DELEGATED FILE NOTE

CASE OFFICER: ...Tom Donovan.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01168/FPH	Single storey detached habitable outbuilding in rear garden.	32 Chapel Road Breachwood Green Hitchin Hertfordshire SG4 8NX

Submitted Plan Nos

K1; Location Plan

1.0 Policies

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

Policy 2 - Green Belt
Policy 3 – Settlements in the Green Belt
Policy 28 - House Extensions
Policy 55 - Car Parking Standards

1.2 **National Planning Policy Framework.**

Section 7 - Requiring good design
Section 9 – Protecting Green Belt land

1.3 **Emerging Local Plan 2011-2031 (Approved by Full Council 11th April 2017).**

SP2 – Settlement Hierarchy
D1 - Sustainable Design;
D2 – House extensions, replacement dwelling and outbuildings;;
D3 – Protecting living conditions;
T2 – Parking

1.4 **Supplementary Planning Document**

Vehicle Parking at New Development September 2011

2.0 **Site History**

2.1 None relevant.

3.0 **Representations**

3.1 **Local residents**
None received.

3.2 **Kings Walden Parish Council**
No objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 32 Chapel Road is a detached residential property. The site is currently in the Green Belt although this designation is proposed to be altered through the Emerging Local Plan which it is anticipated will be adopted in early-mid 2019.

4.2 **Proposal**

4.2.1 Single storey detached habitable outbuilding. The building is proposed to measure 6.8m in width, 4.9m in length, 2.1m to eaves height and 3.5m to ridge height.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:
--The acceptability of the principle given the location in the Green Belt.
--The effect on the character and appearance of the area.
--The effect on the living conditions of neighbouring properties.
--The effect on highway safety and car parking in the area.

4.3.2 Green Belt: The NPPF
The erection of a building in the Green Belt is inappropriate development as set out in paragraph 89 of the National Planning Policy Framework (the Framework). Saved Policy 2 is largely consistent with the aims of the Framework whilst under the Emerging Policy, the site is proposed to be removed from the Green Belt and so Green Belt policy would not apply. In accordance with the Framework, very special circumstances should be demonstrated in order for the application to succeed.

4.3.3 Very special circumstances
--The building would be relatively modest in size and would arguably be able to be erected under Class E of the General Permitted Development Order.
--The building would be positioned within the rear garden and would not cause actual harm to openness or conflict with the purposes of the Green Belt.
--The site is proposed to be removed from the Green Belt and, as far as I am aware, the removal of Breachwood Green from the Green Belt was not a contentious issue at the Examination in Public (EiP). As such, there is a high probability that the site will cease to be Green Belt upon adoption of the Emerging Local Plan 2011-2031.

4.3.4 Design/visual impact
The proposed building would have an acceptable design which would not cause any harm to the wider character of appearance of the area.

4.3.5 Impact on neighbouring properties
The proposed building would be set away from the boundary with the neighbouring properties and would be modest in size. As such, I do not consider that the proposal would cause any harm to the living conditions of neighbouring properties.

4.3.6 Car parking
The proposed development would not trigger the requirement for additional car parking to be provided within the application site.

4.4 **Conclusion**

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

4.5 **Alternative options**

4.5.1 None applicable.

5.0 **Recommendation**

5.1 That planning permission is **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.

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 7 June 2018	