

DELEGATED FILE NOTE

CASE OFFICER: ...Harriet Sanders.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01466/FPH	Erection of garage outbuilding, following demolition of existing service outbuilding (revised plans submitted 14/10/2024).	Hexton Manor Hexton Hitchin Hertfordshire SG5 3JH

Submitted Plan Nos

2024/32/306 2023-32-306 2024-32-301 2024-32-302 2024-32-303 2024-32-304 2024-32-305

1.0 Policies

SP5 Countryside and Green Belt

SP9	Design and Sustainability
SP13	Historic environment
D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
HE1	Designated heritage assets
HE4	Archaeology
NE3	The Chilterns AONB
T2	Parking

2.0 Recent Planning History

- 2.1 24/01467/LBC - Erection of garage outbuilding, following demolition of existing service outbuilding. Concurrent application.
- 2.2 24/00254/FPH - Demolition of existing front conservatory and rear colonnade. Alterations to fenestration and external render. CP 23/08/2024.
- 2.3 24/00255/LBC - Internal and external alterations following demolition of front conservatory and rear colonnade. Alterations to fenestration (as amplified by drawing nos. 2023/32/201; - 202 and -203 received on 24/06/2024 and as amended by drawing no. 2023/32/01 Rev D

received on 21/08/2024 and Scope of Works (Rev F) also received on 21/08/2024). CCON 23/08/2024.

3.0 Representations

3.1 Site and press notices – no comments received.

3.2 Neighbour Notification – n/a.

3.3 Parish Council / Statutory Consultees:

- ☐ Hexton Parish Council – No comments received.
- ☐ Archaeology – No objection with conditions.
- ☐ NHC Conservation Officer – No objection with conditions.
- ☐ NHC Ecology – No objection.

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 Hexton Manor is grade II listed, located within the Chilterns Area of Outstanding Natural Beauty and within Hexton Conservation Area. The site is within the Green Belt. The grounds of Hexton Manor are designated as an historic park and garden.

4.1.2 Adjacent to the listed manor to the east is a single storey service outbuilding. The building is set at a right angle to the main elevation of the manor and separated by a small, tarmac service yard area and linked by a wall which joins the outbuilding to the manor with a gate giving access to the gardens behind. The building extends the full width of the manor. The whole site rises from the north to the south. The service building frontage is on the same level as the manor but is built into the rising slope to the south. The building has a sloping roof, sloping down from the front elevation to the rear, just visible above the bank forming most of the rear elevation.

4.1.3 The building is constructed of breeze blocks, partially rendered with a flue rising from the roof. The building is not particularly attractive and makes no positive contribution to the surrounding area. Behind the building on raised ground is a lorry trailer storage unit for the existing boiler within the service building.

4.1.4 The surrounding area comprises the Manor itself, an extensive gravelled driveway area to the front of the Manor and landscaped gardens to the rear. To the southern side of the Manor and service building, the land rises up and forms a partially grassed/lawn area that extends to a wooded area beyond.

4.2 Proposal

4.2.1 Consent is sought for:

“Erection of garage outbuilding, following demolition of existing service outbuilding.”

4.2.2 Revised plans were submitted on 15/10/2024 addressing comments raised by the conservation officer and reducing the overall size of the proposed garage. Reconsultation was not necessary as the revisions reduced the size of the proposal and enhanced the design and no objections have been received. The existing service building will be demolished and the proposed new outbuilding erected to be used as a garage by the occupants of the Manor.

- 4.3.3 The grounds levels will be adjusted to accommodate the garage. The existing area up to the line of the front elevation of the existing service building will be maintained at current ground level. A substantial planter will border the side elevation of the proposed garage which will sit at a higher level than the Manor house. The proposed garage will adjoin the existing wall linking it to the Manor. It is proposed to gravel the area from the drive to the proposed garage.
- 4.3.4 Landscaping works are proposed to enhance the setting of the new outbuilding. One tree at the side of the service building will be removed as part of the proposal. The mature tree on the east side will be retained. Additional planting of cherry, beech and yew trees to rear of proposed garage and to the front/side are proposed.
- 4.3.5 Materials are proposed to match the listed manor building with an off white 'linen' shade of painted render, approved in the recent consent for works to the Manor detailed in the planning history above. Matching slate tiles for the roof and white painted timber garage doors are also proposed.

