street scene. Furthermore, it is noted the development would in sections be within 1m of the party boundaries. However, given there is no reasonable prospect of two storey side extensions that would result in the area appearing terraced. No objection is raised to the proximity of the proposed dwelling to the party boundaries.
- 5.3.12 Given the above, it is considered that the development would be visually attractive, would add to the overall quality of the area and be sympathetic to local character and history. The development proposed would be in compliance with Policy 57 of the Saved Local Plan, Policy D1 of the Emerging Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework.

Impact on Neighbouring Properties:

- 5.3.13 A core 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 57 of the Local Plan and D3 of the Emerging Local Plan.

- 5.3.14 The application site is neighbouring by No. 17 Coach Drive to the north, No. 16 Lister Avenue to the south and No. 14 Lister Avenue to the east. Nos. 15 and 15a Coach Drive are north of the site and are considered to be set away from the proposed dwelling.
- 5.3.15 The proposed dwelling would occupy a relatively central position within the partitioned plot and would measure 7m in height when measured to the top of the side gables. Furthermore, the development would occupy a similar building line to that of No. 17 Coach Drive and would therefore not project unacceptably beyond the front and rear elevations of the property to the north. The development would not result in any unacceptable overbearing impact upon the current and future occupiers of No. 17 Coach Drive.
- 5.3.16 To the south of the application plot is No. 16 Lister Avenue. No. 16 is a two storey detached dwelling that faces the opposite direction to properties along Coach Drive. The proposed dwelling would project beyond the rear elevation of No. 16 Lister Avenue by approximately 10m. Whilst projecting beyond the rear of the neighbouring dwelling, the development would be set off the boundary by between 900mm to 1m and would not be of substantial height with 7m to the roof ridge and 2.7m to the eaves. Furthermore, the proposed development is sited to the north of No. 16 Lister Avenue and therefore when considering the path of the sun throughout the day, the proposed dwelling would not result in any unacceptable loss of light or direct sunlight.
- 5.3.17 No. 14 Lister Avenue is situated to the east of the application site. The rear elevation of the neighbouring property faces in a north west direction. The rear elevation of the proposed development would be set approximately 26m from the rear elevation of No. 14 Lister Avenue. Whilst Policy 57 of the Saved Local Plan states “*a distance of 30 metres between the rears of dwellings may achieve a minimum degree of privacy*”, the neighbouring properties rear elevation to the rear of the application site is at an acute angle. Therefore the 26m separation and the angle between the sites would limit any overlooking impact into the rear of the neighbouring property.
- 5.3.18 Given the above, it is considered that the proposed dwelling would not result in any unacceptable overbearing impact or loss of light, privacy or amenity to nearby occupiers. The proposed development would be in compliance with both local and national planning policies.

Standard of Amenity for Future Occupiers:

- 5.3.19 Paragraph 127 (f) of the NPPF states that “*decisions should ensure that developments... create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity of future and existing users*”. Paragraph 127 (f) is reflected in Guideline 8 of Policy 57 in the Saved Local Plan and Policy SP9 of the Emerging Local Plan.
- 5.3.20 The proposed development would provide sufficient living accommodation within the dwelling. The dwelling would also benefit from a sufficient level of privacy and access to natural light given the proposed layout of the scheme and the relationship with

existing properties within the vicinity. Furthermore the future occupants would benefit from a large private garden to the rear of the site and access to off-street car parking.

Sustainability:

5.3.21 Paragraph 8 of the NPPF sets out three aspects to sustainable development: economic, social and environmental. The principles identified within the NPPF are reflected within SP1 of the Emerging Local Plan.

5.3.22 The application site is situated within Hitchin. The development would benefit from immediate access to a bus stop linking Hitchin and Luton situated to the front of the application site and therefore offering sustainable alternative transport options to the future occupiers of the dwelling. The site is also within walking distance of shops, pubs and services along Stevenage Road. The site is therefore considered to be within a sustainable location.

5.3.23 The development of the site would provide a limited economic boost as a result of the construction of the dwelling and supply chain. The benefits that would arise as a result of the proposal would be modest and the environmental benefits would be neutral at best.

Highways and Parking:

5.3.24 Hertfordshire County Council have raised no objection and consider that the development would result in no detrimental impact upon the safe operation of the highway.

5.3.25 The development would provide at least two off-street car parking spaces for the future occupiers of the site. This would be in compliance with the NHDC Vehicle Parking at New Development SPD.

Landscaping:

5.3.26 The development would result in the removal of shrubbery and planting within the site including a hedge to the rear of the site. The larger trees to the front of the property would be retained as identified on the proposed site plan.

Climate Change Mitigation:

5.3.27 In response to consultation the Councils Environmental Protection Officers have not raised any concerns relating to the development that cannot be adequately covered by the imposition of conditions and informatives relating to Land Contamination, noise and nuisance and air quality.

5.3.28 In the event of permission being granted, a condition to include electric vehicle charging will be included to aid in mitigating the environmental impacts of car ownership on the site. Overall the proposals meet the aims of Policy D1 'Sustainable Design' of the ELP.

Site Assessment:

- 5.3.29 Due to the current COVID pandemic, a site visit has not been possible. The site has therefore been assessed based on plans, the design and access statement and photos contained within the design and access statement. Google Maps has also been used as a tool to aid in the assessment of the case.

5.4 **Conclusion**

- 5.4.1 The proposed development is considered to be acceptable and to comply with the necessary provision of both the existing and emerging local plans and the core principles set out within the National Planning Policy Framework. Given that the development would not result in any adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme, it is recommended that planning permission be granted subject to conditions and informatives.

5.5 **Alternative Options**

None applicable

5.6 **Pre-Commencement Conditions**

I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

6.0 **Legal Implications**

- 6.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

7.0 **Recommendation**

- 7.1 That planning permission be **GRANTED** subject to the following conditions:

1. 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.

2. Details of materials to be used on all external elevations 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.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, C and E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area.

4. Prior to occupation, each dwelling shall incorporate one Electric Vehicle (EV) ready domestic charging point and it shall thereafter be retained.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

5. Prior to the commencement of the development hereby permitted the vehicular access shall be provided 3.0 m wide and thereafter retained at the position shown on the approved plan drawing number 3606 09. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

6. The access shall be constructed in a hard surfacing material for at least the first 6.0 metres from the back edge of the footway.

Reason: To prevent extraneous material from passing onto the public highway which may be detrimental to highway safety and to ensure satisfactory access into the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan

Reason: To ensure satisfactory access into the site and avoid carriage of surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

7. The access shall be constructed in a hard surfacing material for at least the first 6.0 metres from the back edge of the footway.

Reason: To prevent extraneous material from passing onto the public highway which may be detrimental to highway safety and to ensure satisfactory access into the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan

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.

Informative/s:

1. EV CHARGING POINT SPECIFICATION INFORMATIVE:

Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments).

- o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed determination point within a garage or an accessible enclosed termination point for future connection to an external charge point.

- o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).

- o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

2. External materials informative:

Further to condition X (external materials), with regards to submitting details to the Council when an application to discharge the condition is made, in the first instance please provide a website link / photographs / brochure details of the proposed material choice. If it is necessary to submit an actual sample, this Council will only accept a single brick or tile or sample panel without prior agreement. If you need to submit a sample larger than this, please contact the named case officer for your discharge of condition application to determine if the materials are to be viewed on

site or if it / they can be delivered to the NHDC Council Offices. In the event that a larger sample is delivered to the Council Offices please ensure that you arrange collection / removal of the sample once the discharge of condition application is agreed.

3. Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire - Highway Design Guide". Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
4. During the construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.
5. During the change of use phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.