

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02818/FPH	Insertion of windows and doors to existing garage to facilitate conversion of garage into habitable accommodation, (as per planning approval 20/02113/FPH approved 19th November 2020) and erection of detached garden store.	2 Kingsoak Hitchin Hertfordshire SG4 7BF

Submitted Plan Nos

2428-PL-100 2428-PL-200

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild

D3	Protecting living conditions
HS6	Relatives and dependents accommodation
T1	Assessment of transport matters
T2	Parking
SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding

2.0 **Site History**

- 2.1 22/00677/FPH - Single storey side extension and single storey rear extension (as amended by plans received 14 July 2022). – Conditional Permission
- 2.2 20/02113/FPH - Insertion of windows and doors to existing detached garage to facilitate conversion of garage into habitable accommodation – Conditional Permission
- 2.3 20/01306/FPH - Single storey front and rear extensions plus internal modifications. – Conditional Permission

3.0 **Representations**

3.1 **Neighbour Consultation –**

3x Objection:

- Development is not in accordance with planning policy.
- Fails to comply with design guidelines, exhibiting appearance of an independent dwelling. Independent access, amenities & utilities would result in autonomy from host dwelling.
- Questions whether suitable need is demonstrated.
- Access should be within the garden to retain subservience.
- Potential concern from unauthorised use of building for occupants outside of those permitted by policy HS6.

- Concern regarding prospective harm to parking levels in the area. Lack of compliance with parking standards.
- Clear way needs to be maintained for access by refuse, gas and other heavy goods vehicles to access and egress the site.
- Harmful precedent would be set by development.
- Concern regarding accuracy of description of development.
- Incongruous form of development that would appear out of place in the locality.
- Harm to local character and significance of site.
- Privacy concerns for neighbouring land in use by school.
- Safety concerns by introducing doorway onto parking area.
- Unbalancing of appearance of barn style garages.
- Request to retain garage door appearance and to introduce openings to alternative elevations.
- Lack of maintenance access.
- Questions prospective conversion into a residential dwelling.
- Precedent set for nearby garages to be converted.

1x Support:

- Advises lack of difficulty finding parking when visiting the area.

3.2 **Parish Council** – “Resolved. It was agreed to object to over development and if approved a condition considered that the additional development remains as part of the property”

Councillors were given the opportunity to call the application in, though no indication to call the application in to committee was received. Delegated control remains.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 No. 2 Kingsoak comprises a semi-detached single storey dwelling off Kingsoak, a group of dwellings in Hitchin.

4.2 **Proposal**

4.2.1 Planning permission is sought for:

- The insertion of windows and doors into an existing garage to facilitate its conversion into habitable accommodation. As a resubmission of planning approval 20/02113/FPH approved 19th November 2020, now expired.
- The erection of a detached garden store.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The principle of the development in the green belt and for the erection of an annex.
- The acceptability of the design of the proposed development and its resultant 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 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 – Residential Annex:

- 4.3.2 Policy HS6 relates to the provision of accommodation for relatives and dependents. This policy sets the following requirements for residential annexes:

Permission will be granted provided that:

- a) a genuine need for the accommodation is demonstrated;*
- b) the annex is subordinate to the main dwelling and designed in such a way that it can be easily (re-)incorporated into the main house if use as an annex ceases;*
- c) any development would not exceed the size of extensions that would otherwise normally be acceptable; and*
- d) the occupation of the accommodation is restricted by condition.*

The applicant has provided justification for the annex, advising that it is necessary to provide accommodation for an elderly dependent related to an occupant of No. 2. Further information has been provided to support this. I consider that a) would be met by this information. Matters pertaining to b) are considered in the design section of this report, and subject to the design being considered acceptable, would result in compliance with b) and c). Given that the garage can be reverted back to storage use, I consider that the second section of b) would be met. Subject to approval, d) would be met by the restriction of the accommodation by condition. In the round, policy HS6 would be complied with.

Principle of Development – Green Belt:

- 4.3.3 The site is within the Green Belt as allocated within the Local Plan. Paragraph 153 of the NPPF advises that significant weight should be given to any harm to the Green Belt that arises from development unless Very Special Circumstances can be demonstrated to outweigh this harm. Paragraph 154 of the NPPF advises that the erection of new buildings should be regarded as inappropriate development unless the development comprises one of the exceptions listed under this section. Exception c) advises “*the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*”.
- 4.3.4 It is considered that the proposed garage conversion would fall within the scope of exception c). The proposed development would not result in the enlargement of the built form of the dwelling, and would therefore not result in disproportionate additions over the original building. The development would not constitute inappropriate development in the Green Belt.
- 4.3.5 Paragraph 143 of the NPPF states the five purposes of the Green Belt. In my opinion, the proposed development does not contradict with any of the five purposes. Given the above, the proposal is not inappropriate development in accordance with Section 13 of the NPPF and is therefore compliant with Policy SP5 of the Local Plan.

Design and Appearance:

- 4.3.6 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. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings 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.
- 4.3.7 The proposed alterations to the garage would be visible within the parking area adjacent to the building, from nearby dwellings and would be viewed in the context of the adjoining garage buildings. Given the residential nature of this area, I do not consider that the creation of habitable accommodation would appear out of place in this location. The proposed doors, rooflights and windows would alter the appearance of the garage block, however, I do not consider that they would detract from the character and appearance of this garage block and this part of the site. The proposed garden store would be within the rear garden, and would therefore be obscured from view from the public realm. Its height, scale and use would remain subservient to the host dwelling and is therefore considered to be acceptable.
- 4.3.8 The proposed development is therefore considered to be in compliance with Policies D1 and D2 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 acceptable.

Impact on Neighbouring Properties:

- 4.3.9 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.
- 4.3.10 The proposed development would not seek to enlarge the built bulk of the garage, but would introduce new fenestration. Outlook from the windows and doors would be at ground floor level and would therefore not allow for a raised vantage point to overlook neighbours. Some sense of overlooking may be created, however, given that no dwellings are directly opposite the garage doors, I do not consider that privacy impacts would be significant. Given the residential use of the annex, I do not consider that noise generation would be significant or adverse. Dominance and light loss would not be adverse given that the garage would not be enlarged by the proposed conversion. The proposed store would be to the rear elevation of the garage, and would be set away from neighbouring curtilages. It is therefore not considered to occasion unacceptable harm for neighbouring occupiers.
- 4.3.11 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.

Highways and Parking:

- 4.3.12 It is noted that neighbour representations raise concern with the potential impacts to parking levels outside of the garages. On-site, it was evident that at least 2 cars can park immediately outside of the garages, and that this part of the site is not a through road. The proposed access door would open inwards, and would allow for the ability to

park a vehicle given that there is approximately 6.5m of space outside of the building to park a vehicle and to access the principal door. Therefore, the proposed impacts to parking are not considered to be harmful. It should be noted that this part of the site is on a private access road, and is therefore outside of the control of the Local Planning Authority and Highways Authority.

Environmental Implications:

- 4.3.13 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.

Biodiversity Net Gain:

- 4.3.14 This is a householder application which is exempt from BNG Legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 **Alternative Options**

- 4.5.1 None applicable.

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.

3. The residential annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse known as No. 2 Kingsoak, Hitchin.

Reason: To avoid the creation of a new dwelling contrary to the planning policies applicable to the area and to avoid the occupation of two separate dwellings by persons unconnected with each other as this would result in an unsatisfactory relationship and inadequate standard of amenity for both properties and to comply with Policy HS6 of the North Hertfordshire Local Plan 2011 to 2031.

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  Sam Dicocco Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 11 April 2025	