4.3 Key Issues

4.3.1 The key issues for consideration are:

- ☐ The principal of development within the Green Belt;
- ☐ The impact of the proposed development on Designated Heritage Assets;
- ☐ The acceptability of the design of the proposed development and its impact on the character and appearance of the locality;
- ☐ The impact the proposed development would have on the living conditions of neighbouring occupiers;
- ☐ Access and parking matters;
- ☐ Trees and Landscaping;
- ☐ Ecology;
- ☐ Archaeology;
- ☐ The impact of the proposed development on the environment.

Impact on the Green Belt

4.3.2 The National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 specifies that local planning authorities should regard the construction of new buildings in the Green Belt as inappropriate development in the Green Belt, except for listed exceptions.

4.3.3 Paragraph 154 lists 7 exceptions. One listed exception includes:

“ d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.”

4.3.4 Two requirements must therefore be met to meet the exception criteria. Firstly, that the proposed garage is in the same use as the existing service building. Secondly that this it is not materially larger.

Proposed Use

4.3.5 The current service building is used for storage and utility services relating to the main dwelling. The proposed garage will be used for the storage of vehicles by the residents of the

main dwelling. Despite being differing uses, both uses relate to the dwelling house of Hexton Manor and are incidental uses to the main domestic dwelling. This element of the exception is therefore met.

Is the Proposed Garage Materially Larger than the Building it is Replacing?

4.3.6 There is no formal definition of what constitutes “materially larger”. It is a matter of a judgement and consideration of each individual case. However, there are commonly used indicators including a quantitative assessment of the proposed increase in volume, footprint and floor area. A qualitative assessment should also be considered which takes into consideration the visual impact of the proposal.

4.3.7 The proposed garage will replace the service building. The table below shows the increase in floorspace and volume between the existing building and the proposed.

	Floorspace (m2)	Volume (m3)
Existing service building	101.2	250
Proposed garage	120.1	485.9
% increase	18%	94%

4.3.8 From the above it is clear that there is a reasonable increase in the floorspace and a substantial increase in the volume. This can be considered ‘materially larger’. The exception criteria set out at paragraph 154 of the NPPF is therefore not met and the proposal constitutes inappropriate development in the Green Belt.

Consideration of Very Special Circumstances

4.3.9 The NPPF states at para 152 that “*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*”

4.3.10 The NPPF continues at para 153 that:

“.....local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

4.3.11 There is no definition of what constitutes Very Special Circumstances (VSC). In this case, it is considered reasonable to take into account the site around the Manor as a whole and recent planning history. Recently approved consent 24/00254/FPH includes the removal of the existing conservatory and colonnade at the Manor House as part of an overall refurbishment of the Manor.

4.3.12 Given that the garage will be an ancillary building to the Manor, it is reasonable to include the floorspace lost under consent 24/00254/FPH in the assessment of the current proposal. The floorspace and volume figures are set out in the table below.

	Existing Floorspace (m2)	Existing Volume (m3)
Service building	101.2	250
Colonnade	38.2	156.2
Conservatory	10.2	49.1
Total of building/structures removed	149.6	455.3

Proposed garage	120.1	485.9
% change	20% decrease	6.7% increase

- 4.3.13 Taking into consideration the removal of the service building, the colonnade and the conservatory, the overall proposed floorspace of the garage results in a decrease in floorspace of approximately 20%. However, the volume increases by approximately 6.7%. A 6.7% increase in volume is not considered to result in a materially larger building.
- 4.3.14 Even if it is assumed that the increase in volume is materially larger and therefore harm is caused, it is important to assess the degree of harm and whether the harm is outweighed by other considerations.
- 4.3.15 The degree of harm to the openness of the Green Belt is modest. The garage will replace the existing outbuilding and although it will result in an increase in volume (when considered cumulatively with the loss of the colonnade and conservatory and service building), the increase falls around the threshold of what can be considered materially larger.
- 4.3.16 There are other considerations that need to be taken into account. The proposed garage will replace the unattractive service building. The service building is a modern structure, set at an awkward angle to the listed Manor and makes no positive contribution to the character and appearance of the Manor, other listed or heritage assets or the surrounding area. The removal of the building and the opening up of the space to the side of the Manor is an improvement. The relandscaping of the area will make a positive contribution to the Manor and the surrounding area.
- 4.3.17 The garage has been designed to relate positively to the listed dwelling house.
- 4.3.18 Due to the changes in ground levels, the proposed garage will be partially screened from the east elevation by the rise in ground level. The building will be partially screened from wider views by the surrounding wooded area. Finally, the applicant is proposing new soft landscaping to blend the garage block with the surrounding landscape and screen it from view where possible. All of these factors help to reduce the level of potential harm to the openness of the Green Belt.
- 4.3.19 On balance, although the proposal does not meet the exception criteria for inappropriate development in the Green Belt, it is considered that VSC exist. The VSC include: recent planning history at the dwelling to remove existing floorspace at the manor; removal of the low quality and poor appearance of the existing service building; topography of surrounding landscape reducing the visual impact of the proposal; landscaping proposals to screen the building; and, overall improvement of the area. Given the above, it is considered that although the proposal will result in harm to the Green Belt, this harm is outweighed by the considerations listed above and that VSC exist to support the proposal as set out in the NPPF para 153.
- 4.3.20 The proposal therefore complies with section 13 of the NPPF and Local Plan policy SP5.
- Impact to Designated Heritage Assets

