

DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

24/02515/LDCP

Installation of hardstanding (ground guard) to north side of dwelling to provide two additional car parking spaces

12 Bowlers End
Hitchin
Hertfordshire
SG5 2EA

Submitted Plan Nos

654.001A PL.100

1.0 Policies

2.0 **Relevant Site History**

- 2.1 24/01924/FPH - Single storey rear extension. Alterations to existing detached garage fenestration including insertion of rear Juliet balcony's following removal of existing garage doors to facilitate conversion of garage to gym/study. Alterations to existing side garden to provide two parking spaces – Refused 15/10/24 for:
1. The proposed parking area of the development by reason of its type, size and visual impacts would be inappropriate development in the Green Belt by definition and would cause further harm through loss of openness. The proposal does not comply with Policy SP5 of the Local Plan and Section 13 of the NPPF.
 2. The proposed garage conversion by reason of its design would be detrimental to the character and appearance of the site and locality. The proposal does not comply with Policy D1 of the Local Plan and Section 12 of the NPPF.
- 2.2 21/02294/FPH - Insertion of rear dormer window to garage roof slope to facilitate office space at first floor level – Approved 30/09/21.
- 2.3 19/02592/FPH - Single storey rear extension, insertion of three front rooflights to existing roofslope, insertion of rear dormer window with Juliet balcony to facilitate conversion of loft into habitable accommodation and change of existing gable end cladding finish to match dormer – Approved 03/02/20.

3.0 **Representations**

- 3.1 None.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a detached two storey dwelling with a pitched roof, with a separate detached double garage. The site is in a relatively new residential development. The site is in the Green Belt.

4.2 **Proposal**

- 4.2.1 A Certificate of Lawfulness is sought for the creation of a new parking area in the garden to the side of the main dwelling, which would be accessed off Bowlers End.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are whether the proposed development would require a specific planning permission or be considered 'permitted development' in line with the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1 Class F, and Part 2 Class B. Permitted Development rights have not been removed by Condition.

4.3.2 **Development is not permitted by Part 1 Class F if —**

F.1 Development is not permitted by Class F if permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use).

The proposed work complies with this criterion.

4.3.3 **Conditions**

F.2 Development is permitted by Class F subject to the condition that where—

(a) the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and

(b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,

either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

The hard surface would not be between the front elevation of the dwellinghouse and a highway. Therefore, the development is compliant with this criterion.

4.3.4 Part 2 Class B – Means of access to a highway

Permitted development

B. The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).

The section of highway the parking area would be accessed from is an Unclassified Road. The proposal therefore complies with this criterion.

4.4 **Conclusion**

- 4.4.1 A Certificate of Lawfulness (proposed) can be issued on the basis that the proposed 'Installation of hardstanding (ground guard) to north side of dwelling to provide two additional car parking spaces' constitutes permitted development by virtue of Class F, Part 1; and Class B, Part 2; of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Signed  Tom Rea	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 11 December 2024	