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| <b>DELEGATED FILE NOTE</b> |
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**CASE OFFICER:** ...Andrew Hunter.....

| APPLICATION<br>REFERENCE | BRIEF DESCRIPTION OF<br>DEVELOPMENT                                                                                                                                                                            | APPLICATION SITE                                                           |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| 24/02467/FPH             | Erection of detached<br>garage/office/store following<br>demolition of existing detached double<br>garage and store (renewal of previously<br>approved planning permission<br>21/00624/FPH granted 20.04.2021) | Mayfield<br>Kimpton Road<br>Oakhills<br>Welwyn<br>Hertfordshire<br>AL6 9NN |

**Submitted Plan Nos**

11178 -100 B 11178 -102 B

**1.0     Policies**

D1                      Sustainable design

D2 House exts, replcmnt dwellings outbuild

D3 Protecting living conditions

SECN12 Achieving well-designed places

SECN13 Protecting Green Belt Land

SECN9 Promoting sustainable transport

SP5 Countryside and Green Belt

SP6 Sustainable transport

T2 Parking

SP9 Design and Sustainability

## 2.0 **Relevant site history**

2.1 21/00624/FPH - Erection of detached garage/office/store following demolition of existing detached double garage and store – Approved 20/04/21.

2.2 20/01275/FPH - Replace existing detached single storey garage doors with a window to facilitate conversion into habitable accommodation – Approved 05/08/20.

2.3 20/00871/LDCP - Conversion of garage to garden room – Withdrawn 02/06/20.

2.4 17/01093/1HH - Insertion of dormer window to front roof slope to create additional accommodation to first floor – Approved 12/06/17.

- 2.5 17/01092/1HH - Single storey side extension – Approved 12/06/17.
- 2.6 06/02781/1HH - Single storey side extension – Approved 30/01/07.
- 2.7 88/01967/1 - Two storey side extension (As amended by plans and letter received 18.1.89) – Approved 23/11/88.
- 2.8 85/00204/1 - Erection of two storey rear and single storey side extensions – Approved 18/01/85.

3.0 **Representations**

- 3.1 None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a detached chalet bungalow with a pitched roof on a corner plot. The rear boundary of the site with Heathfield is comprised of hedges 2m high. The site is within an area of detached dwellings, although the wider character of the locality is rural. The site is within the Green Belt.

4.2 **Proposal**

- 4.2.1 The erection of a detached outbuilding with a pitched roof in the rear garden of the dwelling, which would be used as a garage and office/gym. It would replace a smaller existing detached garage.

4.3 **Key Issues**

- 4.3.1 The key material considerations are whether the development is acceptable in principle, design, neighbour amenity, and parking.

Principle

- 4.3.2 The site is in the Green Belt, where only certain types of development are acceptable in principle. If development is not acceptable in principle it will be inappropriate, and should not be approved except in very special circumstances.
- 4.3.3 Policy SP5 of the adopted Local Plan states that planning permission will be granted for development that is appropriate in the Green Belt. Development that is not inappropriate relating to the proposed development is defined in the December 2024 NPPF paragraph 154 as:

*154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:*

- c) 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;*
- 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 While the proposal would replace the existing building, previous expired planning permission 21/00624/FPH assessed that proposal under para. 145 c) of the NPPF at the time which is the same as 154 c) of the December 2024 NPPF, i.e. to assess

whether the proposal would be a disproportionate addition over and above the size of the original building.

- 4.3.5 “Original building” in this context is the dwelling Mayfield as it existed in 1948. Mayfield has been extended to the side and rear, although these extensions are mostly single storey. The garage the subject of this application is not considered original on the basis of the appearance of its external materials.
- 4.3.6 The proposed new building would be approximately double the size of the existing garage, although as it would have a shallow hipped roof, as other extensions to the dwelling have been predominantly of a smaller single-storey scale, as Mayfield has not been enlarged since 21/00624/FPH was approved, and as the new application is a renewal of that expired 2021 permission, it’s not considered that the proposal would be a disproportionate addition.
- 4.3.7 It’s not considered that the proposal would be inappropriate development in the Green Belt, and is acceptable in principle. The proposal complies with Policy SP5 of the Local Plan and Section 13 of the NPPF.

#### Design

- 4.3.8 As stated, the proposal is a renewal of expired planning permission 21/00624/FPH. It’s not considered that relevant material considerations have changed to such an extent that a different decision should be arrived at in respect of the design impacts of the proposal.
- 4.3.9 In any case, while the building would not be small, it would appear subordinate to the main dwelling and within the site. The simple hipped roof design and appearance and siting set back from the highway will ensure it is in keeping with the character and appearance of the dwelling and locality. The design is acceptable. The proposal would therefore comply with Policies D1 and D2 of the Local Plan, and Section 12 of the NPPF.

#### Neighbour amenity

- 4.3.10 The proposed building would have very similar impacts on the closest dwellings as when the same building was approved under now expired planning permission 21/00624/FPH. Relevant material considerations in respect of impacts on neighbour amenity are not considered to have changed since the 2021 permission expired.
- 4.3.11 The proposal essentially is not considered harmful to amenity as the impacts on No. 33 to the NE will be similar to those from the existing outbuilding, and the new building will be obscured by a hedge and trees on and near the boundary with Heathfield to the SE. The proposal is not considered harmful to amenity. The proposal complies with Policy D3 of the Local Plan.

#### Parking

- 4.3.12 The site will have parking provision for at least two cars, which complies with minimum parking standards. Parking provision will be acceptable, and complies with Policy T2 of the Local Plan.

### 4.4 **Conclusion**

4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission is **GRANTED**.

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 approved building shall be used for purposes incidental to the dwellinghouse known as Mayfield, Kimpton Road, Oakhills, Welwyn, AL6 9NN.

Reason: In the interests of character and appearance and amenity. To comply with Policies D1, D2 and D3 of the Local 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.

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| <p>Signed</p><br><br><br><br><br><br><br><br><br><br><br><p>Shaun Greaves<br/>Determining Officer</p> | <p>Development Management<br/>North Hertfordshire District Council<br/>Council Offices<br/>Gernon Road<br/>Letchworth<br/>Herts<br/>SG6 3JF</p> |
| <p><b>Date:</b> 13 December 2024</p>                                                                                                                                                   |                                                                                                                                                 |