- 4.3.21 Consideration needs to be given to the impact of the proposed garage on the relevant heritage assets. The heritage assets relevant to the site are the Hexton Conservation Area, the listed Hexton Manor and the designated Historic Park and Garden.

Policy Context

- 4.3.22 National policy as set out in the NPPF provides clear guidance on assessing the impact of proposals on heritage assets. The following is relevant to this site:

- when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199).
- Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (para 202).
- Local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance (para 204).

- 4.3.23 Local Plan policies SP13 and HE1 reflect the principles set out in the NPPF. Policy SP13 notes great weight will be given to a heritage asset's conservation and the management of its setting, maintaining a strong presumption in favour of the retention, preservation and enhancement of heritage assets and their setting according to their significance. Policy HE1 notes that planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted where they:

- incorporate a palette of materials that make a positive contribution to local character or distinctiveness, where it is appropriate and justified; and
- will lead to less than substantial harm to the significance of the designated heritage asset, and this harm is outweighed by the public benefits of the development.

Implications of Policy Context on the Proposed Development of the Site

- 4.3.24 In view of the policy context above, any proposals for development of the site will need to address the following:

- how significant are the heritage assets relevant to the site;
- what degree of harm will the proposal have on the heritage assets;
- will the proposal preserve and enhance the character and appearance of the Conservation Area and setting of the listed building;
- does the proposal make a positive contribution to the local character and distinctiveness of the area;
- if harm is caused, would this harm be substantial harm, total loss or less than substantial harm to the significance of the heritage assets;

- if less than substantial harm is caused, is this harm outweighed by the public benefits of the proposal.

Significance of the Heritage Assets and Potential Harm Caused

- 4.3.25 Following consultation with the Senior Conservation Officer, no objection has been raised to the proposed works. The Conservation Officer concludes that ‘the proposal will neither harm the setting to Hexton Manor or harm the character or appearance of the Hexton Conservation Area or harm the designated Historic Park and Garden.
- 4.3.26 The Conservation Officer notes that the proposed garage is a relatively large replacement building but is considered to be commensurate with the status of the main building on this site. The existing store and service building are considered to be curtilage-listed to the main listed building of Hexton Manor. The existing service building is considered to possess low significance and the Conservation Officer agrees with para 9.3 of the supporting Heritage Statement that “the current building totally detracts from the setting of the listed building, from its flat roof form, very close siting and poor design and appearance, as a purely functional and utilitarian building only”.
- 4.3.27 It is acknowledged that the garage building would be taller and more formal in appearance when compared with the building to be removed. However, the building is not considered in heritage terms to be so substantial as to harm the setting of the heritage asset of Hexton Manor. Even though linked to the main house via the wall, the proposal ensures that a reasonable amount of separation remains between both buildings and that the garage building, on balance, is seen as sufficiently subordinate to the principal building.
- 4.3.28 The proposed development therefore complies with both local and national planning policies and is acceptable in terms of impact on heritage assets.

Design and Appearance

- 4.3.29 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.
- 4.3.30 The proposed garage is a substantial building but relates well to the large Manor House. It is of an acceptable design and scale and will not cause harm to the existing property or the surrounding area. The building replaces an unattractive building. It is set back from the front elevation line of the Manor, helping it to appear subservient to the host dwelling.
- 4.3.31 The proposed garage building is in keeping with the property and locality and is acceptable in term of design and appearance. The proposed materials to match the existing will help to link the proposed additions sympathetically to the host dwelling.
- 4.3.32 The proposed development complies with Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the NPPF. The design and appearance of the proposal are acceptable.

