

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01951/FPH	Erection of detached 1-bed ancillary annexe with associated decking following demolition of existing detached garage.	Heston Paddocks Drivers End Codicote Hitchin Hertfordshire SG4 8TR

Submitted Plan Nos

1589_YPUK_P001 1589_YPUK_P002 1589_YPUK_P003 1589_YPUK_P004 1589_YPUK_P005

1.0 Policies

D1 Sustainable design

D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
HE1	Designated heritage assets
HS6	Relatives and dependents accommodation

2.0 **Site History**

2.1 79/01768/1: Re-positioning of detached garage. Granted.

3.0 **Representations**

3.1 Site Notice / Adjacent residents: No responses received

3.2 Codicote Parish Council: No response

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 Detached outbuilding forming part of the curtilage of a detached dwelling located off Drivers End.

The site is within the Green Belt. The site is not in a Conservation Area. Chandlers Cottage on the opposite side of Drivers End is Grade II listed.

4.2 **Proposal**

Erection of detached 1-bed ancillary annexe with associated decking following demolition of existing detached garage.

4.3 **Key Issues**

4.3.1 The key issues are Green Belt policy, design and appearance, impact on neighbouring property, heritage assets, parking, biodiversity and climate change

4.3.2 Green Belt policy

4.3.3 Paragraph 154 d of the NPPF allows for:

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 In this case the replacement building would occupy a similar footprint as the existing, be of the same ridge height and width as the existing garage and under 40 % longer than the existing garage. It would also be in the same residential use. Paragraph 154d does not define the term 'materially larger'. The proposal would still be read as an outbuilding to the main dwelling in my opinion.

As the proposed annex building would be set back from the service road and largely screened by trees I do not consider that there would be any visual or spatial harm to the Green Belt. The proposal would not undermine any of the five purposes of including land in Green Belts.

The applicants's agent has also pointed out that the proposed building could be 'permitted development' if 15cm lower and moved 2m from the boundary and that therefore this represents a credible fallback position that carries some weight.

On balance I consider that the proposal accords with applicable green belt policies.

4.3.5 Design and appearance

4.3.6 The proposed building would have a pitched roof with clay tiles and timber cladding and timber windows. All these features are typical of a rural building and acceptable in planning terms. It would have limited impact in the street scene due to existing screening. Even if this screening were removed the end gable with a small timber window would face the service road which together with the overall domestic appearance would not be harmful to the character and appearance of the area.

4.3.7 Impact on neighbouring property

4.3.8 Due to its small scale and domestic appearance and function, together with the separation distance from neighbouring property, it is considered that the proposal would have an acceptable relationship with adjacent occupiers.

4.3.9 A standard residential annex condition is recommended to which the applicant has no objection.

4.3.10 Heritage assets

4.3.11 The nearest listed building (Chandlers Cottage on the opposite side of Drivers End Lane) is too far away to be affected by this development bearing in mind an outbuilding already exists on the site and the main house at Heston Paddock is sited in between the proposed outbuilding and the listed building.

4.3.12 Parking

There is ample parking within the front curtilage of Heston Paddock to compensate for the loss of the garage.

4.3.13 Biodiversity

This application is exempt from the need to apply BNG legislation.

4.3.14 Climate change

The small scale of this development means that there would be little, if any, impact on local climate change.

4.4 **Conclusion**

4.4.1 The proposal is acceptable in planning terms.

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 Heston Paddock

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: 29 October 2024	