Impact on Neighbouring Properties

- 4.3.33 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 NPPF.
- 4.3.34 No neighbouring objections have been received. The application property is isolated and therefore set away from any other nearby dwellings. The proposed development will not result in any unacceptable impact to the amenities of nearby neighbouring properties. The proposed development therefore complies with Policy D3 of the Local Plan and the aims of the NPPF.

Highways and Parking

- 4.3.35 The proposed development will provide garaging for several vehicles. In addition there is ample on site parking on the driveway. No alteration to the main access is proposed. The development is therefore acceptable in terms of highways and parking.

Ecology

- 4.3.36 The removal of the service building could result in the loss of potential bat habitat. A Preliminary Roost Assessment Report was submitted in support of the application. The report concluded the building has been assessed as having negligible suitability for roosting bats with no further survey work required. North Herts District Council Ecology Officer has raised no objection to the proposal.

Trees and Landscaping

- 4.3.37 Some trees will be lost as a result of the proposal. However, the trees lost have a low amenity value. It is reasonable to attach a landscaping condition to the consent to control the replacement of the lost trees and additional landscaping of the area as proposed by the applicant.

Archaeology

- 4.3.38 Comments received from Hertfordshire County Council note that the existing service building is of low significance in terms of heritage value and that therefore recording of the building is not necessary. However, there may be below ground significance within the footprint of the existing and of the proposed buildings which could be contributed to the post-medieval manor, or earlier in the area. The Historic Environment Record (HER) notes several findspots within the immediate vicinity which relate to the post-medieval Hexton Manor and earlier occupation.
- 4.3.39 The consultee response states that “*the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest*” and recommends provisions be made for archaeological monitoring of all groundworks, analysis of the results and such other provisions as may be necessary to protect the archaeological interests of the site.
- 4.3.40 Such measures are considered to be reasonable and necessary and it is recommended that the appropriate conditions be attached to the consent if issued.

Environmental Implications

- 4.3.41 The proposed development is relatively small in scale and 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

- 4.3.42 This development is not subject to the statutory Biodiversity Gain Plan condition because householder applications are exempt in respect of the biodiversity gain condition, under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exemptdevelopments>).

4.4 Conclusion

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

4.5 Alternative Options

- 4.5.1 None applicable.

4.6 Pre-Commencement Conditions

- 4.6.1 Agreed with applicant.

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 building hereby permitted shall be built in materials as detailed in the planning application and approved plans to include: off white 'linen' render on the walls; Westmoreland natural slate roof tiles; and white painted timber garage doors, unless otherwise agreed in writing by the LPA.

Reason: To protect the visual amenities of the locality and to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

4. Prior to the commencement of above ground works, details of the proposed finished floor levels, ridge and eaves heights of the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of the Manor House. The development shall be carried out as approved.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to comply with Policy D1 of the Local Plan.

5. Prior to the commencement of above ground works, landscape details are to be submitted to and approved in writing by the Local Planning Authority. Landscaping details to be submitted shall include the following:
- a) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed including details of the approved planters and driveway;
 - b) details of any earthworks proposed around the building hereby approved, to include existing and proposed land levels at fixed datum points, and the finished floor level of the garage.
- The development must then accord with the landscape details approved pursuant to this condition.

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

6. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

7. No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
- 1. The programme and methodology of site investigation and recording
 - 2. The programme for post investigation assessment
 - 3. Provision to be made for analysis of the site investigation and recording
 - 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation

5. Provision to be made for archive deposition of the analysis and records of the site investigation

6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

Reason: The site lies within an area where there is significant potential for archaeological remains and any finds should be retrieved and/or recorded before they are damaged or destroyed as a result of the development hereby permitted and to comply with Policy HE4 of the North Hertfordshire Local Plan 2011 to 2031.

8. The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 7.

Reason: In order that a record can be made of any archaeology found within the site and to comply with Policy HE4 of the North Hertfordshire Local Plan 2011 to 2031.

9. The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 7 and the provision made for analysis and publication where appropriate.

Reason: In order that a record can be made of any archaeology found within the site and to comply with Policy HE4 of the North Hertfordshire Local Plan 2011 to 2031.

10. Details of any rainwater goods shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that part of the development hereby consented. Thereafter the rainwater goods shall be implemented in accordance with the approved details.

Reason: To ensure that special regard is paid to the setting of Hexton Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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: 4 November 2024	